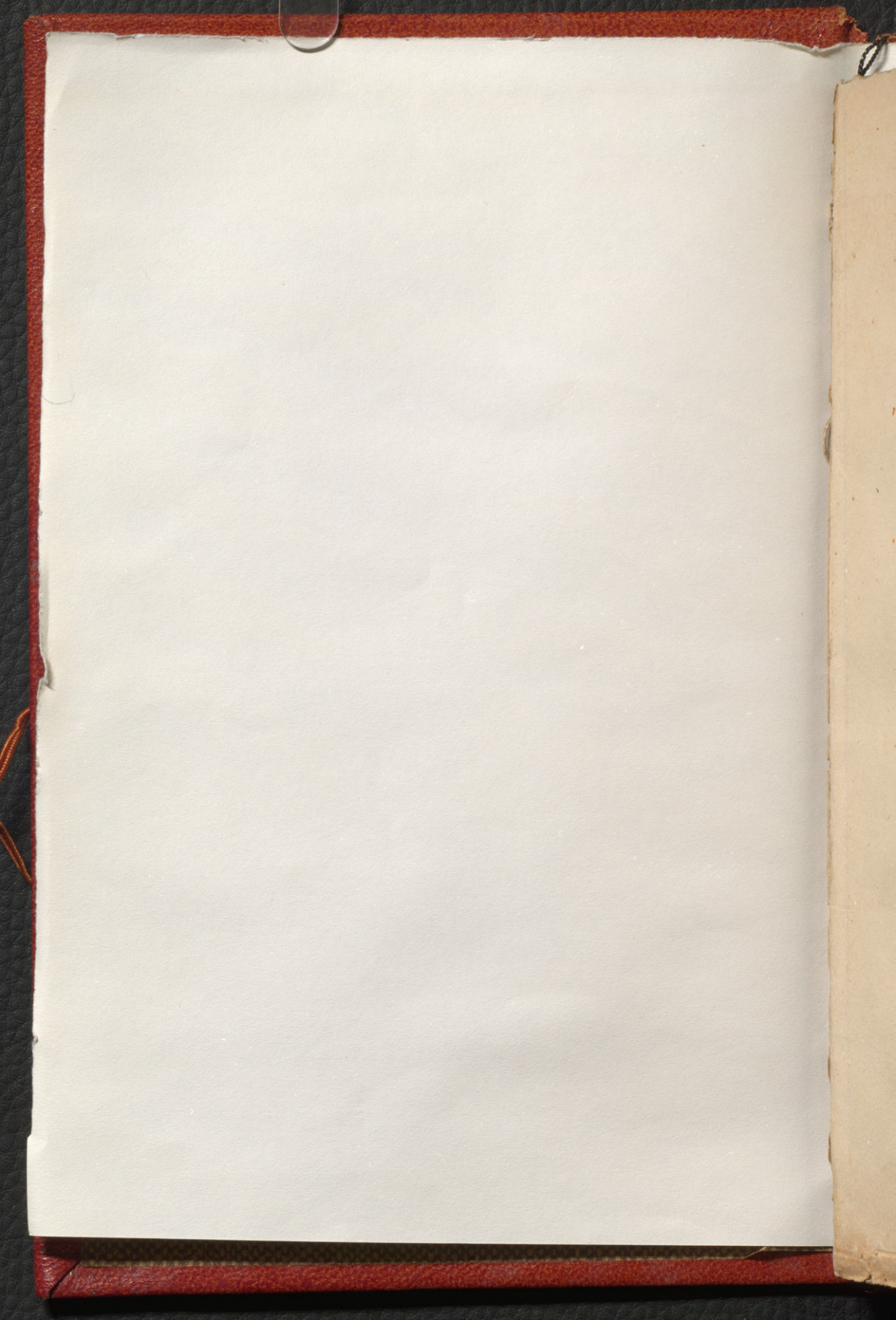


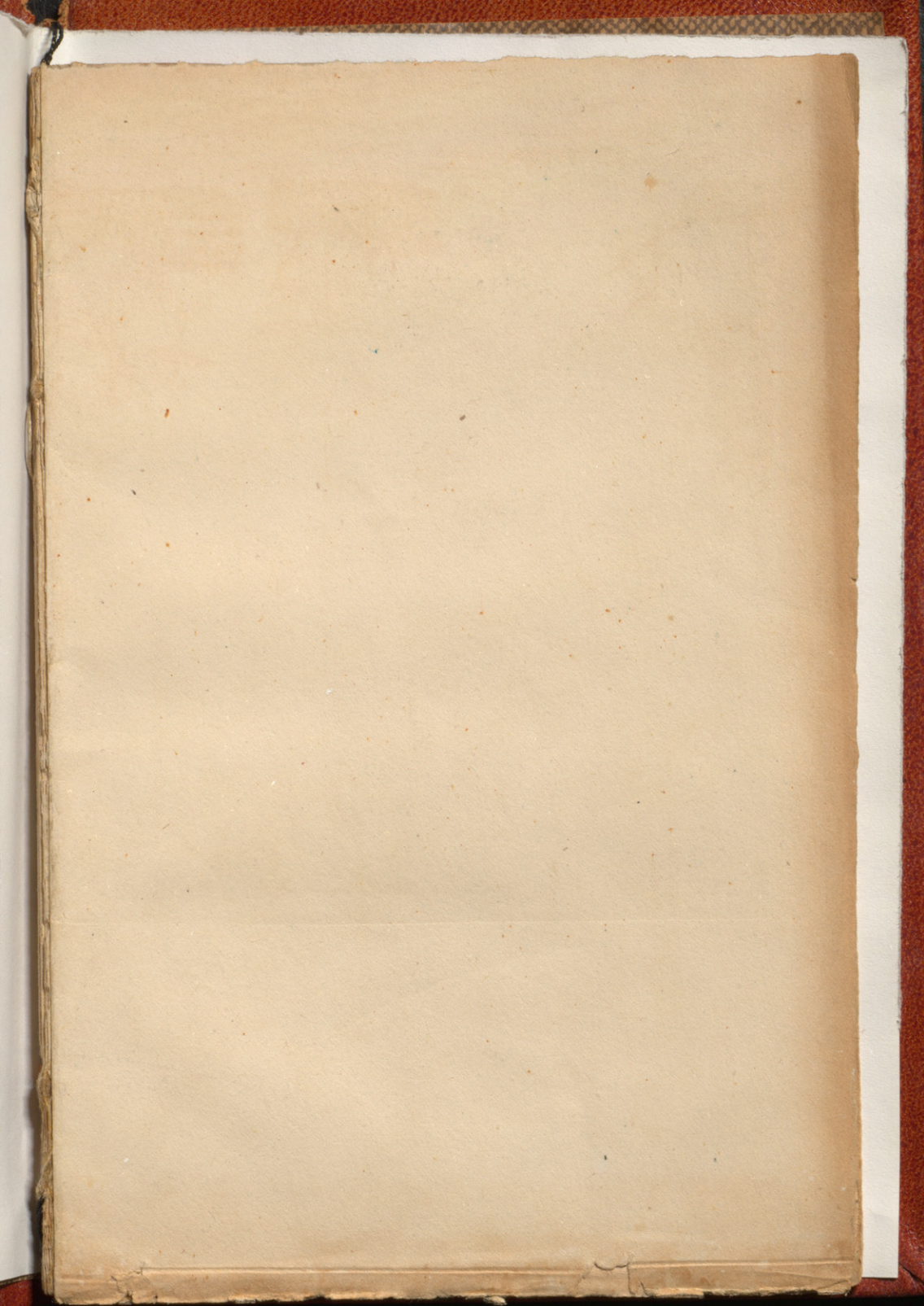
LETTER  
from  
DELTA to SENEX

Montreal  
1827

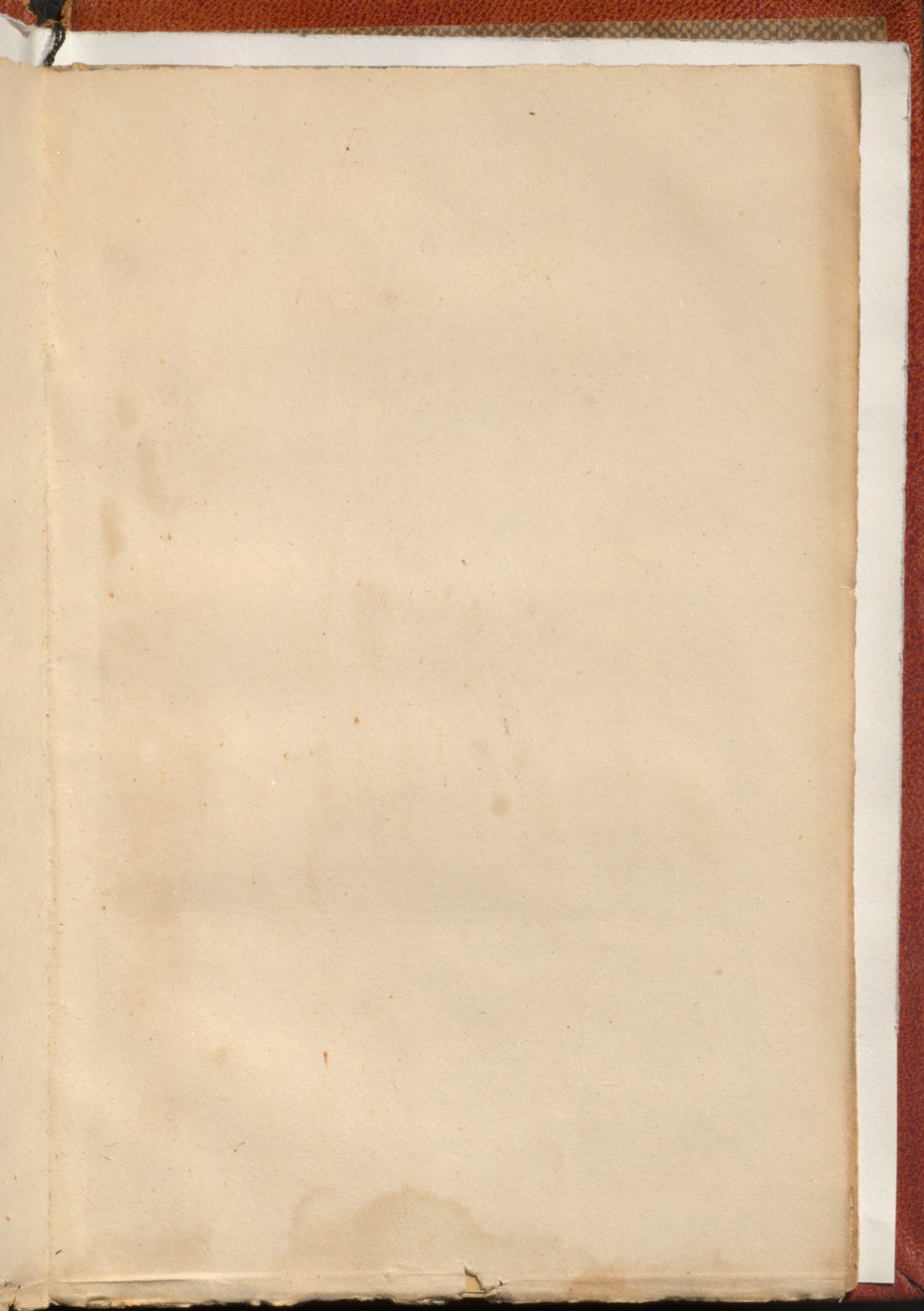


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37  
Presented by  
Hon. Justice Mackay.

**LETTER**  
FROM  
**DELTA TO SENEX,**

Containing some observations and strictures on  
a late **MANIFESTO** published in the News-  
papers, in a sinister form of an **ADDRESS**  
from a **JUNTO** of Members of the  
Provincial Parliament of

**LOWER CANADA**

TO

*R. Mackay,*

**THEIR CONSTITUENTS ;**

To which is added an **APPENDIX**, consisting of the Speech of  
**HIS EXCELLENCY THE GOVERNOR IN CHIEF**  
On proroguing the last session of Provincial Parliament,  
and the said

**MANIFESTO.**

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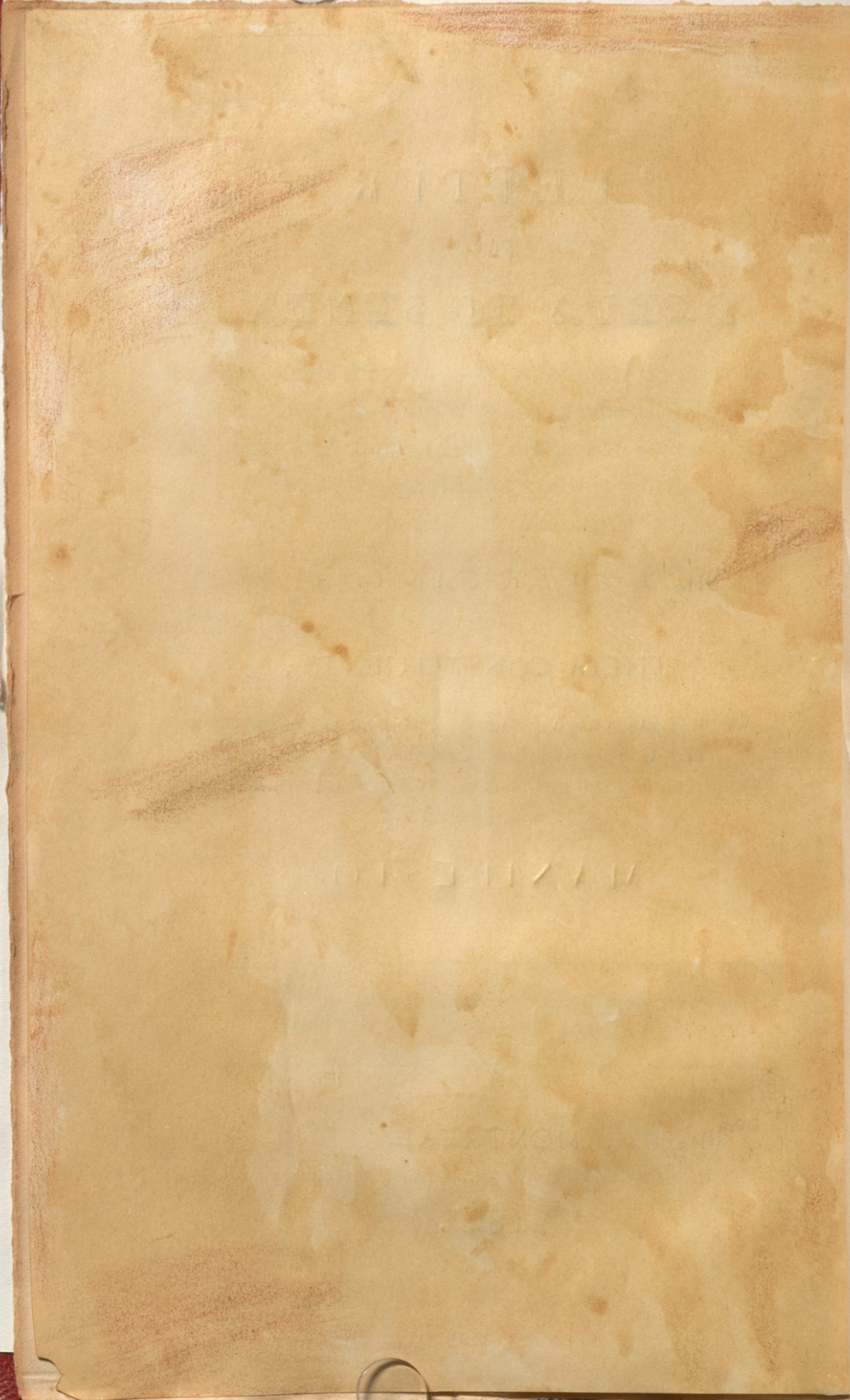
"I hate when **VICE** can bolt her arguments,  
And **VIRTUE** has no tongue to check her."

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**MONTREAL.**

Printed at the Montreal Gazette Office.

1827.



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TO SENEX.

**SIR!**

KNOWING you, from your name and your public writings, to be the oldest and most intrepid PATRIOT that CANADA has yet produced, and one whose name, both real and assumed, will go down to future ages as the best defender of our CONSTITUTIONAL RIGHTS against the machinations of an IGNORANT AND FACTIOUS PARTY, I am somewhat surprised at not having met you IN PUBLIC at a period so critical to the welfare of the Country, and when so many WOLVES, from the troubled domains of DISSENTION and DEMOCRACY, are howling so loudly and daringly around us.

I therefore hope you will pardon me for calling your attention thus publicly to the state of matters in this unfortunate part of His Majesty's dominions, and submitting to your consideration a few hasty thoughts which have occurred to myself upon the subject; assured, that, if they will have the effect of once more rousing the spirit of that OLD LION who has so often stood ALONE in the breaches made on our CONSTITU-

tion, by the enemies of order and good government, not only to defend them from further outrage, but to repair them; the pests of society I allude to, will soon slink away into the dens and caves peculiar to such canine, and leave the CITADEL to that peace and security which of right belongs to it, and which, sooner or later, it will inevitably enjoy. *To you*, I trust it will be unnecessary to make any more apology for the following observations. As to PUBLIC OPINION, I both despise it, and altogether deny its jurisdiction, WHEN not founded in the welfare of society in all that contributes to the maintenance of those noble, and, I hope, IMPERISHABLE, monuments of civil and moral government which have been so long and so happily established throughout almost every region of this GREAT EMPIRE.

I have just returned from the reading room, where, on perusing the *Canadian Spectator* of the 28th ultimo, I met with an Address, or rather, a MANIFESTO to their *Constituents* subscribed by the following names:—*L. J. Papi-  
neau, Hugues Heney, J. Leslie, Joseph Valois,  
Joseph Perrault, Austin Cuvillier, J. M. Ray-  
mond, F. A. Quesnel.* Not being either a very diligent or attentive reader of the advertising department of a newspaper, and taking it for granted that so many obscure names, which I

had hitherto been accustomed only to associate with *auction bills*, *cheesemonger's advertisements*, *grocery puffs*, and *distress warrants*, could be the means of conveying very little news of importance to the public, I was about to put the paper aside, when my curiosity was accidentally excited by a variety of words and expressions which seldom figure in advertisements, however much their authors may sometimes be inclined to strain the tomes of Johnson and Walker to their own petty purposes. It was very fortunate that this was the case, otherwise it is likely I should have missed one of the greatest treats, in my estimation at least, that this country has ever produced, not even excepting the description of the battle of Chateauguay—the Canadian Thermopylæ—which was given some years ago at a tavern dinner, set forth in Montreal for the benefit of those *sublime* orators and patriots who voted against the union.

I had not gone very deep into this extraordinary document when I perceived its cue. I found it to have sprung from that concentric circle of gross ignorance, factious principles, and anti-British views which have so long disturbed with impunity the peace of this province, and arrested but too effectually the course of its improvements. I found it to have come from men, who, though unfortunately for the coun-

try, endowed with a public and official character, have entirely renounced the constitutional responsibility of that sacred character, and lent their whole power and influence to the dissemination of erroneous views of the motives which now do, and have ever actuated the Imperial, as well as the local, governments of this country. I found it to proceed from entire strangers to British feelings, British generosity, and, above all, to British warmth of heart, good humour and fair-play. I found it to proceed from those whose *amor patriæ* is confined to the hovels of prejudice, the conclaves of faction, and the brothels of party. I found it to proceed from men, who having little truly worthy of admiration among themselves, and conscious at every turn, of the superiority of Britons, hate those Britons with a hatred, rank as the weeds that grow in their native forests, and whose banishment from a province conquered by their blood and arms, would be hailed with a yell of savage triumph worthy of the ancestors of the majority of them. I found it to proceed from those who, strangers to, and grossly ignorant of the first principles of our Constitution, arrogantly seek to grasp executive power, where they can only be recognized as Members of a co-ordinate branch of a subordinate provincial legislature. I found it had come from men who have devoted their lives to the

promotion of anarchy, by endeavouring to deprive His Majesty of the power and the means of maintaining the civil government of this colony, and of extending those blessings of civilization and improvement to this part of his dominions which are so extensively and manifoldly enjoyed in almost all the other regions of the empire. I found it coming from men who never cease to bawl *loyalty! loyalty!* while, almost in the same breath, they deny the supremacy of His Majesty in parliament, reject with disdain the deliberate opinion of his law council, and treat the despatches of one of his principal Secretaries of State with scorn and derision. I found it coming from men who, though protected in their persons and property by laws unparalleled in the world, and to which their fathers were strangers, refuse to place the judges of the land on the same independent footing with those of the mother country, notwithstanding the overtures made for that purpose by the King himself. I found it to proceed from men who VOLUNTARILY pledged themselves to defray all the civil expences of the country in a constitutional way; for as such it could only be accepted of; but who, the moment they were called upon to redeem their pledge, slunk, like cowards and assassins from the broad glare and sunshine of honour and patriotism, to the tainted shades and corrupt pandemoniums of

treachery, democracy, and all their train of party intrigue and factious ambition. I found it to proceed from men, whose national prejudice being not only inherent, but as dark and deep as Erebeus, endeavour by all the means in their power to fortify these prejudices still stronger in the minds of their rude *Countrymen*, with the infamous and seditious view of perpetuating a distinction betwixt them and Britons, and thus paving the way to an ultimate separation from the mother country. I found it to proceed from men who, if they love education at all—which is *very* doubtful—love it only while it is subservient to the basest purposes—that of instilling political poison into the minds of their deluded *Countrymen*; and who scruple as little to deceive the ignorant and unwary as to insult and deride the informed and respectable. I found it to proceed from men, who, with a view of shewing their contempt of the plastic hand of legitimate authority, and their disregard of all decency, order, and good government, have established, by the petty clubbings of a party, a variety of periodical publications in several parts of the country for the express purpose of bringing the Majesty of government and the laws into contempt, and sowing the seeds of discord, hatred, and disunion amongst a people, of all others, the most disposed to peace and cordial intercourse; and



who have raised from the dung hills and purlieus of political wretchedness to be the conductors of those channels of public and private libel, men who are not only a disgrace to letters, but who can only exist in the tainted air of insolence, arrogance, and slander; men on whose tongues "detraction ever burns;" men in whom

"Corruption with corrosive smart

"Lies cank'ring on *their* guilty heart?"

and men to whom I may safely apply the following words of Juvenal:

"—Sed quo cecidit sub crimine? Quisnam  
Delator? Quibus indiciiis? Quo teste probabit?  
Nil horum! verbosa et grandis epistola venit."

I found this notable document coming from persons who, possessing neither rank, dignity, nor manners themselves, and being as ignorant of the respect due to their superiors as they are ready to trample upon their equals—for they have no *inferiors*, and cannot have—daily insult the King himself in the person of his noble representative, whom, with a ferocity peculiar to themselves and the *lanterne* gentry of the Country of their language, they not only introduce as a private individual into *all* their discussions, but set up, in his public character, as a mark of abuse so rancorous, so scandalous, so unmanly, so cowardly, that every honorable mind in the

country is shocked, and every generous sentiment outraged.—But

In vain malicious tongues assail,  
 Let envy snarl, let slander rail,  
 From virtue's shield—secure from wound—  
 Their blunted venom'd shafts rebound.

Oh unwise, unfeeling men! is this your gratitude to a country, that found you slaves and made you freemen! Is this your gratitude to a people who found you destitute of security both of person and property, but who gave you all by the free communication of two of the most noble monuments of human ingenuity—*MAGNA CHARTA*, and the *HABEAS CORPUS*! Is this your gratitude to a country and a people, who found you writhing under the lash of the Provost Marshal, cruelly tearing your flesh from your bones and scattering it in quivering atoms to the four winds of heaven, but plucked you from his bloody grasp, restoring you to independence, and to that rank in civilized society which *BRITAIN ALONE*, among all the nations of the earth, is capable of conferring and securing. Is this your gratitude to that *BRITAIN* who found you the victims of military despotism—the helots of modern Spartans—and the obedient and unrelenting assassins of the unprotected aborigines of the soil, and, by snapping your chains, made doubly heavy by the rust of centuries, placed

you in a station far above your oppressors, and called you back to humanity and reason, by inspiring you with proper sentiments of freedom, and your high rank amongst civilized nations! Is this your gratitude to a country who found you without law, without legislation, and the power to open your lips in your own concerns, gave you alike law, political consequence, and the power to do justice to yourselves in every thing that contributes to the improvement of Society! Is this your gratitude for the Constitution you so much boast of, and which, you say, you would rather die than part with; but which, I fear, you are on the high way to forfeit and cancel! GRATITUDE! O much abused term! We may find thee in the humble cottage of the peasant whose children have been plucked out of the gaunt arms of famine by the meek but potent hand of charity: we may find thee buried deep in the bosom of unobtrusive genius; we may find thee forging thy golden chains round the souls of true friendship, and knitting them closer and closer in harmony and social intercourse: we may find thee a never-dying flame in the bosom of the innocent rescued from pollution and infamy: and we may find thee consoling the liberated captive for the marks left in his limbs by the pressure of his chains. But, NEVER, O NEVER! shall we find thee midst the polluted haunts of faction,

the dark retired cells of intriguing party, or in the creed of

“..... an impious crew  
Of men conspiring to uphold their state  
By worse than hostile deeds, violating the ends  
For which our Country is a name so dear.”

But why should I treat the document which has elicited these observations in a mood so serious? It is not, I assure you, my dear Sir, because there is any thing in *itself* that merits any remarks beyond the most ineffable sneer that contempt can dictate or derision provoke; but rather because it forms a part of that motley fabric of sedition, discontent and insult which the authors have been rearing, like the builders of the plain of Shinar in opposition of supreme authority, to cover themselves ultimately, it is to be hoped, with confusion and ruin. In the present state of this Province, which, to my imagination, and, I have no doubt, to yours also, presents in a forcible manner the unhappy representation of a ship deserted by her crew and tossed in the storm for want of a sufficient number of trusty hands to execute the orders of the pilot, it may not, however, be amiss to examine a little more closely the grounds and pretensions of this manifesto, in order to ascertain with some accuracy the *real* motives and springs of action which gave rise to it. In doing so I shall not trouble you with any account of the rise and

progress of our present difficulties ; these being sufficiently well known to yourself, and having so lately been decided on by his Majesty's government in England in terms so plain and unequivocal, that none but the most obdurate and unrelenting could hesitate in yielding their assent and obedience to a sentence coming from a quarter so respectable and authoritative ; and your long experience in the world will have taught you, that *Pertinaciæ nullum remedium posuit Deus*, God has provided no remedy for the obstinacy of men.

Wincing under the stings of wounded consciences, and convinced in their souls that there was not a word in the late proroguing speech of HIS EXCELLENCY THE GOVERNOR IN CHIEF which did not deservedly hold them up to the whole British Empire as the sole, the worst, and most implacable enemies of their native country, the subscribers to the manifesto could think of no other method of acquitting themselves, even in their own eyes, of the stigma thus fastened on their public conduct, than by an appeal to the tribunal of the Mob ; a tribunal whom they knew be entirely subservient to their own purposes, and who would pronounce sentence, not according to law or the principles of our constitution, for of these their general want of knowledge renders them totally ignorant, but

according to those ill-fated principles of decision which, in every age and every country, places the uninformed multitude at the mercy of vulgar declaimers—the timid peasant at the feet of the scurrilous and designing demagogue. It is thus that these inconsiderate railers generally catch the attention of the people; it is thus that they fill their minds with imaginary grievances, flatter their vanity with improper notions of their own importance, call them from industry, useful labour and contentment, to idleness, discontent and bloody-handed rebellion. It is, however, somewhat unfortunate for our present demagogues, that the *first* step they took for the accomplishment of their wicked ends betrays in a remarkable manner the real object in view, or in other words, that their pretences belie their actions. For what can possibly be more absurd and ridiculous than a printed appeal to Constituents, not one in a hundred of whom, can either READ or WRITE! Nay, more. NOT ONE of whom has ever yet been able either to arrive at the smallest understanding of the differences so long subsisting between the upper and lower branches of the Legislature, or the simplest principle of the Constitution under which we live and are protected. When an arbiter is chosen, he is generally one who not only understands the rights and pretensions of both parties, but has an accu-

rate and extensive knowledge of those general principles in equity, law, or politics, by which points in dispute are always decided. But, in the present instance, the parties at issue are not so well off. There is, to be sure, a cause in dependence, a very important one, too, and counsel on each side ready to plead it; but one of the parties, instead of a willingness to plead at the ONLY bar that can legally decide on the matter—at the legitimate bar of that country from whence all its privileges and honours are derived, flies off with a railing accusation against, not only its equals, but its superiors, to a tribunal illegal indeed in itself, but rendered doubly so by the illegal mode in which its interference has been solicited, and the want of consent of the other party.—Not only so; but this party, rendered insolent by indulgence, litigious by procrastination, and clamorous by security, have travelled from the arctic to the antarctic circles, from the torrid to the frigid zones, from the tropic of Cancer, to the tropic of Capricorn, from Dan to Beersheba, and from post to pillar of our political planet, with the view of evading, like so many Frankensteins, an evil of their own creation and the effects of a decision ALREADY pronounced by the legal tribunal on the first and most important points at issue.

What can savour more of democracy than this?

What can show the spirit that is now abroad amongst us, disturbing the peace of families, and breaking asunder the ties of loyalty and patriotism, more than this unmanly abandonment of every constitutional tie, connection, and principle, in order to enlist blind physical force to the decision of a question which should, and CAN only be put to rest by constitutional authority? In the name of all that is good and generous, let such folly be abandoned ere it be too late. Let the voice of ages, whose echo has not unfrequently been heard even in this distant corner of the world, warn us against the precipitancy of popular influence and popular clamour. For what can be more abhorred than a state of society in which the comfort of private life is interrupted by factious brawlers and intriguing demagogues; in which the mean trample upon the wise and enlightened, and innocence affords no security against calumny, nor *rank* and *dignity* against insult and contumely; where, in public, eminent services are sure to be repaid by eminent ingratitude, and an *unjust surmise* is always sufficient to cancel the obligation of a life of benefits. The idle mob of Athens, though, perhaps, the most sagacious mob the world has ever produced, deciding questions of which it had not the slightest comprehension, and clamoring for amusements which were to exhaust the resources of the state; or the more ferocious mob



of Rome, bawling for a division of lands to which they had not the smallest claim in justice ; or the revolutionary tigers of Paris yelling for blood ! blood ! to slake their cannibal thirst ; or the crafty republicans of the United States, bartering honor and independence, with an avidity peculiar to themselves, for the places and emoluments of their country, almost equally excite the disgust and horror of the true philosopher. ALL POWER WITHOUT A CHECK IS DESPOTISM ; and of all despotism none is so barbarous and hopeless as that of the POPULACE. It is a tyranny without the possibility that the tyrant should ever be good or enlightened ; and will, therefore, be detested utterly by all who feel the genuine love of liberty.

Indeed, you are as well, if not better, aware than I am, that the sentiments of all wise and constitutional writers, have been uniform on this head ; so much so, that their expressions must be fresh in the remembrance of every candid and unbiassed reader. Here a sentence or two may nearly embrace them all. The end of Government is the GENERAL GOOD ; all constitutions ought to be permanent means for the attainment and security of that good. If men generally pursued what is most conducive to their happiness, certainly those governments who admitted most fully of the operation of the general will, would be the best. Men do not generally will that which

is best for themselves, therefore it is not generally expedient for them, that their will should operate. Want of education to give them habits of just thinking and reasoning; want of knowledge concerning public affairs and the nature of existing causes; want of resolution to forego present temporary enjoyments, for future permanent advantage, and various other disqualifications, intellectual and moral, under which the common people must labour, render it totally inexpedient that the general will should be the rule of Government. Need I inform *you*, that there is no country on earth, enjoying the blessings of civil government, where these WANTS are more apparent than in LOWER CANADA; and, consequently, that no country can be worse adapted for the species of government which the DEMAGOGUES are anxious to establish on the ruins of our present glorious constitution, than this province?

Experience teaches us, that the wills of men most frequently become worse, from having the power of complete gratification. Those who have uniformly the power of doing as they please, more frequently please to do ill than to do good. The capriciousness of their desires increases with their power. Like spoiled children, they become troublesome to all those who come within the sphere of their action, and eventually hurtful to themselves. Classes of men, as well as individuals,

when their will uniformly operates without restraint, become capricious and destructive to others and to themselves. As the wills of individuals require the opposing wills of other individuals to check and correct their caprice and extravagance, so do those of classes. In political establishments, as well as in private companies and societies, the selfish passions of some, restrain the selfish passions of others; a reciprocal check becomes a general corrective and convenience. On this account, the wisest men have always been friendly to a government of check, in opposition to the uncontrolled dominion of any individual, set of individuals, or the people at large.

Now, being convinced of the general absurdity of democratic rule, and its insufficiency in securing to society that peace and protection so much sought after by all men, what can exceed the folly of the demagogues of this province, in their endeavour to introduce this newly exploded mode of government, but the intolerable insolence of the MANNER of doing so; that is, placing themselves in immediate juxtaposition with the King's representative, and accusing him at the tribunal of the RABBLE for delinquencies which have neither foundation in TRUTH nor so much as a name in the CONSTITUTION! I will not stop to inquire, whether it be against the MAN or the REPRESENTATIVE that their projects are directed; but,

whichever of these it be, sure I am, that both the proceeding itself, and the manner of it, are no less destructive of the peace of society, good government, and the constitutional rights and privileges of BRITONS, than disgraceful to the projectors themselves. Setting aside the impolicy of the act altogether, what can be more scandalous than the terms made use of in reference to HIS EXCELLENCY, and the total disregard and want of respect that are shown to him both in his political capacity, and high rank and dignified station in private society. What, indeed, can be more preposterous, than that HIS EXCELLENCY, THE GOVERNOR IN CHIEF OF BRITISH NORTH AMERICA, who, besides being of noble dignity and the first blood of the Kingdom, has served his country in every clime, and distinguished himself in no ordinary or common manner, during the last thirty years, in all the splendid theatres of BRITISH GLORY, should be thus bullied and barked at by a set of CURS, who have scarcely ever emerged from their own stinking and mangy kennels, and who would be afraid to howl beyond the precincts of their own native dung-hills? It is, in sooth, in my humble opinion, really more than the most sensible part of the community ought to bear, with any degree of patience; especially when there is such a wide distinction between the parties, both in their public and private characters. In his private char-

acter HE is in the indisputed enjoyment of a name that will go down to future times conspicuous for every virtue that adorns humanity : THEIR names and their acts of private munificence will be deposited in the grave with themselves. His acts of benevolence to the destitute stranger, the unfortunate but meritorious pilgrim, and the absolute mendicant will always entitle him to be ranked amongst the most beneficent of men, and ensure to him the respect and gratitude of society at large : THEIR deeds of charity are confined to the protection and maintainance of a few miserable wretches, pretending to be men of talents, and wonderful political research, whom, finding fit instruments for any purpose, they breed in hot-houses of faction and sedition, in order to disseminate political poison among society whenever a suitable opportunity occurs.\* His hospitality is extensive, generous and magnificent : THEIRS is confined to the club rooms of party, and the tavern-dinners of disaffection and DISCRIMINATING TOASTS.† HE has never been heard

\* It is not unworthy of remark in this place, that the name of " L. J. PAPINEAU" is not to be found in the list of those humane individuals who so generously contributed to the relief of the sufferers from the NEW-BRUNSWICK conflagration, though the person bearing that name, enjoys, besides, private property to a considerable amount, a salary of £1000 *per annum*, as Speaker of the House of Assembly ; a birth as comfortable in this respect, as it is convenient for uttering inflammatory harangues against the government of his country, and rallying the drooping spirits of his coadjutors in opposing, through thick and thin, the most reasonable measures of that government.

† I need scarcely call to your remembrance the manner in which the press of the Montreal junto JUSTIFIED the omission of THE GOVERNOR IN CHIEF's health, at a public dinner, given in that place, during his absence in England. It will be fresh in the recollection of every one whose sense of public decorum has not been completely extinguished by feelings of private malice.

to have either insulted or abused any of the meanest of His Majesty's subjects, but to have protected and succoured them on all occasions :—

THEY, on the contrary, not only revile all who take a side with government, in their private and public character, but insult the head of the Executive himself, both as a legislator and as an individual ; and if they cannot do so directly, without *too* glaring an infringement on the rules of propriety, they will find WAYS AND MEANS—the only species of WAYS AND MEANS that they have hitherto discovered—to do so by INNUENDO. In a public point of view, the parallel will be found to be equally distinct. HE, born in a station which entitled him to the highest rank, in the council of the nation, and educated in those principles of virtuous patriotism which have ensured to Britain that solid glory and conspicuous dignity among empires for which she has been so long distinguished, soaring far above the tainted and corrupted atmosphere indigenious to party factions, spurns with disdain every sentiment and every act that does not promote the welfare of his country : THEY, born in plebeian solitude, educated in plebeian manners, with no other worldly hopes than those which generally reward plebeian industry, finding themselves raised a little above their natural condition in life by some accidental piece of good fortune similar to that which some philosophers tell us about the

*concourse of atoms*, forgot, in an evil hour for their country, the source, from whence they sprung, and vainly imagining, when, in an equally evil hour, they became legislators, that there existed no check upon their actions but the check of self-will and self-satisfaction, foolishly busied themselves in pulling down the fabric of our constitution, as established in this Province, in order to clear the area for some Chinese temple of their own, through which *true* Britons could never find their way, and filling it with oracles at whose unhallowed shrines Britons would never bend the knee to worship. HE, in possession of a COMMISSION authorising him to represent his MAJESTY in all those high powers and prerogatives with which he is invested by the constitution itself, knows too well the dignity and responsibility of his situation, and entertains too exalted notions of his own manly integrity, and the innate honour of him whom he officially personifies, than to compromise an iota of the duties entrusted to him, or to suffer himself to be overpowered by the inroads of envious and insolent faction:— THEY, without any other authority than the same constitution confers upon them, through the voice of a few unlearned and uninformed men, who have no opinions of their own, and, consequently, no instructions to give, shamefully neglect the real interests of their constituents, and

abandon the ark of their country's safety and prosperity, for the empty prize of personal views of aggrandisement, and the corrupted shout of faction. HE, in the exercise of his important functions, is regulated not only by his own personal view of things, by his own individual knowledge, sense, judgment, and discretion, but by the most pointed instructions, proceeding directly from the King, and corresponding despatches from His Majesty's government: THEY have but the whim of the moment and the noxious plea of national jealousies and prejudices to regulate their actions. HE has the CONSTITUTION and the LAWS on his side: THEY have UNDUE AMBITION and DEMOCRATIC INSOLENCE on theirs. HIS motives are PURE, UPRIGHT and PATRIOTIC: THEIRS are PERSONAL, SEDITIOUS and FULL OF DANGER to the connection presently subsisting between the mother country and her colonies. HIS measures have the support and countenance of every ENLIGHTENED MIND and every LOYAL BRITISH HEART in the Province: THEIR insidious machinations are only approved by the DISSOLUTE and DEPRAVED, the IGNORANT and JEALOUS, the MALICIOUS and COWARDLY!

Sir, I do not think there is a man in the country of sufficient boldness and corruption of heart to deny the truth of this statement, if I except the *junto* of representatives immediately interest-



ed, and whose pliability of "CONSCIENCE" render them as daring in assertion as they are prone to insult. In considering the subject before us, it will therefore be particularly incumbent upon you and all to weigh well the distinguishing and characteristic features of the above PARALLEL, in order to ascertain with every possible degree of accuracy to which party belongs the palm of patriotic wisdom and the infamous and eternal stigma of factious zeal. If you should be of opinion that the King's representative has in the least overstepped the constitutional bounds of his duty to the country, or placed the rights and privileges of British freemen in jeopardy by any of his actions, why, then, let him suffer the punishment due to his crimes. But, if, on the other hand, you should be of opinion, as I am every way disposed to think you will be, that he has discharged his duty with honour and integrity—with meekness and humanity—with dauntless courage and unswerving resolution; and that instead of meeting on the part of the majority of the representatives of this Province with that obedience to our constitutional laws, that respect due to His Majesty's commands, and that implicit confidence which has ever been found due to an authority so high, his official situation has been held in the highest contempt, his dignity insulted, his entreaties spurned, his recommendations

laughed at, his explanations misconstrued, and the whole arm of the government, over which he presided shackled and paralyzed by the ignorance of men, or the intrigues of faction,—why, then, I say, let the voice of the law pronounce the only constitutional decision that can be pronounced, and if that fail in its proper effect, let the power that gave us at first that law, resume it, and give us in its place such other constitution of things or machine of government as will send us down to posterity, the envy instead of the mockery of surrounding nations! I will repeat the proposition: Will any HONEST CANADIAN, bearing in his bosom a spark of loyalty to his King and affection for his country, lay his hand upon that bosom, and in the full view of the parallel I have drawn, and in the full knowledge of the true situation of his country, its moral and political necessities, and the parental anxiety of the mother country for her prosperity and happiness, say that the band now ranking themselves in hostile and menacing attitudes against the government of the country and its head, are his true and legitimate “delegates?” Fully convinced that he will not, I shall now leave this part of my subject, and proceed to consider as briefly as I possibly can, a few of the most prominent features of the MANIFESTO itself; a production which, the more I reflect on, the more I

mourn over the misapplication of faculties which were given by the GREAT AUTHOR of our existence, not to be a curse, but a blessing; not to spread the brand of misrule and contention among mankind, but rather the olive-branch of peace and security.

I pronounce the late proroguing Speech of HIS EXCELLENCY a most able and excellent, a most masterly and *peruoripusuo* performance.— Is it possible that it could otherwise have excited so much clamour. It was too true and too effective not to have stung to the quick those to whom it was intended its terms should apply; and it was impossible that the junto could refrain from crying out; for it is the first caustic that has reached the centre of their stinking sore for many a year. I have no doubt in my own mind but it will penetrate still deeper, and that it will be the means, with the aid and experience of the FAMILY PHYSICIANS, of bringing about a radical change in the health of the patient, notwithstanding his wry faces and restless disposition. Nothing can exceed the solemn grimace and imperturbable assurance with which the junto blow their penny trumpets towards the commencement of their Manifesto, expressive of their astonishment that the GOVERNOR-IN-CHIEF should dare to refer them to their “CONSTITUENTS” in the manner his Lordship has so justly done, and

for which the thanks of every loyal and patriotic bosom in the country is due to him ; just as if this had been the FIRST instance of the kind on record, and that either their memory failed them, the thong had not penetrated deep enough on former occasions, or that the cattle had become more audacious in their pretensions and insults. With your permission, I shall endeavor to refresh their memory a little by calling them back to some periods of our provincial history, when, if the exercise of the prerogative of the Crown, in sending obstinate and ignorant representatives to herd with the troop of blockheads that made them legislators, was unconstitutional in its adoption, and illegal and improper in its *manner*, and yet passed without incurring the penalty of a MANIFESTO, the late prorogation, both in *form* and execution, deserved somewhat more gentlemanly treatment than that which it experienced. But I cannot do so without adding, that the late Manifesto, though a mere piece of tawdry declamation, contains something so entirely hypocritical and peculiar to itself, that it is impossible to read it otherwise than with sentiments of disgust and abhorrence ; of disgust because, while pretending to exculpate themselves in the eyes of their constituents from the reflections so justly thrown upon their parliamentary conduct by HIS EXCELLENCY'S Speech, they have the pre-

sumption to toss their darts of *personal vituperation* about them in a way as unjustifiable as dishonourable; and of abhorrence, because, by placing themselves above the law, in daring to place themselves at issue with the Crown, they have openly declared their contempt for the best of constitutions, and, consequently, their disinclination to be subject for the future to its jurisdiction. If they persevere, the propriety of the choice will be best proved by the fate which will inevitably attend it.

When, on the 15th of May, 1809, SIR J. H. CRAIG, in consequence of the wild unconstitutional behaviour of the ASSEMBLY, who then for the first time began to arrogate to themselves that presumptuous controul over the Executive, which has now entailed so much misery on the country, found it necessary to prorogue and dissolve the parliament, this was his language; and, I would ask the junto whether the constitutional lash was a whit less severe than when exercised on a late occasion?

*Gentlemen of the House of Assembly,*

“When I met you at the commencement of the present session, I had no reason to doubt your moderation or your prudence, and I therefore willingly relied upon both. Under the guidance of these principles, I expected from you a MANLY SACRIFICE OF ALL PERSONAL ANIMOSITIES AND INDIVIDUAL DISSATISFACTION, A WATCHFUL SOLICITUDE FOR THE CONCERNS OF YOUR COUNTRY, AND A STEADY PERSEVERANCE IN THE EXECUTING OF YOUR PUBLIC DUTY WITH ZEAL AND DISPATCH. I looked for earnest endeavors to promote the general harmony of the Province, and a CAREFUL ABSTINENCE from whatever might have a tendency to DISTURB

FF; for DUE, and therefore INDISPENSABLE ATTENTION to the OTHER BRANCHES of the LEGISLATURE, and for prompt and cheerful co-operation and assistance in whatever might conduce to the happiness and welfare of the Colony. ALL this I had a right to expect, because such was your CONSTITUTIONAL DUTY; because such a conduct would have been a lasting testimony, as it was the only one sought for by His Majesty's Government, of that LOYALTY and AFFECTION which you have so warmly PROFESSED, and which I believe you to possess; and because it was particularly called for by the critical conjuncture of the times, and especially by the precarious situation in which we then stood with respect to the American States. I AM SORRY TO ADD, THAT I HAVE BEEN DISAPPOINTED IN ALL THESE EXPECTATIONS, AND IN EVERY HOPE ON WHICH I RELIED.

“ You have WASTED IN FRUITLESS DEBATES, excited by PRIVATE and PERSONAL ANIMOSITIES, OR BY FRIVOLUS CONTESTS UPON TRIVIAL MATTERS OF FORM, that time and those talents to which within your walls, THE PUBLIC HAVE AN EXCLUSIVE TITLE; THIS ABUSE OF YOUR FUNCTIONS, YOU HAVE PREFERRED TO THE HIGH AND IMPORTANT DUTIES WHICH YOU OWE TO YOUR SOVEREIGN AND TO YOUR CONSTITUENTS; and you have thereby been forced to neglect the consideration of *matters of moment and necessity which were before you, while you have at the same time virtually prevented the introduction of such others as may have been in contemplation. If any further proof of this MISUSE of your time were necessary, I have just presented it, in having been called on, after a session of five weeks, to exercise his Majesty's prerogative of assent to the same number of bills, three of which were the mere renewal of annual acts to which you stood pledged, and which required no discussion.*

“ So much of INTEMPERATE HEAT has been manifested in all your proceedings, and you have shewn such a PROLONGED AND DISRESPECTFUL INATTENTION TO MATTERS SUBMITTED TO YOUR CONSIDERATION BY THE OTHER BRANCHES OF THE LEGISLATURE, that whatever might be the moderation and forbearance exercised on their parts a general good understanding is scarcely to be looked for without a new Assembly.

“ I shall not particularly advert to other acts which appear to be UNCONSTITUTIONAL INFRINGEMENTS OF THE RIGHTS OF THE SUBJECT, *repugnant to the very letter of that statute of the Imperial Parliament under which you hold your seats, and to have been matured by proceedings which amount to dereliction of the first principles of natural justice; and I shall abstain from any further enumeration of the causes by which I have been induced to adopt the determination which I have taken, because the part of your conduct to which I have already re-*

ferred is OBVIOUSLY AND IN A HIGH DEGREE DETRIMENTAL TO THE BEST INTERESTS OF THE COUNTRY, such as my duty to the Crown forbids me to countenance, and such as compels me to have recourse to a dissolution, as the only constitutional means by which its recurrence may be prevented."

Notwithstanding the peculiar circumstances attending this dissolution, and the severity of the lecture thus read to the House of Assembly for its inroads upon the constitution, the measures of the next session were equally, if not much more, at variance with the principles of good government. But SIR J. H. CRAIG was not a man to be trifled with, nor insulted with impunity in the discharge of his duty; and he had, therefore, no hesitation in sending the gentlemen of the Assembly again to their homes with the following constitutional warning tingling in their ears:—

*"Gentlemen of the Legislative Council, and*

*"Gentlemen of the House of Assembly,*

"I am come down here for the purpose of proroguing the present Parliament. And, upon a mature consideration of the circumstances that have taken place, I am to inform you of my determination of again referring to the sense of the people, by an immediate dissolution.

"Called again to the unpleasant exercise of one of the functions of his Majesty's prerogative with which I am entrusted, I feel it to be again expedient, that I should state to you, and that through you, which is indeed the only channel of communication that I have with them, the people may be distinctly informed of the motives by which I am actuated.

"Whatever might be my personal wishes, or however strong might be my desire, that the public business should suffer no interruption, I feel, that on this occasion, nothing is left to my discretion; it has been rendered impossible for me to act otherwise, than in the way I am proposing.

"The House of Assembly has TAKEN UPON THEMSELVES, without the participation of the other branches of the Legislature, to pass a vote that a Judge of his Majesty's Court of King's

Bench, cannot sit, nor vote in their House. However I might set aside the personal feelings which would not be unnatural in me, as to the mode in which this transaction has been conducted towards myself ;—there is another, and infinitely higher consideration, arises out of it, which I must not overlook.

“ It is impossible for me to consider what has been done, in any other light, THAN AS A DIRECT VIOLATION OF AN ACT OF THE IMPERIAL PARLIAMENT :—of that Parliament which conferred on you the constitution, to which, you profess to owe your present prosperity ; nor can I do otherwise than consider the House of Assembly as having UNCONSTITUTIONALLY, DISFRANCHISED *a large portion of his Majesty's subjects* and rendered ineligibile, by an authority which they do not possess, another not inconsiderable class of the community.

“ Such an assumption, I should, at any rate feel myself bound by every tie of duty, to oppose ; but, in consequence of the expulsion of the member for the county of Quebec, a vacancy in the representation for that county has been declared ; and it would be necessary that a new writ should issue, for the election of another member. That writ would not be signed by me—Gentlemen, I CANNOT—DARE NOT, RENDER MYSELF A PARTAKER IN A VIOLATION OF AN ACT OF THE IMPERIAL PARLIAMENT; and I know no other way, by which I can avoid becoming so but that which I am pursuing.” \*

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I cannot in conscience omit, nor can any well-wisher of this province, treating of this subject, omit to give the last speech of SIR. J. H. CRAIG to the Legislature of this Province. This document may well be termed THE LEGACY OF GOVERNOR CRAIG ; the advice which it contains being not only CONSTITUTIONALLY sound, but full of the most pathetic moral instruction—instruction which, I am sorry, has not sunk deeper into the minds of those to whom it was more particularly addressed. This speech was pronounced on the 21st March, 1811.

GENTLEMEN,

“ You are now about to return to your homes, and to mi-



again in the common mass of your fellow-citizens, let me entreat you to reflect upon the good that may arise from your efforts to inculcate those true principles of regularity and submission to the laws, that can alone give stability to that degree of happiness which is attainable in the present state of society. Your Province is in an unexampled progress of prosperity: riches are pouring in upon the people; but their attendant evils, luxury and dissipation, will inevitably accompany them; the danger of these is too well known to require that I should detain you by enlarging upon it; it will demand all the efforts of religion and of the magistracy, with the scarcely less powerful influence of example and advice in the well disposed and better informed, to counteract their effects, to preserve the public morals from sudden relaxation, and, finally, to bar the entry to crime and depravity.

“ A large tract of country, hitherto little known has, been opened to you; its inhabitants are industrious and intelligent, and they cultivate their lands with a productive energy, well calculated to encrease the resources of the Colony. Let them not on these grounds be objects of envy or of jealousy; rather let them be examples, to be carefully watched and imitated till in the whole Province, no other difference of fertility shall appear, but what may arise from variety of soil, or difference of climate.

“ And now, Gentlemen, I have only further to recommend, that as in an early part of the session, you, yourselves took occasion to observe on the difficulty of the task, you will proportionally exert your best endeavours to do away *ALL MISTRUST AND ANIMOSITY FROM AMONG YOURSELVES; WHILE THESE ARE SUFFERED TO REMAIN, ALL EXERTION FOR THE PUBLIC GOOD MUST BE FALSIED. NO BAR CAN EXIST TO A CORDIAL UNION—RELIGIOUS DIFFERENCES PRESENT NONE.....INTOLERANCE IS NOT THE DISPOSITION OF THE PRESENT TIMES.....AND LIVING UNDER ONE GOVERNMENT, ENJOYING EQUALLY ITS PROTECTION AND ITS FOSTERING CARE, IN THE MUTUAL INTERCOURSE OF KINDNESS AND BENEVOLENCE, ALL OTHERS WILL BE FOUND TO BE IDEAL.* I am earnest in this advice, Gentlemen. It is probably the last legacy of a very sincere well wisher, who, if he lives to reach the presence of his sovereign, would indeed present himself with the proud certainty of obtaining his approbation, if he could conclude his report of his administration, with saying: I found, Sire, the portion of your subjects that you committed to my charge, divided among themselves, viewing each other with mistrust and jealousy, and animated, as they supposed, by separate interests. I left them, Sire, cordially united in the bonds of reciprocal esteem and confidence and rivalling each other only in affectionate

attachment to your Majesty's Government, and in generous exertions for the public good."

The manly and decisive administration of SIR J. CRAIG could not fail in the accomplishment of its ends, which was the cordiality and unanimity of the legislature in prosecuting with unremitting perseverance every measure calculated to promote the welfare and improvement of the province. Yet his Successor, SIR GEORGE PREVOST, no sooner grasped the reins of government, than the leaders of that body began to exhibit strong symptoms of that abominable factious spirit which had so long been the bane of the country; so much so, that though SIR GEORGE succeeded in rendering himself a general favourite in that branch of the legislature, he was under the necessity to terminate the very first session of his administration in the following words :—

*Gentlemen of the House of Assembly,*

*"I cannot but lament, that the course of proceeding adopted by you, has occasioned the loss of a productive revenue bill, and of the liberal appropriations you made for the defence of the Province, and for ameliorating the situation of the Militia, and I regret that in sacrificing these desirable objects, you should have been swayed by any considerations which seemed to you of higher importance, than the immediate security of the country, or the comfort of those engaged in its protection."*

SIR GORDON DRUMMOND was not more fortunate in meeting the constitutional support and co-operation of the Assembly, who, in the Ses-

sion of 1816, plunged so deep in refractoriness as to refuse their assent to the solemn decision of the PRINCE REGENT with respect to the famous impeachment of the Judges, and were even proceeding the length of bearding HIS ROYAL HIGHNESS in Council by a "*HUMBLE Representation and Petition on behalf of the Commons of LOWER CANADA*, when HIS EXCELLENCY, finding the constitutional path totally forsaken, and deeming it neither honourable, courtly, prudent, nor desirable to be anywise accessory to any indignity to the CROWN, very properly dissolved the Assembly; expressing his regret "that they should have allowed ANY CONSIDERATION TO OVERBEAR THE RESPECT DUE TO THE DECISION OF HIS ROYAL HIGHNESS THE PRINCE REGENT?"

The just and the last proroguing Speech of THE DUKE OF RICHMOND, pronounced on the 24th of April, 1819, exhibits the same melancholy traces of the unconstitutional conduct of the House of Assembly, and called forth the marked disapprobation of his Grace, who evidently felt disappointed at the contempt of all decent respect manifested to his measures as the constitutional head of the government and representative of the King. He spoke in the following terms:

"I came to this Province to take the Government of His Majesty's Dominions in North America, with a sincere desire of carrying into practice the intentions and liberal

views of His Royal Highness the Prince Regent, to promote by every practicable measure, their general prosperity, to improve their natural resources, and the individual happiness of His Majesty's people.

"A reasonable hope and expectation was entertained by me, in accepting this command that I should meet in those pursuits, with the cheerful support of every well informed person, who could appreciate in his own mind my motives in undertaking the charge.

"With these impressions on my mind, and with full confidence in your zeal, your loyalty, and your local knowledge of the public and private interests of the country, I met you on your legislative duties, and have most patiently attended to your proceedings during a long Session, which I am now to close by prorogation. You, Gentlemen of the Legislative Council have not disappointed my hopes, and I beg to return you my thanks for the zeal and alacrity you have shown in all that more immediately belongs to your Body.

"It is with much concern I feel myself compelled to say, that I cannot express to you, Gentlemen of the Assembly, the same satisfaction, nor my approbation at the general result of your labours, (at the expense of so much valuable time,) and of the public principles upon which they rest, as recorded on your Journals.

"You proceeded upon the Documents which I laid before you, to vote a part of the sum required for the Expenses of the year 1819, but the Bill of Appropriation which you passed, was founded upon such principles, that it appears from the Journals of the Upper House, to have been most constitutionally rejected: His Majesty's Government has been thus left without the necessary supplies for supporting the Civil Administration of the Province for the ensuing year, notwithstanding the voluntary offer and pledge given to His Majesty, by the Resolve of your House, of the 13th of February, 1810.

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The present time affords you an opportunity of maturely deliberating on these important objects, and on others essentially necessary to be better considered. I recommend particularly to your attention as individuals, the value of your constitution of Government, which affords the most complete and ample protection and freedom of Person and Property that can possibly be desired, and superior to every system of Government enjoyed by any Colony that has heretofore existed, your sister Colony of Upper Canada excepted. And as branches of the Legislature, it is of the first importance that you should fully understand your Constitutional Rights;

that privilege may not come into question with prerogative, and that while you maintain those rights which respectively belong to you by the Constitution, you may be equally careful of encroaching on each other, and respectively pay a due regard to the rights of the Crown. I shall lay before His Majesty's Ministers the proceedings of the Session and the general state of the Revenue, the Expences, Agriculture and Commerce of the Province, and request instructions on such points as may be necessary to be more fully understood, that difference of opinion amongst those who ought to have only one object in view, may as much as possible be avoided."

I shall not in this place trouble you with a recapitulation of the untoward and heartburning circumstances which have invariably attended every prorogation and dissolution which have taken place from the day on which the above speech was pronounced to this, though it is a period well calculated for the elucidation of my subject. Indeed, their effects are too legibly written on the face of the country, and on the character, the conduct, the principles, the sentiments, and the feelings of the inhabitants, to merit any particular observations from me. I shall at once approach that part of the late speech of THE EARL OF DALHOUSIE, which forms so complete a counterpart of those of His Excellency's predecessors, and which, it is sincerely to be hoped, will form the *ne plus ultra* of this species of instruction and warning.

"Gentlemen of the Assembly,

"It is painful to me, that I cannot speak my sentiments to you in terms of approbation and thanks. The proceedings of this Session impose upon me a duty, of which, however

unpleasant, I will acquit myself as a faithful Servant of the King, and as a sincere friend of the Province.

"Many years of continued discussion on forms and accounts have proved unavailing to clear up and set at rest a dispute, which moderation and reason might have speedily terminated. It is lamentable to see, that no efforts or concessions of His Majesty's Government have succeeded in reconciling those differences of opinion in the Legislature; but it is infinitely more so, that differences on one subject should cause a rejection of every other measure which His Majesty's Government recommends to your consideration.

"The duties expected of you in this Session were not difficult; among the first was an examination of the Public Accounts of last year, and a report upon them, whether of approval or otherwise; has that duty been done so that your country can know the result?

"Have you considered the Estimated Expenditure for the current year, and granted the supply required in His Majesty's name? or have reasons been assigned for the refusal of them, that can be known and understood by the country?

"Have the Messages from His Majesty's Representative been duly acknowledged, and answered according to the rules and forms of Parliament, or according with the respect which is due by each branch of the Legislature to the others?

"Have the Rules or Orders of proceedings in the House of Assembly been duly attended to, in so far as they affect and recognize the Prerogative Rights of the Crown?

"These are questions, Gentlemen, which you are now to ask yourselves individually, and answer to your constituents on your return to them.

"These are questions which you are to answer to your own consciences, as men who are bound by Oaths of fidelity to your Country and to your King.

"In my administration of this Government, I have seen seven years pass away without any conclusive adjustment of the public accounts; thus accumulating a mass for future investigation, which must lead to confusion and misunderstanding. In the same years I have seen the measures of Government, directly applicable to the wants of the Province, thrown aside without attention and without any reason being assigned. I have seen the forms of Parliament utterly disregarded; and in this Session a positive assumption of Executive authority, instead of that of Legislative, which last is alone your share in the constitution of the State.

"The results of your proceedings in this Session have been, the refusal of the Supplies necessary for the ordinary

expenses of Government, the loss of the Militia Bill, the failure of all provisions for the maintenance of Prisoners in your Gaols and Houses of Correction, for the support of Insane and Foundlings, and for the establishment of Education and Charity, and a total obstruction of local and public improvement

“ In this state of things, and with this experience of past years, it is now no longer consistent with a proper discharge of the high trust committed to me, to entertain hopes of a return to better reason in the representative branch of this Parliament; but it is still my duty to call upon you as public men, and to call upon the country, as deeply interested in the result, to consider seriously the consequences of perseverance in such a course.

“ I shall conduct the Government with the means in my power, and with an undiminished desire to do good; but while I must submit myself to the interruption of all public improvement, under the authority of the Civil Government, I will declare my deep regret at such a state of things: I think it right to convey to the Country, a free and unreserved expression of my sentiments upon these public misfortunes; and I will leave no doubt on the public mind of my determination to persevere firmly in the path of my duty, with a faithful regard to the Rights of my Sovereign, with which are also combined the best interests of the Province.

“ It only remains for me now, compelled by existing circumstances, to Prorogue this Parliament, whatever may be the inconvenience resulting from such a measure.

Now Sir, I again beg leave to ask you—I ask, fearlessly ask, the whole country—I ask every HONEST CANADIAN in it, who is capable of distinguishing his right hand from his left—whether this CONCATENATION OF DISAPPROVAL—declared, spoken, and written CENSURE—on the part of EVERY individual who has represented the KING OF GREAT BRITAIN AND IRELAND in this province for the last TWENTY years, of the measures pursued by THE HOUSE OF ASSEMBLY, or, in other words, those calling themselves

THE FAITHFUL REPRESENTATIVES OF THE PEOPLE, be not a most convincing proof of the existence of some serious error, if not CRIMINAL WRONG, on the part of these REPRESENTATIVES? How dare these individuals, distinguished as they were by birth, education, and rank—nay, by the countenance of the king himself—so far to trample under foot all the decencies and charities of society, all the privileges and principles of our constitution, as to call our Assemblies before them, and thus tell them to their faces, that they were little less than villains and scoundrels in presuming to arrest, as they did, every principle of good government and improvement, unless the laws put them in possession of some authority for doing so, and unless the conduct of those reprimanded, and so frequently dismissed to their constituents with such a load of disgrace and contumely on their backs, justified the unparalleled severity of such proceedings? How dare these individuals leave this province and approach the august presence of their king, and the tribunals of a country, where, of all other countries, the conduct of public officers is most canvassed and scrutinized, with the same sentiments upon their lips, if they were wrong and feared to be called in question for them? How dare they take their seats in the Senate of the parent state—that Assembly where the genius



of LIBERTY is personified, and the spirit of JUSTICE presides so triumphantly—if their legislative conduct in this country was contrary to law, or if they dreaded the most thorough investigation of it? How dare they cross the sea, carrying the execrations of the representatives of half a million of BRITISH SUBJECTS on their heads, if they feared to abide the consequence, or, rather, were not convinced, that the PEOPLE, so far from participating in the sentiments of their “*faithful delegates*,” did not even so much as know that any disputes existed betwixt them and his Majesty’s government; and this, too, at a time when we are told, in the brutally malicious and insulting language of the pestiferous oracles of the Assembly, “*that the Governor of the province partakes no more of the King’s INVIOLABILITY, than any other of his representatives;*” that “*he is one of the King’s officers, and no more;*” that “*he is not even one of his ministers,*” but “*is subordinate to the Ministers;*” that he can be “*cashiered,*” “*rebuked,*” and “*made personally responsible in a court of law for an act of administration, and subject to a verdict of twelve citizens.*”<sup>\*</sup> Yet we find the distinguished personages in question returning to their native country every other year

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<sup>\*</sup> See the Editorial mud, if, by any means, you can wade your way through such mire, of that glorious luminary of sedition, faction, and vulgar vituperation, the *Canadian Spectator* of the 4th of April, 1827.

with an account of their Stewardships, without a charge having ever been brought against any of them, except two, who were found fault with, not for fulfilling their duty to their King—not for exercising too rigidly the rights and prerogatives which the constitution has vested in his Majesty, in order to check the tumultuous inroachments of popular assemblies—but, on the other hand, for tamely and unconstitutionally giving up the rights of their master to a clamorous and insidious faction! Which of these personages, so much condemned, insulted and traduced in this country, has been brought to trial for his delinquencies, or against whom even a complaint was laid at the foot of the throne? Which of them was ever attempted to be brought to any bar, except that of vituperative **F**ACTION, where instead of that impartiality, justice, generosity, and humanity, so characteristic of **BRITISH LAWS**, they have, one and all of them, experienced the bitterest abuse, the grossest insults, and the most unmanly and cowardly treatment that the lowest and basest miscreants of Africa have ever heaped on their petty tyrants when placed in their power. It only wanted the dagger or the club to finish the parallel; and, were it not for the immeasurable distance which the dignity of correct conduct and the satisfaction inherent in every noble, well-adjusted mind at the proper discharge of its duties, places betwixt it and

the pestilential breath of vulgar defamation, sure I am, that any individual of feeling would prefer the loss of his life to the poisonous sting of brawling demagogues and contentious factions.

If then, I say, the governors of this province have really committed any wrong—if they have really been guilty, I will not say of any GROSS violation of the laws, but of ANY THE LEAST violation of them—why, in the name of justice, delay a moment in bringing them to trial? The courts of law are open, and the highest tribunals of the state are accessible to the meanest and the lowest subject, who is supposed to know his rights as well as the highest individual in the kingdom. Why else this clamour and uproar against the proceedings of our governors: why this flood-tide of abuse—this calling of names—these epithets of Thief and Rogue—these yells of vulgar defamation, that are daily rung around us, if there be no real cause of complaint—if there be no fault but in the perturbed imagination of one or two frantic demagogues who have set themselves up as both the accuser and judge in matters in which they have no cognizance, and on men over whom they hold neither authority nor jurisdiction. But the fact is, that there is not now and never existed any grounds of complaint to justify such proceedings; otherwise, it is more than probable, that the malicious and cold-blooded hearts that

are now rending the air with the shouts of disappointed malignity, would carry the daggers of their revenge into the bosoms of their country and the objects of their hatred. You very well know that, with the exception of two individuals whom I shall afterwards point at more conspicuously, there is not a BRITISH or an IRISH born subject in the whole province who has joined in this absurd clamour raised by a few discontented spirits in the Assembly against the measures of the government. And will any man in his right reason, however biased or prejudiced, pretend to tell us, that NATIVES of the United Kingdom—educated, and WELL educated too, in the spirit of freedom of that country—in the knowledge and practice of her laws, both civil and political,—and, as it were, at the very feet of the Gamaliel of her rights and privileges—are not as capable of judging of the public measures of our governors, and as willing and ready to bring them to condign punishment, if necessary, as their CANADIAN fellow subjects? How long, I should be glad to know, has the *Canadian* become so sensitive to his rights and privileges as a British subject, and the *Englishman* so dull and phlegmatic to them? How long since the sun of freedom has gone down on poor JOHN BULL and risen with such accumulation of splendour on the long benighted JEAN BAPTISTE? How

long since the ensign of liberty has become so dazzling in the eyes of the *Canadian*, and can no longer rouse the ancient heroism of poor JOHN? How long since the chains of ignorance and prejudice have been snapped from the minds of the children of *Canada*, and riveted so fast round those of Englishmen? How long since *those* have become such adepts in decyphering every letter of the British Constitution, and *these* have forgotten them all, the moment they lost the last sad glimpse of the land which gave them mutual birth? How long since the timid yelping of the bear and the beaver of the forest has drowned the growl of the LION of England? How long since *Neptune* has resigned the trident of the Ocean into the hands of the *Naiads* of the Saint Lawrence? How long since all this has taken place, and then I shall endeavour to tell you how it has happened, that the Canadians are so vociferous in crying vengeance! vengeance! on the heads of our governors, and British *born* subjects stand looking on the scene with meins so placid and countenances so unruffled? But let me bear down a little more closely upon the **MANIFESTO**, which, as I am of opinion it is the only species of trial to which our governors shall ever be called, I shall endeavour to discuss and set aside as briefly and effectually as possible.

I believe I have already given you a sketch of

the character of this famous document. I shall, therefore, in this place, endeavour to finish the picture by a few strokes which, I trust, will be found to be as legible as they are true. It is then, an UNCONSTITUTIONAL document which has no precedent but in the blood-stained pages of sedition and open rebellion. If the objects which it has in view are not thwarted in time by the strong arm of legitimate authority, it will inevitably lead to anarchy and ruin. It has its foundation in a factious spirit of discontent and design, whose end is democracy and popular rule, totally at variance with the principles of our present glorious constitution. It is founded in error, reared in corruption, and published in defiance of all order, decency, and justice. It is a tissue of the GROSSEST FALSEHOODS from beginning to end. It does not contain a single honourable or manly sentiment. It is the production of fools and the palladium of haters of their country. It is a brand thrown by a malignant arm midst the shrines and the altars of domestic peace and social intercourse. It is calculated to throw the whole of this province into confusion, and to deprive it of the mild sway and stable protection of the mother realm, in order to place them in the hands of men, who seek power that they may exercise it without controul, and tyranny, that they may practice it with impunity.

It will entail eternal disgrace on the names and the character of its authors, and will send them down to posterity as the first and worst enemies of that harmony which has so long subsisted between this province and the parent country, and in the rank of those incarnate demons who prefer to gorge the blood of their country than cultivate those principles of arts and morals which lead to distinction and happiness !

The exordium of this infamous production is one of the most extraordinary specimens of manufactured insolence I have ever seen ; and I confess to you, that I feel at a loss whether to treat it with ridicule or silent contempt. But let me introduce these gasconading demagogues chewing the cud of their own very eloquent and veracious expressions :—

“ We, the undersigned, Members of the House of Assembly, residing in the City and District of Montreal, having taken into consideration the Speech pronounced by His Excellency the Governor in Chief on proroguing the Provincial Parliament, in which his Excellency refers us to our Constituents, conceive it a duty to evince in a public and solemn manner, both *the respect* which we bear to our Electors, and the NOBLE PRIDE which we feel for having in *difficult times*, discharged our duties towards them with fidelity and in a manner worthy of those who had chosen us for their Delegates. Representatives of subjects obedient, honest and devoted to the British Government, our line of conduct seemed perfectly traced out for us : Representatives of free born English subjects, our duties were clear and evident ; and we appeal with confidence to our Constituents ; it belongs to them to judge of our conduct.

“ In other times and under other circumstances, we should not consider it necessary to enter into any discussion, well

assured as we are of not having done any thing which could lose us the esteem and the confidence of our Constituents, the recompence of our labours ; but accused of a body, in a grave manner, but by a public document, which at the same time that it accuses all of us, takes from us the power of answering as a body, we consider it to be our duty, not to exculpate ourselves (for this, we are sensible, is not requisite) but to put it in the power of our constituents to judge with greater certainty of the accusations urged against their Representatives."

Here, you will readily perceive, that the poor solitary OCTAVIANS who issued this Appeal betray no hesitation in taking upon THEMSELVES—for I find none else in the field—the whole burden and responsibility of the misconduct laid to the charge of the WHOLE HOUSE OF ASSEMBLY INDISCRIMINATELY AND WITHOUT ANY DISTINCTION ! Truly the responsibility is not to be envied them. Yet such is the fact ; and, like so many assassins, instead of being ashamed of the deed, and exhibiting contrition for the black criminality of its intentions, they openly avow and declare the " NOBLE PRIDE which they feel for having, in *difficult times*, discharged their duties to their constituents with FIDELITY, and in a manner WORTHY of those who had chosen them for their delegates." Does this piece of intolerable assurance not put you in mind of the language of Zanga ?—

Know, then, 'twas—— I.

I forged the letter—I disposed the picture—

I hated, I despis'd, and I destroy."



Seeing, then, but EIGHT obscure individuals, out of an Assembly consisting of FIFTY members, taking upon themselves the heavy responsibility of entering the lists with armour, neither justified by circumstances nor authorized by the constitution, and setting the civil and political authorities of the country at defiance, we may in reason suppose, as I have already partly done, either that they give utterance to the sentiments that are peculiarly their own, or that they stand forth in the capacity of *double* delegates representing the constituents whom they addressed and the remaining members of the Assembly who generally vote with them. Which of these capacities the OCTAVIANS are most anxious to be recognized in, I leave you and the public to decide. But for my own part, from the well known influence which these fellows have gained amidst the majority of the House of Assembly, I have no hesitation in asserting to their face, that the language, made use of, on this and every other occasion, betrays an anxious solicitude on their part to be considered as the SOLE channel through which the feelings of the country can be uttered. Having thus constituted themselves the champions and oracles of the people, they vainly think that no blow can come amiss from their arms, and no unwise or unreasonable precept from their tripods; and we consequently meet them at every

corner brandishing their weapons and proclaiming their dogmas, just as if the happiness and prosperity of the country were alone centered in *their* views and projects. It is thus we discover the dangerous lengths to which the self-constituted impeccability of the OCTAVIANS would lead us: it is thus that we trace their real aim, however much they may endeavour to disguise it: and it is thus that the crafty and designing are generally entangled in their own snare.

I know not whether the coadjutors of the OCTAVIANS in the Assembly approve or disapprove of the late step. If we did not know the high-handed influence which prevails in that Assembly, this would be a point worth while inquiring into. But as matters stand, I cannot do otherwise than express my fears, that a sentiment of approbation is far more general in that quarter than disapprobation. Whence else the grave-like *silence* which prevails among that majority on the subject under consideration? Whence else that taciturn sneer to be found on every face, the moment the subject of the Manifesto is introduced? I suppose the channels of public communication are as open to them as to the OCTAVIANS. Why not make use of them then, to say which side of the important question they are on? *They* too, have "CONSTITUENTS," to consult and explain their conduct to, and why therefore not do so, and say

whether they plead guilty or not guilty to the charge brought against them by the head of the government? It is very true that, whether they do so or not, their conduct in the Assembly has uniformly placed them under the same ban with the OCTAVIANS; but according to their sentiments with respect to the Manifesto, we should have to decide as to the *extent* of the influence alluded to, and the *value* and *character* of that confidence which thus serves to constitute so great a proportion of the representatives of a free people, the dupes and mercenaries of a few unprincipled demagogues; or, in other words, enable us to decide at once how far the better informed part of the people is bound to suffer wrongs so unbounded and alarming, from those who seem to care not a single dollar about the prosperity of the province, provided their own petty ends be attained.

The OCTAVIANS then say:—"Representatives of free born English subjects, our duties were clear and evident; and we appeal with confidence to our Constituents: *It belongs to them to judge of our conduct.*" IT BELONGS TO THEM TO JUDGE OF OUR CONDUCT! This I deny in the most positive terms; because in the first place, being a direct appeal to popular decision of a more constitutional question which has been A PRIORI, decided by the constitution itself, the

people, of such, have no earthly jurisdiction in the matter ; and, in the second place, if they had and were the ultimate resort in this question they must of necessity, not only be so in every other question of a similar nature, but we must renounce at once our present system of government, which is Monarchy and Democracy, so as to produce the most regular and splendid effect ever contemplated by the imagination of man, and adopt that of DEMOCRACY ALONE, which is the wildest and most dangerous species of government that can possibly exist.\* I need not tell you what Democrats are, and what the voice of history has declared them to be in every age. I have said something already upon this subject; but I may here add, that Democrats are inconstant in all their ways, and their can be no stability in their relations to each other ; since none of them acts uniformly or consistently, nor remains long

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\* It may not be amiss to give in this place Aristotle's description of the different forms of Government.

" There are three just forms of government, *each* of which is liable to deviate into a corrupt form, which is a counterfeit resemblance of the former. The just forms are royalty, aristocracy, and what may be called timocracy, which last most writers distinguish by the general name of polity or a republic. It is the *worst* of all legal governments, as royalty is the best. Tyranny is the corrupt resemblance of royalty. Timocracy naturally degenerates into democracy, which is nearly akin to it; since whenever men of limited fortunes are entitled to share the government, power will have a natural tendency to fall into the hands of the people. Democracy is but a trifling deviation from a republic. The paternal authority is the model for that of Kings, for children are their father's dearest concern. Whence Homer addressed Jupiter by the appellation of father, denoting the near affinity between royalty and the paternal power. Domestic authority is the best model for aristocracy. Timocracy resembles the equal commonwealth of brothers, among whom there is no other distinction than that made by a slight difference of age."

like to himself. Their friendship is but a league in villainy, which, for the most part, ends when it ceases to be profitable. What is said by Blackstone with respect to the powers by the PEOPLE in cases of this kind is worthy of attention as proving my position. "It must be owned," says he, "that Mr. Locke, and other theoretical writers, have held that, there remains still inherent in the people, a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them: for when such trust is abused, it is thereby forfeited and devolves on those who give it. But however just this conclusion may be in theory, we cannot practically adopt it, nor take any legal steps for carrying it into execution, under *any dispensation of government* at present actually existing. For this devolution of power, to the people at large, includes in it a dissolution of the whole form of government established by the people; reduces all the members to their original state of equality; and, by annihilating the sovereign power, repeals all positive laws whatsoever before enacted. No human laws will therefore suppose a case, which at once must destroy all law, and compell men to build afresh upon a new foundation; nor will they make a provision for so desperate an event, as must render all legal provisions ineffectual." But what is the question

at issue? However much obscured by the heat and animosity of the party-spirit discovered by the House of Assembly on all occasions when it came to be discussed, and however much it may have diverged into minor points of actual disputes and jealousy, it is simply and solely this—*Whether, on soliciting supplies in AID of the funds already at the disposal of the Crown, the government of this province have a right to insist upon these supplies being voted in a CONSTITUTIONAL way before they accept of them from the legislature?* Now, the House of Assembly having differed with the two higher branches of the legislature upon this subject, and not only deny the right of the Executive to insist upon supplies being granted in the same constitutional way that they are voted in the mother country, but adopt a new and unheard of mode of their own in granting these supplies, which would at once constitute them into a second Executive and place every civil officer of the Crown at their sole disposal, claiming, as they do, the *annual* granting of *EACH* officer's salary, as well as the *amount* of it,—I shall be glad to know what the *PEOPLE* have to do with the decision of such a question as this, and where is the section of the Constitution which, in a dispute of form and privilege of this kind, constitutes *them* as the tribunal where it is to be decided? This, then, being a mere consti-

tutional question, the PEOPLE have no right to judge in it. In truth, they have a right neither of judging nor deciding in *any* question. Their constitutional capacity extends only to the right of *electing* representatives, whose duty it is to judge *for* them, and see that their interests are attended to in a constitutional way in common with the other classes of society. If any dispute arise between these representatives and the other branches of the legislature, an appeal, such as that now lying before me, does not immediately lie to the people. This, besides making them judges in their own cause, would instantly supersede the powers of the representatives, who should themselves endeavour to decide the matter without any reference to the PEOPLE, to whom our constitution has given no voice whatever, except one—that of ELECTION; and it would be absurd to maintain, that they enjoy the capacity of decision in conjunction with election. This would be DEMOCRACY in its utmost bounds. It is very true, that, when any disputes arise between the different branches of the legislature, without any probability of their amicable adjustment by the mutual concessions of the parties, the King steps in with his prerogative and dissolves the parliament, and, consequently, their legislative capacity. But, then, this is not done with the view that the PEOPLE should decide and

settle the question at issue. Nor do the people ever presume to do so, and their interposition is never solicited, and cannot be constitutionally. They only ELECT new representatives, leaving the question still undecided, and, of consequence, to be taken up, if necessary, by the new legislature. Besides, even if the people, by inflammatory appeals to their passions and their powers, as has been done in the case before us, should, in an evil hour, be induced to decide in any legislative dispute, and instruct their representatives to carry their judgment into parliament and decide accordingly, such is the unparalleled wisdom and beauty of our Constitution, that these representatives are not bound by the decisions or instructions of their constituents. They are, indeed, their representatives individually, but they are at the same time their representatives IN parliament which is a deliberative body, where every man decides according to his *conscience* and judgment, and not as they do in federative assemblies of states distinct from each other. For instance, MR. PAPINEAU, the great Apollo of the Factionists of this province, is elected and sent into parliament, however injudiciously, by the West Ward of Montreal; but when he goes there, he is not a member for the West Ward of Montreal, but a member of *parliament*, where he is bound to vote as his *conscience* and ability may direct



him, and not as his *Constituents* may instruct him, though he has most absurdly and most unconstitutionally appealed to them for their decision. On this point, I think all our constitutional Writers are agreed; but in case I may not have explained myself so satisfactorily as I could wish, I will give you the words of a man whose authority on almost every subject on which he has treated, it would be dangerous to dispute—I mean the immortal BURKE, “Parliament,” says he, “is not a *Congress* of ambassadors from different and hostile interests; which interests, each must maintain as an agent and advocate, against other agents and advocates, but *parliament* is a deliberative assembly of *one* nation, with *one* interest, that of the whole; where, not local purposes, not local *prejudices* ought to guide, but the *general* good, resulting from the general reason of the whole. You chuse a member indeed; but when you chuse him, he is not member of Bristol, but he is a member of parliament. If the local constituent should have an interest, or should form an hasty opinion, evidently opposite to the real good of the rest of the community, the members of that place ought to be as far, as any other from any endeavour to give it effect.” Blackstone, who is no less authority, speaks to the same effect, and says, “every member, though chosen by one particular district, when elected

and returned, serves for the whole realm. For the end of his coming thither is not particular, but general; not barely to advantage his *constituents*, but the *common* wealth, to advise his majesty, as appears from the writ of summons “*de communi consilio super negotiis quibusdam arduis et urgentibus, regem, statum et defensionem regni Angliæ et ecclesiæ Anglicanæ concernentibus.*” And therefore he is not bound, like a deputy in the united provinces to consult with, or take the advice, of his *constituents* upon any particular point, unless he himself thinks it proper or prudent so to do.”

So much as to the gross indecency and impropriety of the *Manifesto*, to say nothing of the illegality of the appeal which it contains to the passions of the people with the double view of inflaming them into brute rage and violence against the government of the country, and screening the authors from the obloquy and punishment which they so justly merit. Let us now see with what success these infatuated men have exonerated themselves from the charges brought against them not only by the proroguing speech, but by the unanimous declaration of every honest and loyal individual in the country. For this purpose it will be necessary to collect in this place from the *Manifesto*, one or two of its allegations and grounds of exoneration.

“ His Excellency seems to desire very much that the public and our Constituents should be informed of what has taken place in Parliament: This desire we share with frankness and honesty. We examined these documents; we were immediately convinced that they were in direct opposition to the principles which the House has followed ever since 1818; that they were opposed to the essential rights of our Constituents, that free men worthy of enjoying the benefits of the advantages of a Constitution modelled on that of England could not accede to them without sacrificing their dearest rights: *The Representatives of such men were in duty bound to refuse such demands; they have done so; and, in order that the public might be enabled to know their reasons, they have declared that they would persist in the resolutions and addresses made and passed by the House on this subject, as they are recorded in their Journals. Electors! it is for you to judge if the reiterated demand of an unjust thing can constitute a right to obtain it.* \* \* \* \*

“ His Excellency tells us; that we have refused the necessary supplies; that the Militia Bill has not been passed: that no provision has been made for the maintenance of prisoners, of the insane, of foundlings, for education, for establishments of charity, and that public and local improvements have been obstructed.

“ Electors! IT IS A DISAGREEABLE DUTY ON US TO ASSURE YOU THAT THERE ARE HERE AS MANY ERRORS AS ACCUSATIONS. *If the supplies have not been granted, it is because they have been required in such a manner that your Representatives could not grant them without violating your interests and their duty. But they have offered to pass a Bill similar to that of 1826, and similar to the act of 1825 which was sanctioned and carried into execution.—This they are still disposed to do.* \* \* \* \* \*

“ We have been reproached for not having settled the public Accounts during seven years. If recourse be had to the Journals of the House, it will be found that these accounts have been settled as far as depended on us in 1823 and in as complete a manner as we then had it in our power to do.”

Sir! I beg leave to ask you, whether your senses have ever conveyed to your mind any idea so full of absolute abhorrence and disgust as must of necessity arise in your bosom on perusal of some, if not all, of the foregoing passages? Their general falsity I could forgive, as proceed-

ing from a source bent only on deception and insult by whatever means; but who will palliate their unblushing insolence, except those in whom every virtuous faculty is extinct? Who can behold without emotion the first and highest personage in our little state thus approached in the execution of his public duties by a band so uncouth and ruffianly in their manners—so brutally rude—and so lost to every sense of humanity and respect, and telling him, not that his conduct was unconstitutional, not that he had transgressed the bounds of his duty and prerogative; but, *O tempora! O mores!*—that he had uttered what was false! Who I say, can behold this and not regret that there does not exist a more potent punishment for pride and insolence, than mere derision and contempt, withering though such a punishment be! Who can behold this, and credit what the authors of this document themselves affirm, or swear allegiance to their infallibility! But let me not dwell on a topic, which exhibits conduct at variance with every institution as well as every honourable and decent principle which binds civilized society together; and rather endeavour to confute the false and malignant representation which the *Manifesto* affords us of the political behaviour of its authors.

Here, then I find the speech and the *Manifesto* completely at issue. The former with that de-

cision and energy peculiar to itself, asserts, that the House of Assembly had neither "*considered the estimated expenditure of the current year, and granted the supply required in His Majesty's name,*" nor "*assigned reasons for the refusal of them, that can be known and understood by the country.*" To this the Manifesto replies, that the House of Assembly, as the representatives of free men worthy of enjoying the benefits and advantages of a constitution modelled on that of England, could not accede to the demand for supplies "WITHOUT SACRIFICING THEIR DEAREST RIGHTS;" "and, in order that the public might be enabled to know their REASONS, they have DECLARED that they would PERSIST in the resolutions, and addresses made and passed by the House on this subject, as they are recorded in their Journals." With respect to the SACRIFICING OF RIGHTS, I presume this is the first time you have ever heard that the granting of supplies in the MODE prescribed by the constitution, for in that MODE they could only be solicited, would be any sacrifice of RIGHTS. In the present instance, in particular, no rights could possibly be sacrificed; for the supplies solicited were not to be raised and levied on the "CONSTITUENTS" of the House of Assembly, and by that means brought out of the pockets of the people, in order to be placed on the unholy altar of tyranny,

misrule, and despotism as the symbols of "SACRIFICED RIGHTS" They had been levied already in virtue of laws, over which the Assembly can claim no controul; and being deposited in the Treasury of the Province, it only remained to transfer them to the Crown, for the maintenance of its civil authority, by such a legal and constitutional title as should ensure both their undisturbed possession and permanent enjoyment, in the *same* form and manner that they are held by the *same* Crown under the *same* constitution in the mother realm. CANADIANS! mark this. If it be necessary for you to sacrifice any of your rights as freemen, you have ALREADY PAID THE FORFEIT, and are unfortunately plunged in the same deplorable condition with your fellow-subjects in Great-Britain, who have not only been so inconsiderate and lavish of their money as to grant to their good and great king at the commencement of his reign such a sum as should enable him through life to maintain the dignity and glory of his CIVIL AUTHORITY, but to ADD to it occasionally such other sums as may be necessary to protect the country from foreign insult, and YOU, CANADIANS, and your wives and your little ones, your altars and your properties, from the polluting and destroying hands of your enemies. Great as this work be, and valuable, as I have no doubt, you consider it, you are not des-

sired to enlist either your persons or your properties for carrying it on. ALL you are desired to do is to contribute for the preservation of order and good government among yourselves—to defray the necessary expences of those Courts of law and equity which afford such unexampled protection to your persons, and security to your property—of those Courts and those officers that bring to justice and punishment, abandoned characters like those nocturnal assassins that have lately been prowling like wolves through the country, plundering the treasures of your temples, and polluting, by their sacrilegious hands, the very *host* on your altars! By a process of law, both metropolitan and provincial, which it will be unnecessary for me to describe to you in this place, the sums of money requisite for this important purpose, exist already, and are deposited in the hands of the provincial treasurer. They are not taken directly out of your pockets, nor levied on your property, moveable or immoveable. You never saw the grim haughty visage of the Tax-gatherer at your door, nor heard his stern imperious voice demanding with impatience that which you owe to the King and government. On the contrary your taxes, if they may be called such, have *already* been exacted and paid without so humiliating a process. They have been evied on the produce and manufactures of *fo-*

*foreign countries* which you demand every year for the comfort and embellishment of your existence, and you pay for them, not in money, but what is much more easy and convenient for you—the value of your labour and the spontaneous produce of your soil. All, then, that is necessary for you to do, in consequence of the supplies demanded by government for maintaining your peace and happiness, having been already collected and deposited, is to renounce all right that the law gives you over it, and transfer it by a legal deed to government, in order to be laid out ON YOUR ACCOUNT AND FOR YOUR BENEFIT as the Constitution, you, with so much good reason boast of, directs. When you buy a piece of land or take a farm for your children or others committed to your care and authority by the law, nothing, surely, can prevail upon you to conclude a bargain unless you receive a good legal title and are put in the peaceable possession of your purchase. How, then, can you expect that the nobleman who represents your King in this country should accept from you or your representatives those supplies which are necessary for carrying on the operations of the laws amongst you, unless you convey it by a good title, such as that prescribed by the same constitution which confers upon you the high distinction of giving away these supplies. Yet this I assure you, is what those men calling



themselves your FAITHFUL REPRESENTATIVES, do. They leave you entirely in the dark as to the nature of the dispute so long subsisting betwixt them and government ; and endeavour to impress upon you the wicked and false notion, that government, by soliciting supplies in a constitutional way, wish, in the first place, to impose upon you, and them, to tyrannize over you. CANADIANS ! do not believe them. They have private objects of their own in view with regard to which they have NEVER CONSULTED you and which, in the innocence and simplicity of your lives, you are unable to comprehend, if they did. See therefore to this matter. Do not let yourselves be imposed upon, and your fine fertile country ruined by the false representations of men who pretend by their words to be your friends, but who, by their actions, are your worst and bitterest enemies. Do not let the hands of that government whose fostering care and protection of every tie and institution dear to you on earth, you have been experiencing for nearly seventy years, be longer tied up for want of the funds necessary for rendering you permanently happy. Question these representatives—the real authors of all this mischief—when they come next before you. Ask them if all that I have now told you be true. If so, discard them from your presence, and elect such men as will meet

government without prejudices or private ends of their own in view, and who, while guarding those rights which undoubtedly belong to you, will manfully and impartially acknowledge those of government, and lend every aid in their power to strengthen its hands and confirm its authority. Be not deceived any longer, CANADIANS! It is YOUR COLLECTIVE HAPPINESS which is now at stake, and not that of any other individual or order of individuals in society! Do not, therefore, I entreat it of you, again put it in the power of the men who at present so unfortunately represent you, any more to abuse your confidence, or to insult, as they have hitherto been accustomed to do, the highest and most dignified members of the state.

Nothing, Sir! can be more absurd than the REASONS which the authors of the Manifesto have been pleased to assign for the refusal of the House of Assembly to grant the supplies demanded by the Government. "In order," say they, "*that the PUBLIC might be enabled to know their REASONS, they have declared that they would PERSIST in the resolutions and addresses made and passed by the House on the subject, as they are recorded on their Journals.*" What reasons and reasoning for withholding the necessary supplies for carrying on the civil government of the country, and supplies, withal, which they had

themselves voluntarily tendered ! Because, for-  
 sooth, the JOURNALS of the House of Assembly,  
 as if these records of faction and intrigue, like  
 the laws of the Medes and Persians, which could  
 not be altered, or like the Bulls of the Pope,  
 which no man dares to gainsay, are immaculate  
 and infallible evidence of the TRUTH of their own  
 contents ! Well may we parody the sentence  
 which closes the paragraph from which the above  
 quotation is made, and retort upon the *Octavians*,  
*whether a refusal to comply with a just constitution-  
 al demand constitutes a right not to comply with  
 it ?* JOURNALS ! God forbid, they should ever  
 become the palladium of the rights and privileges  
 of any class of his Majesty's subjects in this  
 Province. JOURNALS ! God forbid that they  
 should ever be made the source of reference of  
 any point calculated to promote the glory or hap-  
 piness of mankind. JOURNALS ! God forbid that  
 posterity should ever open them; for instead of a  
 blessing, they will entail the curse of faction and  
 division on the country that gave them birth.  
 JOURNALS ! Well do I know what they contain ;  
 well do I know what they record. They have of  
 late become the manuals of dissension, the insti-  
 tutes of prejudice, and the text-book of clamor-  
 ous abuse and personal vituperation. They have  
 of late become the shield of obstinacy, the pollu-  
 ted instruments of slander, and the prostituted

vehicles of insult to the highest officers of the state. They have of late become the pandects of usurped authority, the rolls of blind and partial decisions in matters of the highest political importance to the country, and the charters of every unconstitutional privilege and prerogative, if I may use the term. Yet these are the records which are now held up as full and sufficient evidence of the RIGHT of the House of Assembly to "PERSIST," in their refusal to grant the supplies in the terms solicited by His Majesty through his representative in this province!

But let us hear a little more of these rights. "If" says the manifesto, "supplies have not been granted, it is because they have been REQUIRED IN SUCH A MANNER, that your representatives could not grant them without violating your interests and their duty. But they have offered to pass a bill SIMILAR to the act of 1825, which was SANCTIONED and carried into execution. This they are still disposed to do." One does not know which to admire most, the solemn sophistry of this passage and position, or the barefaced impudence of its authors in endeavouring to palm an insolent and most notorious FALSEHOOD upon the public. Who can command patience to reason with such men! They have no objection to pass a bill SIMILAR to the act of 1825, which was SANCTIONED! The act of 1825

WAS NOT SANCTIONED. How, therefore, could they expect a SIMILAR act would be accepted of? But it would appear, that, in their estimation, *words* constitute reasoning, and that bold assertions and positions are tantamount to right. So far was the act of 1825,—the great model of all perfection in the estimation of these people,—from being “SANCTIONED” that it was absolutely and positively DISAPPROVED of, CENSURED and REJECTED by the King himself, whose rights and prerogatives, both as a branch of the legislature, and as head of the government, it so obstinately and violently usurped. I know not whether I may for once trust to the journals of the House of Assembly for proof and justification of this fact; but sure I am, that the clamour raised in that venerable senate by the *patres conscripti* of which it was composed, when the following documents were laid before them, will long be remembered by the whole country as one of the most capital instances of the mock-heroic that disappointed ambition has ever exhibited.

PROVINCIAL PARLIAMENT OF LOWER-CANADA,

(HOUSE OF ASSEMBLY, TUESDAY, 14th MARCH, 1826.)

“Mr. Secretary *Cochran* delivers the following Message from the Governor in Chief, with accompanying dispatches from Lord Bathurst.

DALHOUSIE *Governor*.

“The Governor in Chief considers it to be his indispensable duty to lay before the House of Assembly, Copies of two dispatches from Earl Bathurst, dated 24th November 1824, and 4th June 1825.

" These Dispatches, addressed to His Excellency Sir Francis Burton, during the short absence of the Governor in Chief in England, convey the sentiments and the instructions of His Majesty's Government upon a subject which has long occupied the attention of the Provincial Parliament.

" Anxious as the Governor in Chief has been to remove the cause of that difference of opinion which has for years past attended the discussions of that particular subject, he obtained special permission to lay these papers before the House, and he now in the most earnest manner recommends them to their serious and deliberate consideration.

Castle of St. Lewis, Quebec, 14th March, 1826.

(Copy.) DOWNING STREET, 4th June 1825.

SIR,

" I have received your two dispatches of the dates of the 24th and 30th March ultimo.

" In the first of those dispatches, you state that, you inform me with infinite satisfaction, that the differences which have so long subsisted between the legislative bodies on financial matters have been amicably settled; and that I shall perceive by the draft of a bill which you enclose, that the Assembly have decidedly acknowledged the right of the Crown to dispose of the Revenue arising out of the 14th. Geo. III., &c.

" I regret that it is not in my power to consider this arrangement as in any degree satisfactory. The special instructions which had been given by His Majesty's command to the Governor General, in my dispatches of the 11th September 1820 and 13th September 1821, had imposed on him the necessity of refusing all arrangements that went in any degree to compromise the integrity of the Revenue known by the name of the Permanent Revenue; and it appears to me, on a careful examination of the measures which have been adopted that they are at variance with those specific and positive instructions.

" The Executive Government had sent in an Estimate in which no distinction was made between the Expenditure chargeable upon the Permanent revenue of the Crown, and that which remained to be provided for out of the Revenues raised under Colonial Acts.

" In other words: had the whole Revenue been raised under Colonial Acts, there would have been no difference in the manner of sending in the Estimate.

" The Estimate was given in at £65,000 sterling of which the Assembly appear to have voted £58,074, as " amount of votes," and £3537 specially provided for by Provincial Acts;

and they refuse to incur any expenditure for £3390 for different items. Instead of the King's Permanent Revenue having certain fixed charges placed upon it, of which the Assembly were made cognizant, that Revenue was pledged, together with the Colonial Revenue, as the ways and means for providing for the expences of the year. The Assembly having calculated the amount of the Permanent Revenue and of the Taxes received under Colonial Acts, proceeded to vote from the unappropriated Revenues 'such sum or sums as might be necessary to make up and complete a sum not exceeding £58,074 sterling,' and the extent of which must necessarily depend on the amount of the Taxes received from the Permanent Revenue. The consequence of this arrangement is, that the Permanent Revenue will not be applied for the payment of such expences as His Majesty may deem fit but on the contrary for the payment of whatever expences the Colonial Legislature may think necessary, and the only money to be raised under the King's Revenue being thus appropriated, no means remain for the liquidation of those expences formerly charged on the King's Revenue, and many of them especially authorised by His Majesty, which have been rejected by the Assembly in this instance. The appropriation of the Permanent Revenue of the Crown will always be laid by His Majesty's command before the House of Assembly, as a document for their information, and for the general regulation of their proceedings. They will therein see what services are already provided for by the Crown, and what remains to be provided for by the Legislature; and they will be thus assured that the proceeds of the Revenue of the Crown, (whether more or less, and from whatever sources derived,) will exclusively, and invariably be applied under the discretion of the King's Government, for the benefit of the Province.

"With respect to the items rejected by the Assembly, I shall feel it my duty, after having given attention to each individual article, to give special instructions to the Governor General on his return, to direct the payment of those which it may be thought expedient to continue.

"As the Bill is limited to one year, I shall not think it necessary to recommend to His Majesty to disallow it, but confine myself to instructing His Majesty's Representative in the Province of Lower-Canada, NOT TO SANCTION ANY MEASURE OF A SIMILAR NATURE.

I have the &c. &c.

(signed) BATHURST."

To Lt. Governor, Sir Francis Burton, &c.

(Copy)

" DOWNING STREET, 24th November 1824.

MY LORD.—"I have the honor to transmit to your Lordship by direction of Lord Bathurst, the Copy of a Dispatch addressed to Sir Francis Burton, conveying the opinion of His Majesty's Law Officers on the reference made to them of your Lordship's Dispatch of the 28th April 1823, relative to a question raised by the Assembly of Lower-Canada, as to the right of Government to apply the proceeds of the Revenue arising from the 14th Geo. III, Cap. 88, towards defraying the expences of the Administration of Justice and the support of the Civil Government, without the intervention of the Colonial Legislature."

I have the honor, &amp;c.

(signed) R. W. HORTON.

To Lt. Genl. The Earl of Dalhousie, G. C. B.

(Copy)

DOWNING STREET, 23d November, 1824.

"SIR,—Having referred to the consideration of His Majesty's Law Officers a Dispatch from the Earl of Dalhousie, dated 28th April 1823, enclosing a report made by the Assembly of Lower-Canada, upon the Provincial Accounts: in which a question is raised as to the right of Government to apply the proceeds of the Revenue arising from the 14th Geo. III, Cap. 88, as they invariably have been since the passing of that Act, towards defraying the expences of the Administration of Justice and the support of the Civil Government under the authority of His Majesty, without the intervention of the Colonial Legislature. I have now to acquaint you that by the 14th Geo. III, Cap. 88. the duties thereby imposed are substituted for the duties which existed at the time of the surrender of the Province to His Majesty's Arms and especially appropriated by Parliament to defraying the expences of the Administration of Justice and the support of the Civil Government of the Province. This Act is not repealed by the 18th Geo. III, Cap. 12, the preamble of which declares that Parliament *will not* impose any Duty, &c. for the purpose of raising a Revenue, and the enacting part of which states that *from and after the passing of this Act*, the King and Parliament of Great Britain will not impose, &c.; the whole of which is prospective, and does not affect the provisions of the Act of the 14th Geo. III, Cap. 88th. The Act of the 18th Geo.



III, cannot affect the appropriation of the Duties imposed by the 14th Geo. III. Since the 18th Geo. III, is confined to duties *thereafter* to be imposed, and imposed, also for purposes different from those which were contemplated by the Legislature in passing the 14th Geo. III, viz: the regulation of commerce alone, the Act of the 14th Geo. III, Cap. 88, is not repealed or affected by the 31st Geo. III, Cap. 31. It is clear that it is not repealed. If the Act had been repealed, the duties must immediately have ceased; and as to the appropriation of the Duties or the Controul over them, nothing is said upon the subject either in the 46th and 47th Sections, or in any other part of the Act of 31st Geo. III, Cap. 31.

“With respect to any inference to be drawn from what may have taken place in Canada within the last few years, as to these duties, it may be observed that the Duties having been imposed by Parliament at a time when it was competent to Parliament to impose them, they cannot be repealed or the appropriation of them in any degree varied, except by the same authority.”

I have the honor to be, &c. &c.

(Signed) BATHURST.

The Honorable Sir Francis Burton.”

Here, then, are two despatches from one of His Majesty's principal secretaries of state; the one declaring in terms as clear, positive, and decided as language could render them, that “*the act of 1825,*” which the manifesto daringly maintains to have been SANCTIONED, and a bill “SIMILAR” to which the Assembly have no objections to pass, could not be considered as “IN ANY DEGREE SATISFACTORY;” but, on the contrary, that its author, whom we are bound to believe as expressing the sentiments of the King himself, would give INSTRUCTIONS to “*His Majesty's Representative in the Province of Lower Canada* NOT TO SANCTION ANY MEASURE OF A

SIMILAR NATURE!" And the other intimating in equally clear and decided terms, that the claims so urgently and incessantly set up by the House of Assembly to the entire disposal, controul and management of the WHOLE REVENUE of the province, were entirely ILLEGAL and UNCONSTITUTIONAL, and that the duties which constitute this revenue "having been imposed by parliament at a time when it was competent to parliament to impose them, they CANNOT BE REPEALED, or the APPROPRIATION of them IN ANY DEGREE VARIED, except by the same authority." Now, with such documents before their eyes, documents so plain and explicit that nothing but the most perverse adherence to the system of a faction, could resist the force of their evidence, and documents, withal, emanating from the highest authority in the state—what could seduce the authors of the manifesto so far from the path of honour and integrity, as to declare, in the face of the country, that "*if supplies have not been granted, it is because they have been required in such a manner, that your representatives could not grant them without VIOLATING your interest and their duty?*" In order, in some measure, to account for the brutal and malignant spirit in which the authors of the manifesto have presumed to stab the character and conduct of the Governor in Chief, I would willingly suppose that his manner of demanding supplies was at

variance with the constitution and the rights of the people. But when we find, that not only is this not the case in point of fact, but that the imperial government in APPROVING of his measures, and INSTRUCTING him to persevere in them, CENSURED and CONDEMNED that line of conduct which the Assembly so much laud, and which they are so desirous of IMITATING by passing a bill of supply "SIMILAR to the act of 1825", I positively feel at a loss whether I should not lament the evils which uniformly attend the wickedness and folly of our nature, rather than blame the obstinate infatuation which self-interest and ill-directed ambition, are sure to entail on the votaries of faction and political intrigue. Every man endowed with reasonable faculties will readily suppose, that, after perusal of the above public documents, neither the Governor in chief, nor the House of Assembly would be so foolhardy as to deviate any more from a system of government so deliberately considered and distinctly pronounced. Yet, it does not follow, as a matter of necessary consequence, that because the one party have been so outrageously mad as to break the rule, the other party should do so likewise. The Assembly HAVE broken the rule, but His Excellency HAS NOT; and besides the mental consolation incident to the performance of a legal duty prompted and directed by instructions

from authority, it is no doubt most gratifying to His Excellency to listen to the expressions of approbation and gratitude poured forth by every well-affected person in the province for his manly intrepidity in arresting the progress and subverting the schemes of a faction which threatened to undermine his government and plunge the country in ruin. Did they suppose, that His Majesty's principal secretary of state, for the Colonies, FORGOT OR DELAYED to transmit to "*His Majesty's representative in Lower-Canada,*" the INSTRUCTIONS to which he alludes at the close of the despatch of the 4th of June, 1825? He did not forget nor delay; and well do the Assembly know, that these instructions were acted upon, when they were desired to go about their business, and consult their CONSCIENCES as to the propriety and integrity of their behaviour. But even had the case been otherwise, and these instructions had never been penned, did they suppose that His Excellency was so grossly ignorant of the principles of the constitution and had so treacherous a memory as to forget the instructions of the 11th September, 1820, 13th September, 1821, addressed personally to himself, and those contained in the despatch of the 4th of June, 1825, addressed to the Lieutenant Governor, as to betray his duty to his King and country by yielding up his integrity to the clamorous dictates of the Assembly? They entirely

mistook the character of the man if they thought so for a moment; for however long the meekness of his noble spirit, and his patient desire to accommodate matters on as amicable terms as possible, may have enabled him to brave the rude shocks of party abuse and factious slander, he is the last man on earth who would tamely surrender the rights or the happiness of the people, whom their King has committed to his care and protection.

Who does not now perceive that the House of Assembly of LOWER-CANADA, and its satellites without doors, are assuming rights and powers which do not of right belong to them, and usurping authority which the constitution never intended to vest in that branch of the legislature. The Assembly, as I have already said, not only refuse to vote the supplies necessary for carrying on the civil government of the country and the administration of justice, except in a way which would place in their hands the entire constitutional powers of the Executive department, but with an air that betrays the badness of their cause and the extreme danger of their intentions, they refuse to listen as well to the admonitions as to the explanations of the imperial government upon the subject of their unjust pretensions.— They will not even be guided by the the example of the mother country in matters of a corresponding nature; never dreaming, in their

gross ignorance of the good faith, liberal sentiment, extensive knowledge, and high integrity of the people of England, that any interests can possibly be superior to their own petty cavilings about they know not what, and that their fellow subjects in the mother realm, are as callous to their rights and liberties, as they are lavish of their money in carrying on the administration of the country. I can, however, tell them, that the good people of England are as careful of their rights and economical of their cash as the House of Assembly, on whom the light of liberty has only dawned within the last half century, can possibly be. Yet they give liberally and spontaneously whatever may be necessary for carrying on the business of the state, without either calling in question the rights of others or assuming new and unconstitutional powers to themselves.— They know the constitution, and cheerfully obey its dictates. They have a higher respect for it than ever to attempt to destroy the beauty of its harmony in order to bestow upon ANY branch of the legislature a power which does not of right belong to it. They know their duty and perform it manfully. They love their country too much to destroy it by squabbles about pretensions which they cannot enjoy without entirely forfeiting their rank in civil government. They know, that their government will be no more, either

when the Crown shall become independent of the nation for its supplies, or when their *Representatives* shall begin to share in the *Executive authority*. They therefore know that the machine of government depends upon them for its propelling powers; but they never allow it to stop, as is done in this province, in the hope of becoming *masters* and *directors* of its operations, as well as the *moving* power. The one is enough for them; and while they hold that, they need not be afraid that any undue advantage can be taken of them. In particular, a custom has for a long time prevailed at the beginning of every reign to grant to the King a revenue FOR HIS LIFE; a provision which, with respect to the great exertions of his power, does not destroy the influence of the commons, but yet puts him in a condition to support the dignity of the Crown, and affords him, who is the first magistrate in the nation, that *independence* which the laws insure also to those magistrates who are particularly entrusted with the administration of justice. But a generous and constitutional provision of this kind, the Assembly of this province spurn at. They have no objection, to be sure like so many driving bargain speculators, to consider *annually* the value of the legal and physical labour given by the magistrates, and other public officers, for the amount of salary accorded them; and to allow

Mr. Justice A. so much, and Mr. Justice B. so much, just according to the fancy and prejudices of the "Committee of supply;" but as to placing into the hands of His Majesty during life a sum for this purpose, or IN AID of this purpose, to be given by HIM as the reward of an independent and industrious discharge of public services, is a thing which their narrow minds can never approach, without calling up the worst feelings and passions of their nature; exposing the King himself and his Representative to insult, and the constitution to encroachments, which nothing but the grossest ignorance of its forms and excellence could justify. They have no idea, after the noble patriotic example of His late Majesty, of looking "upon the independence and uprightness of the judges, as essential to the impartial administration of justice; as one of the best securities of the rights and liberties of his subjects; and as most conducive to the honour of the Crown." They have no notion of honour because they cannot confer any. They cannot endure public offices or officers, except such as derive their being from themselves. They cannot endure that any power, however, constitutional and agreeable to law, should stand between them and the servants of the public; thus setting aside entirely the just and hitherto acknowledged prerogatives of the crown, which is the only fountain, in our system of go-



vernment, at once of justice, of honour, of office and of privilege. The dignified notion which they entertain of the crown, is, that though the constitution says otherwise, it cannot be a safe deposit for its own revenue, and that it cannot give away either offices or the rewards of offices, without corrupting. They must therefore become their own bankers and their own paymasters. They must keep their own books, and have a *per centage* on all the salaries in the gift of the crown. They have no objections, indeed, that the crown should be distinguished by the high honour of being "*General Agent and correspondent for the House of Assembly of Lower-Canada,*" with full powers *annually* to remit to the public servants of the country the salary allotted to them for the services of the past year, and to take their receipts accordingly, and lay them in due form before the next session of the Assembly. But greater privileges or prerogatives they cannot grant. The following may serve as the form of the letter prescribed by the Assembly for the crown or its representative in this province, in remitting the annual stipends to the different judges, magistrates and servants of the crown throughout the country.

*Castle of Saint Louis,*

*Quebec, 1st May, 1827.*

*Sir,—I have the honor of enclosing £—be-*

ing the amount of salary voted to you by the House of Assembly for the by gone year. I regret that the amount is £200 LESS than that voted for the SAME SERVICE the preceding year ; but you must be aware that though the privilege of appointing to situations is still left in the hands of the Crown, the Assembly, by depriving it of the old prerogative of fixing the amount of salary, and rendering it uniform, are the best judges of the VALUE of your services. As, therefore that respectable and CONSTITUTIONAL body have assumed to themselves the right of canvassing YEARLY the usefulness as well as the propriety of your public duties, I hope you will not take it unkind of me to inform you, that, for the future, you are bound to consider THEM, and not the crown, as your SOLE supreme patrons and authority, and the crown only as the nominator to situations.

I have the honour to be, &c. &c.

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Governor in Chief, and General corresponding Agent for the House of Assembly.  
To———&c.

Believe me, Sir, the imagination has no part in making this representation; and that, if the House of Assembly were permitted to pursue their ends without the application of those salutary checks and interruptions which the constitution has wisely prescribed, such would be the

actual state of matters ; and we should soon *feel* whether a monarchy or a democracy should most prevail in this province, and whether that loyalty and patriotism so much boasted of at present should find its way across the Atlantic or be confined to the banks of the Saint Lawrence.— Even if what the manifesto says of the Executive and its chief were true, as thank God ! it is not, we should then find which is worst *one* wild beast or many. But let them beware, for they know not what they do. Nothing can be more at variance with the fundamental principles of our constitution than the assumption of *executive* power by a branch which is *solely legislative*, and nothing can be more dangerous or attended with more deplorable consequences. “ It is highly necessary,” says Blackstone, “ for preserving the balance of the constitution, that the executive power should be a branch, though not the whole, of the legislative. The total union of them would be productive of tyranny ; the total disjunction of them, for the present, would in the end, produce the same effects, by causing that union against which it seems to provide. The legislative would soon become tyrannical, by making continual encroachments, *and gradually assuming to itself the rights of the Executive power.*— Thus the long parliament of Charles the first, while it acted in a constitutional manner, with

the royal concurrence, redressed many heavy grievances and established many salutary laws. But when the two houses assumed the power of legislation, in exclusion of the royal authority, they *soon after* assumed likewise *the reins of administration*; and, in consequence of their *united powers*, overturned both church and state, and established a worse oppression than any they pretended to remedy. The *legislative* therefore cannot abridge the *executive power of any rights which it now has by law, without its own consent*; since the law must perpetually stand as it now does, unless *all* the powers will agree to alter it. And herein indeed consists the excellence of the English government, that all parts of it form a mutual check upon each other. In the legislative, the people are a check upon the nobility, and the nobility, a check upon the people; by the mutual privilege of rejecting what the other has resolved: while the King is a check upon both, *which preserves the executive power from encroachments.*" In what manner, then, has this constitution continued to find a remedy for evils which from the very nature of men and things, seem to be irremediable? How has it found means to oblige those persons to whom the people have given up their power, to make them effectual and lasting returns of gratitude? those who enjoy the exclusive authority, to seek the

advantage of all? those who make the laws, to make only equitable ones? *It has been by subjecting themselves to those laws, and for that purpose excluding them from all share in the execution of them.* Thus the parliament can establish as numerous a standing army as it pleases; but immediately *another power* comes forward, which takes the absolute command of it, which fills all the posts in it, fixes and regulates the pay of every individual composing it, and directs its motions at pleasure. The parliament may levy new taxes; but immediately *another power* seizes upon the produce of them, and *alone* enjoys the advantages and glory arising from the disposal of it. The constitution has not only excluded from any share in the execution of the laws, those in whom the people trust in enacting them, but it has also taken from them what would have had the same pernicious influence on their deliberations—*the hope of ever invading that executive authority and transferring it to themselves.* This authority has been made in England *one single indivisible prerogative*; it has been made for ever the inalienable attribute of *one person*, marked out and ascertained beforehand by solemn laws and long established customs, and all the active forces in the state have been left at his disposal. The power of conferring and withdrawing places and employments has also been added to it, and am-

bition itself has been thus interested in its defence and service. The King is the only self existing and permanent power in the state. The generals and ministers of state, are so only by the continuance of his pleasure. He can dismiss the parliament themselves if they should ever entertain dangerous designs; and he need only say one word to disperse every power in the state that may threaten his authority. Those men to whom the people have delegated the power of framing the laws, are thereby made sure to feel the whole pressure of them. They can *increase* the prerogatives of the *executive power*; but they cannot invest *themselves* with it: they have it not in their power to *command* its motions, they only can unbind its hands. \* “Whenever *parliament*,” says Burke, “is persuaded to assume the offices of *executive government*, it will lose all the confidence, love and veneration which it has ever enjoyed while it was supposed the *corrective* and *controul* of the *acting* powers of the state. This would be the event though its conduct in such a perversion of its functions should be tolerably just and moderate; but if it should be iniquitous, violent, full of passion, and full of faction, it would be considered as the most intolerable of all the modes of *tyranny*.” “To the province

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\* De Lolme.

of *Executive government*," adds this great man, "I wish parliament always to superintend—NEVER TO ASSUME." Seeing therefore that my observations, with respect to the usurpations of the Assembly, are borne out and supported by law, policy, philosophy, nature and reason, it appears to me to be quite unnecessary to extend them to greater length. It would be a happy circumstance if any thing I have said should meet with due consideration in the proper quarter. In this case, I flatter myself the country should not much longer have to lament that extreme dullness and desolation which the improper conduct of the Assembly, like a winter's cloud, has spread over every region of it. But I have despaired so long on this subject, that hope is almost banished from my bosom. I shall do my duty, however, and stand by my post till the last moment of my existence. My arm, indeed, is feeble, but my heart is firm, and my *resolution*, at least, unconquerable. I therefore, on this subject, in particular, warn the country to its duty. Society cannot exist unless the laws be obeyed, and due respect paid to those who are entrusted with their execution. Society cannot exist unless a controuling power upon will and appetite be placed somewhere; and the less of it there is WITHIN, the more must be WITHOUT. It is ordained in the eternal constitution of things, that men of in-

temperate minds cannot be free. "Their passions forge their fetters." In one word, then, if the Assembly be permitted to pursue their usurpation of executive authority, in the manner that they have done for the last ten years, they will not stop till they make the same declaration made by that House of commons, which, on the 4th of January, 1648, passed a vote, "that whatever is enacted or declared for law by the *commons* in parliament assembled hath the force of law; and all the people of this nation are concluded thereby, although the consent and concurrence of the King, or house of peers be not had thereto." The sequel is obvious. It has already been recorded in the annals of anarchy and bloodshed!

I cannot pass on to the consideration of the minor and collateral topics of the manifesto, without pausing in this place for the purpose of making a few observations with respect to the PARLIAMENTARY PRIVILEGES with which the CONSTITUTION has invested the governor of this province as the REPRESENTATIVE of His Majesty; and thus be able to ascertain how far an individual or any body of individuals OUT OF PARLIAMENT are entitled to call in question any act or deed done by that distinguished personage IN PARLIAMENT. I do not think the House of Assembly will be prone to admit that they are them-



selves destitute of all constitutional parliamentary privileges. On the contrary, they not only claim in their fullest extent those secured to the House of Commons by the first of William and Mary, which declares it as one of the liberties of the people, "that the freedom of speech and debates, and proceedings in parliament ought not to be impeached or questioned in any court or place out of parliament," by demanding all necessary privileges and freedom of speech from the Governor in person, by their speaker, at the opening of every new parliament; but have committed various overt acts declaratory of their title to these privileges. So early as the second session of the first provincial parliament, they resolved "that a member had been arrested in direct violation of the rights and privileges of the house, and that the persons who had caused the arrest were severally guilty of a breach of privilege." On the 14th of March 1806, the late respectable Editor of the *Quebec Mercury* was ordered to be taken into custody by the Sergeant at arms, "for undertaking in his paper of yesterday to give an account of the proceedings of this house." In the session of 1814, the Governor in Chief, SIR GEORGE PREVOST, having thought it inexpedient to suspend the two chief justices of the province from their offices "upon an address to that effect from ONE branch of the legislature alone, founded

on articles of accusation, on which the Legislative Council had not been consulted, and in which they had not concurred," the Assembly resolved, "that his Excellency the Governor in Chief, by his said answer to the house, HATH VIOLATED THE CONSTITUTIONAL RIGHTS AND PRIVILEGES OF THIS HOUSE." I could adduce several other instances wherein the House of Assembly claimed and exercised a right to privileges; but this is sufficient to establish a claim to them, at least, in their own estimation. Surely therefore, there can exist no hesitation on the part of this branch of the legislature to acknowledge and recognize a right so similar as privileges on the part of the other branches of the legislature, especially on the part of the first and highest, as enjoying, so far as they can possibly be enjoyed in this province, all the political attributes of the King. In a word, if the Assembly claim and enjoy all the privileges of the corresponding branch of the British legislature, surely the Governor in Chief may be permitted to do the same thing. As the one have modelled their privileges on those of the Commons, so must the other model them upon those of the King, and with greater reason, for he represents the King; but the Assembly do not represent the Commons. It is by tracing the parliamentary rights and privileges of the Commons that the Assembly have been

able to ascertain the extent and nature of their own; so it is only by tracing the parliamentary privileges and prerogatives of the King that we can ascertain those of the Governor. Of the great political corporation of the kingdom, the King is said to be *caput, principium et finis*; and without him, or some person to represent him, the parliament can neither meet nor separate.— In this capacity the King is incapable of doing wrong, and the law ascribes to him absolute perfection. “ Yet still,” says Blackstone, “ notwithstanding this personal perfection, which the law attributes to the sovereign, the constitution has allowed a latitude of supposing the contrary in respect to BOTH HOUSES OF PARLIAMENT; each of which in its turn, has exerted the right of remonstrating and complaining to the King, even of those acts of royalty, which are most properly and personally his own; such as messages signed by himself, and speeches delivered from the throne. And yet, such is the reverence which is paid to the royal person, that though the two HOUSES have an undoubted right to consider these acts of state in any light whatever, and accordingly treat them in their addresses as personally proceeding from the prince, yet among themselves, (to preserve the more perfect decency, and for the great freedom of debate) they usually suppose them to flow from the advice of the

administration. But the privilege of canvassing thus freely the personal acts of the sovereign (either directly, or even through the medium of his reputed advisers) BELONGS TO NO INDIVIDUAL, BUT IS CONFINED TO THOSE AUGUST ASSEMBLIES: and there too the objections must be proposed with the utmost respect and deference.— ONE MEMBER was sent to the Tower for suggesting that His Majesty's answer to the address of the Commons contained "high words to fright the members out of their duty;" and another for saying that a part of the King's speech "seemed rather to be calculated for the meridian of Germany than Great Britain, and that the King was a stranger to our language and constitution."

Now, let us apply this doctrine in the same manner as we have done with respect to the House of Assembly, to whom we have allowed every attribute and privilege, established by law to belong to the House of Commons. If such then be the rights, attributes, privileges and prerogatives of the King in reference to the Imperial Parliament, most unquestionably, such, or similar to these are the rights, attributes, privileges and prerogatives of his REPRESENTATIVE, in reference to the provincial parliament. He who will deny this, and still maintain the privileges of the Assembly, is incapable of entertaining proper sentiments of justice, or just principles of

reasoning. He who will do this, is incapable of arbitrating in the simplest question of equity.— He who will do this, would degrade the constitution, and attribute to it principles of injustice and partiality which could never belong to such a masterpiece of human invention. How, then, is it possible sufficiently to reprobate the conduct of those members of the legislature, who, forgetting their own station and characters as members of a constituent part of that legislature, and regardless of the privileges and prerogatives of a co-ordinate branch of the same corporation, dared, AS INDIVIDUALS OUT OF PARLIAMENT to canvass, by an infamous libel, and base, scurrilous, seditious, and inflammatory *Manifesto*, the personal and constitutional acts of His Majesty's representative IN PARLIAMENT? Conduct, like this, shows somewhat more than a disregard of the ordinary decencies of private or public intercourse and the respect due to rank. It marks a spirit of innovation at variance with every principle of justice and our glorious constitution, and betrays the authors into an act which I hope will be damned to fame as one of the most desperate attempts ever made to plunge a happy, peaceful and contented people into ruin and misery.—This *Manifesto* is, indeed, a document which is as erroneous in its principles as it is noxious in its tenets; and I trust that no man of the least decency of character will be

found to embark in the scheme, of which I have every right to conclude, it is the precursor. It is as mischievous and cruel in its probable effects, as it is manifestly illegal in its principles. It not only strikes at the best refuge of society—the constitution, which binds it together—but, in doing so, encroaches upon the rights and privileges of the first person of the state in a manner that would deprive him of every political attribute hitherto guaranteed by that constitution and recognized by every wise man living under its auspices. But waving every other consideration, it amounts, at all events, to a direct and positive VIOLATION of the parliamentary privileges and prerogatives of the Governor in Chief, which, if the provincial parliament be intitled to any privileges at all, must be held as sacred with respect to him, as any other branch of the legislature.\* If the Assembly claim privileges, so may and ought the Governor. If the Assembly punish, as we have seen they have done, a breach of their privileges; so may and ought the Governor; and I trust that those who, under the false pretence of maintaining their own rights and privileges, have encroached upon the prero-

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\* It is a standing rule of both houses of the legislature, "That in all unprovided cases, resort shall be had to the rules, usages and forms of PARLIAMENT, which shall be followed until this House shall think it fit to make a rule applicable to such unprovided cases."

gatives of others, will not escape the punishment which the law prescribes; and that their names will be thus handed down to posterity, no less as the infringers on the rights of others, than the wretched destroyers of their own.

I had scarcely finished the last sentence when through the medium of that organ of faction, to which I have already more than once had occasion to refer, a circumstance came to my knowledge, to which I cannot help soliciting your particular attention. I allude to what has been falsely and most insidiously termed a "CONSTITUTIONAL PUBLIC MEETING of the principal inhabitants of St. Hyacinthe," held on the 12th of April. Who the PRINCIPAL INHABITANTS of St. Hyacinthe are, I know not; as little do I know any thing of *Monsieur Portier*, their secretary, though I am bound to presume that he is some great philosopher or politician, some mighty demi-god, well known and properly esteemed in those parts. But one thing I know, that this same meeting at St. Hyacinthe, as if emblematical of the plant of that name, which is one of the earliest of spring flowers, is the *first fruit* of that seditious document which I have all along been considering. The resolutions of these *Amphictyons* of St. Hyacinthe are as perfect an *echo* as you can well conceive of the manifesto; and could I once be certain that the dome of the

*Bonsecour* church of Montreal, \* like the whispering gallery of St Paul's, was capable of repercussion, I should have little difficulty in identifying them, so very much alike are they in all their tones and modulations, and so completely are the pipes of St Hyacinthe attuned to the harps of the sweet singers of Democracy of Montreal. However, be all this as it may, the evil *effects* of the manifesto are now beginning to show themselves, and we may easily know the tree by its fruit. The great impulse has been given to the ball of discord; and unless it be stopped in time by the yet unnerved arm of authority, we shall soon find, that it will gather such strength and force in its progress as will ultimately render it irresistible, and that deeds of infamy will be inscribed in the comparatively obscure volume of Canadian history, which no chemic power can ever efface.

You will perceive, that the burden of the song of St. Hyacinthe, as well as of the overture of Montreal, is the *Governor in Chief*, and his audacity in proroguing the late session of the provincial parliament; so unconscionable are both parties of the dignity and political privileges of that personage; and so anxious are they to level down to their own base and tainted sphere every

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\* The Apollo of the *Manifestoers* resides in the immediate vicinity of this edifice, and, in a street bearing the same name, holds some property.



thing calculated to withhold from their grasp that unlimited power which they have so long and so urgently sought after. You never hear any thing like a cool and plausible argument to prove the misdeeds or the misrule of *government*. You never see a charge of delinquency attempted to be brought against the *government*. You never see that section of the constitution pointed out, which the *government* have compromised and rendered ineffectual, either by any misapplication of their authority, or any undue usurpation of power.— You never hear it asserted that the Provincial *government* have deviated from the line of conduct chalked out for them by the Imperial government. We often hear it vociferated, that the one is amenable to the other; but we never hear of a meeting being called to appoint deputies for carrying a list of grievances to the foot of the throne, and to the two houses of parliament, the sole and true judges when any grievances do actually exist. No, you never do! Such things are perfectly irrelevant to the purposes of the Octavians and their satellites. But you often hear of the *governor*. He is the man. He ALONE is the object of attack; and could he once be pulled down from the strong-hold in which he is fortified by the constitution, all would be well. The breach would then be practicable, and the fortress of legitimate government, would then be stormed

midst the yell of demagogues, and the triumph of a ferocious band of execrable wretches who, to gain their own ends, would sacrifice the dearest objects of human wishes. Oh miserable AMBITION!

“.....Dark demons lead  
Thy hurried steps o'er slippery heights astray,  
When furies urge, and spectres point the way,  
To many a foul and ruthless deed,  
While to each blast that howls along the sky

Unfurled by Death's own hand, thy crimson banners fly.”

Yet such has been the way that the enemies of social order have always commenced their operations. They first endeavour to bring PERSONS of authority in the state into contempt.— This once accomplished, the path that leads to the overthrow of the laws of which these persons are the best guarantees and supporters, is short and easy. Their physical and visible outworks being dismantled, the laws themselves, are looked upon as a mere chaos of words and terms without meaning or object, and are scattered to the winds in order to clear the area for a new edifice of their own imagination, but which was never yet found to be either a sound or durable one. From the MODE, therefore, in which the demagogues of this province carry on their operations, I think I am justified, on every principle of analogy and action, to conclude that their views are at once dangerous to the country and destructive of their ultimate happiness, in all the sacred and combined characters of men, husbands, fathers, and friends. Were they to allow

me to reason with them in these hallowed characters, I think, weak and tender as my powers of reasoning be, I could appeal to them with some degree of success. As MEN, I could tell them, that nothing has entailed greater misery on mankind, than a restless discontented spirit, goaded on by the false glare of power and ambition in pursuit of a change of government, when that under which they lived was capable of securing to them the full enjoyment of all the rights and comforts of society; and that the day on which this province, by the vice or folly of a few of her own ill advised children, shall forfeit the British constitution, and the protection of British laws and arms, from that day may we date its ruin, and subjugation to another state little capable of prolonging our present prosperity and happiness. As HUSBANDS, I could tell them, that, if they still love the mothers of their children— if they still cherish feelings of tender affection for those bosoms on which they have so often leaned for consolation in the hour of distress, and which they swore at the altar to protect, they will not involve them in troubles, the end of which they cannot foresee; expose them to injuries at which the virtuous soul shudders; nor familiarize their minds to crimes which would soon dissolve every sacred tie, and completely destroy every generous sentiment, by further pursu-

ing a course which is every way calculated to foster such awful consequences. As FATHERS, I could tell them of their duties to their offspring, and how forcibly the laws of God and man combine in enjoining all parents to secure to their children all those means of moral and political happiness which the institutions of society afford; and which, if they do not exist under the British Constitution, they are no where to be found on this side of heaven. As FRIENDS, I could tell them, that nothing is so destructive of the confidence and integrity which, in civilized society, one man finds it necessary to repose in another, as the course they are now pursuing; and that nothing is more destructive of true friendship than political usurpation; for, says Cicero, "*Non enim solum ipsa fortuna caeca est, sed eos etiam plerumque efficit caecos, quos complexa est.*" Friendship! hallowed name! In youth, thou hast been my only preservative against irreparable errors; in poverty my best and sole refuge; in danger the bower anchor of my destiny; in manhood the best auxiliary in the execution of my duty; and in retirement my best and most stable companion. Let me not live to see thee discarded or anywise sullied in this remote province of a great empire, where I have been long cherished by thee and known thee best!

But as they will not suffer me to reason with

them in this way, I must appeal to the constitution and the laws, and tell them candidly, that public meetings of the above description, are NOT CONSTITUTIONAL; that public meetings, called in obedience to a manifesto, breathing vengeance against the executive of this province, and hurling insults and defiance at his majesty's representative, as the head of it, are most illegal in themselves and dangerous in their consequences; that public meetings, called for the express purpose of drawing a parallel between the conduct of one branch of the legislature and another; and raising one branch of that legislature into popular esteem and admiration to the prejudice of another, are altogether at variance with the principles of our constitution, and subversive of every dictate of law, justice, equity and decency. Respect *must* be shewn to those in authority; and unless that be done, the whole fabric of our constitution will fall to pieces.— The basis of our government is founded in subordination; and if that rock of social order be undermined, the entire structure must give way. Nothing therefore can be more infamous and intolerable than the *disrespect* which has all along been shown to His Majesty's representatives in this province; but, in particular, nothing can be more foul and indecorous than those *personal* insults which have been of late offered to

His Majesty's present representative; whom, "take him all in all," I am firmly persuaded, is the fittest representative that our beloved and most gracious sovereign could possibly nominate. But, has the constitution set no bounds to the vituperation of vulgar declaimers and seditious malcontents? To be sure it has; to be sure it should. No man dare approach the King with indecorous language or abusive epithets. His person is sacred; his title is sacred; and his prerogatives are defined and unassailable. "For though," says Blackstone, whom, I trust, I have already quoted with some effect, "a philosophical mind will consider the royal person merely as one man appointed by mutual consent to preside over many others, and will pay him that reverence and duty which the principles of society demand, yet the mass of mankind will be apt to grow insolent and refractory, if taught to consider their prince as a man of no greater perfection than themselves. The *law* therefore ascribes to the King, in his high political character, not only large powers and emoluments, which form his prerogative and revenue, but likewise certain attributes of a great and transcendent nature, by which the PEOPLE are led to consider him in the light of a superior being, and to pay him that awful respect, which may enable him with greater ease to carry on the business of government."

And shall it be said, that any individual bearing the CONSTITUTIONAL impress of His Majesty; that the Governor in Chief of this province, nominated and appointed by the crown to discharge its functions and superintend its interests; that the highest, the most honourable, the most durable, and most dignified branch of the legislature; that the head and administrator of the government of this province, has no participation in the rights and privileges of the King, the source whence all his Excellency's legal attributes emanate? Shall it be said, that his personal prerogatives, as well as his parliamentary conduct, is amenable to every brawling demagogue who chooses to call it in question; and that the ignoble vulgar, the beasts of the people, are by law intitled thus to herd together for the purpose of bringing a character so distinguished in himself, and so much exalted and protected by the laws, into contempt in order to bolster up the usurpations of a few deluded wretches in the House of Assembly, and otherwise, instituting an order of things in this province to which we are, or at least ought to be, by nature, at once strangers and enemies? NEVER! The laws forbid it. The constitution positively and emphaticallly debars it.— Let us not therefore be so mad—so entirely lost to every sense of respect for others, and to every sentiment of attachment for ourselves and

our posterity, as to burst through every barrier that stands between us and ruin, or pull down upon our heads a fabric consecrated by ages to the maintenance of civilized society. What would the wise in England think, if public meetings were held there for no other purpose than to make inflammatory speeches and frame resolutions derogatory of the parliamentary prerogatives and conduct of the King, and laudatory of the proceedings of the House of Commons, however unparliamentary, indecorous or dangerous?—Why, the law must take its course; and we should soon see the insulters of royalty and the disturbers of the public peace bending to the ground before the majesty of the constitution, and hiding themselves in caves, dungeons and brothels from the destroying sword of justice! Let the gentry of St. Hyacinthe, and such as may be disposed to follow their example, look to this. *They have no right to destroy the constitution.* Let them therefore reflect well before they proceed further in a course so fraught with evil consequences, and whose end is inevitable destruction to the present most happy and most enviable prospects of this magnificent country. Every blow given to the constitution is a stab at their own happiness. Every inroad upon the constitution is a deviation from the path to fame and glory. Every mark of disrespect shewn



to the constitution is a thrust at the genius of liberty. And let them not suppose, that the freedom of insulting, as they daily do, the Governor in Chief, and others in authority in this province, has either part or portion in genuine liberty; which does not consist in the permission to do *any* thing that a man thinks proper—a permission in which even the savages do not participate—but in securing the freedom and exercise of just and *lawful* actions. The great fabric of our government, as established in this country, is supported by those three main pillars—the Governor, the Legislative Council and the House of Assembly. Pull down one of these, and the whole edifice will fall in pieces. What then must we think of those who are straining every nerve to undermine the first of these pillars with the view of transferring its strength, powers, and ornaments to *ONE* of the remaining two, not to divide these between them? They are certainly mad! Do they not already see the structure bending and trembling in the storm! I can only add, let them desist, or be crushed in the ruins; and let all prudent and sensible men escape for their lives.

I cannot refrain from regretting in this place, that our constitution has not defined more legibly the rank and station of the King's representatives in this country, and assimilated more

strongly and closely the public functions of the Governor with those of His Majesty. The King is never seen nor heard of, but in the execution of a gracious action. So far is this from being the case with respect to the Governor, that he is seen and heard, on *every* public occasion; and I question whether his name is not introduced into every petty transaction and communication that emanates from the focus of government. Now, this is absurd: at all events, it is impolitic. It lowers his Excellency into a petty officer of the government; and makes him the channel of correspondence in all its transactions. It brings him in contact with the rabble, and every minion that faction or party chooses to set up against him. The consequence is, that his rank as a man, his station as a public officer, and his dignity as representative of the King and administrator of the government, by being daily and hourly before the people in all the variety of shapes and characters that the faithful discharge of public duties requires, are brought down far beneath their proper sphere of action, and his name made familiar as household words. The rude and ignorant vulgar are taught to associate his name with the commonest transactions, and to entertain no other notions of respect for him than belongs to the ordinary functionaries of government. This should not be; and I trust, when

our constitution comes to be remodelled—a period, which, from the untoward aspect of our affairs, I cannot conceive to be very distant—this degrading blemish will be corrected. The communications emanating from government, except, in some cases of importance necessarily demanding the interposition of the Governor, might always be made in the *name* of the *Executive Council*, to whom all communications and references should be addressed as well in return as originally. This would shed a ray of splendor and majesty round the person of the administrator of government, which is absolutely necessary in such a polity as ours, and without which the vulgar will ever be making encroachments unsuitable to the state, and destructive of their own happiness. In a word, the situation of the Governor should be rendered as complete a counterpart of that of the King, as circumstances and the laws can admit of; and indeed, unless this be done in this province, few men of influence and rank, who prefer the blessings of retirement to the bustle and stunning noise of faction and party, will be found to embark in so insecure and crazy a vehicle as the state barge of LOWER-CANADA.

Having thus fully discussed, and I hope, completely overthrown, to the satisfaction of all reasonable men, the most material points so arro-

gantly set forth and contended for in the manifesto, it becomes necessary to refer, with a similar view, to those minor and collateral positions which are always found suspended, either as protection or ornament, around political party works of this kind. In doing so, it will be useful, if not amusing, to call your attention to the *mode*, and the character of the *instrument*, by which the manifesto was ushered into the world in the language of BRITONS. It is by the friendship and companionship formed in life, that the public gain a knowledge of our principles and sentiments: it is by considering the channel through which the communication in question, was sent into the world, that its true character and purposes can be traced.

I know not whether the *Canadian Spectator*, the oracle I now allude to, be known beyond the boundaries of Canada; but, in our domestic circles, it is not only well known, but is looked to in all the various characters, conjured up in our nurseries for the purpose of checking the wild sallies, and more passionate outrages of our juvenile heroes and heroines. Some of our more compassionate and antiquated dames, are disposed to make use of it in no other light than as a simple personification of poor Wamba, in the story of *Ivanhoe*, who to the humble destiny of swine-herd, added the more laborious and important

duties, as *he* thought, of wearing a collar round his neck, as the emblem of slavery, and making sport to strangers, while he acted the fool in obedience to his taskmasters. Others took it for the giant Gulliver; at all events affirming that, as it came from the *same* country, it could not be otherwise than a near relation of Gulliver's; for nothing could be more *sublime* than its imitations of that renowned hero's prowess in the land of pigmies and Lilliputians; tearing up by the roots whole forests of abuse and misrule—extinguishing immense conflagrations of tyranny and despotism, sinking whole navies of usurpation and slavery, and breaking asunder the strongest cords of iniquity and falsehood. Some more sentimental matrons would frequently identify it with Harley's guide and instructor in Bedlam, who, never dreaming that he was a fit inmate of such a place himself, pretended, with great accuracy of knowledge and information, to point out the errors and miserable condition of others;

“ From Macedonia's madman to the Swede;”  
and then, by way of convincing the visitor of his claim to consideration, and his right to the character which he assumed, concluded by declaring himself to be no less a personage than the Cham of Tartary! Others, of a more poetical turn, metamorphose it into the ant of Gay,

“ ..... whose forward prate  
Control'd all matters in debate;  
Whether he knew the thing or no,

His tongue eternally would go ;  
 For he had IMPUDENCE at will,  
 And boasted universal skill.  
 Ambition was his point in view."—

Another of the same school said it must be the  
 MONKEY, who,

".....to REFORM the times,  
 Resolved to visit FOREIGN climes;"

and a third likened it to that vixen-tongued Xan-  
 tippe, who drove her husband to distraction with  
 perpetual scolding:—

" Good Gods! 'tis like a rolling river,  
 That murmuring flows, and flows for ever !  
 Ne'er tir'd perpetual DISCORD SOWING,  
 Like fame, it gathers strength by going."

Those who have worshipped at the shrine of A-  
 von's immortal bard, say it is no other than *Mal-*  
*volio* himself, with his yellow stockings and cross  
 garters; and that no other human being could  
 thus "read POLITIC authors" and "baffle Sir  
 Toby" so naturally and effectually; that no  
 other could so completely become the dupe of  
 his own pride and vanity, than the tool and play-  
 thing of the dissolute and brawling Knights of  
 Illyria; that none but a madman with yellow  
 stockings and cross garters, "let his tongue tang  
 ARGUMENTS OF STATE" in the manner the *Spec-*  
*tator* does; and that no other existing thing but  
 itself could thus be

".....made the most notorious geck and gull,  
 That e'er invention played on."—

But other MIRANDAS of a more virtuous and su-

perstitious cast of mind, maintain it to be the deformed and savage *Caliban* himself; for that none else could with equal facility cast off the gratitude due to an old master and protector, and transfer his services to another in order to induce him to "knock a nail into his head," for no other reason than that he might sing,

"No more dams I'll make for fish;  
Nor fetch in firing  
At requiring,  
Nor scrape trencher, nor wash dish;  
'Ban 'Ban, Ca—Caliban  
Has a NEW master—Get a NEW man.

FREEDOM, hey-day! hey-day! FREEDOM! hey-day FREEDOM!"

This is the table-talk throughout the province with respect to this arch democrat and vile libeller: my own sentiments, being less poetical, are somewhat different, and, perhaps, founded on better data.

The *Canadian Spectator* is the monstrous offspring of an impure and deformed parentage.—It was conceived in faction and brought forth in sedition. Corruption was its nurse and democracy its guardian. Ever since that *Golden* period when a base and insidious party was formed in the House of Assembly in this province to thwart by every possible means, the measures of government, with the view of acquiring the sole executive power, every facility that the press could afford to the laudable and patriotic undertaking, was greedily resorted to; and in the

course of a few years, as will be seen below, \* no less than *eleven* different newspapers have risen and fallen, like so many Gothic usurpations, declaring their own ignominy and incapacity to accomplish the object for which they had been brought into existence. The *Spectator* is one of those papers that still remain to bewail the loss, and sing the requiem of their fallen comrades; but which is likely, at no distant date, to share the same melancholy fate, and be buried in the same dreary tomb of everlasting oblivion. It vegetated in the contemplation of the union of this province with Upper-Canada, and was reared to its present *gigantic* strength and maturity by the discussions which took place on that salutary project, and by opposing every thing that tended to its re-introduction. It had been long contemplated to establish a paper of this description in the *English* language, with the praiseworthy

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TITLES.	COMMENCED.	ENDED.	PRINCIPLES.
Le Canadien,	Nov. 22,....1806.	Feb. 17, 1810.	Repub. or Democrat.
Le Vrai Canadien,.....	March 10th, 1810.	March 1, 1811.	Monarchical.
Courier de	January 3,....1807.	Dec. 3, 1808.	Monarchical.
Quebec,.....	May 27,.....1813.	May 23, 1815.	Democratical.
Le Spectateur			
Le Spectateur	May 29,....1815.	.....	Democratical.
Canadien,....	March 10,....1817.	Aug. 23, 1818.	Democratical.
L'Aurore,....			
L'Abeille Canadienne,.....	August 1,....1818.	Jan. 15, 1819.	Monarchical.
Le Courier de			
Bas-Canada,.	October 9,....1819.	Nov. 27, 1819,	Democratical.
Le Canadien,.....	January 12, 1820.	.....	Repub. or Democrat.
Le Canadien,	August 17, 1825.	Sept. 21, 1825.	Repub. or Democrat.
L'Argus,.....	.....1825.	..... 1825.	Democratical.



view, not of combating unjust principles—not of scouting undue and unconstitutional measures—not of lashing vicious men and manners—but of galling BRITONS with abuse which they could not fail to understand, and otherwise creating a disgust in their minds of the political state of this province, which should induce them either to abandon it altogether, or lend their aid to that renowned NATION and PEOPLE, THE CANADIANS, as they are fond of calling themselves, in carrying on their operations against the system of government so long and so happily established in this country. But unfortunately, no TOOL could be found sufficiently blunted in his feelings—sufficiently lost to shame and decency—sufficiently corrupted in soul and body—sufficiently lost to the love of country and fame—sufficiently blinded by faction and party—sufficiently the dupe of intrigue and violence—sufficiently willing to abuse and libel the great and the good—sufficiently bold to outrage all the harmony and charity of social government—sufficiently abandoned to every principle of political justice and integrity—sufficiently ready to prostitute every faculty and talent, to a band of disturbers of the public tranquillity—sufficiently ready to forsake the humble and peaceful shades of life, and the happiness of domestic society, for the froth of party fermentation and the plaudits of an igno-

rant and debased rabble—nor sufficiently plastic to receive any impression that his taskmasters chose to make upon him—to take upon himself the charge and conduct of such a publication.— At last, however, a happy conjuncture of circumstances occurred, which gave to the supporters of the *Spectator*, all that they desired, and the present conductor of that great champion of freedom, honour and good government, was duly installed the guardian of the people's rights; and no one, who has witnessed the manner in which he has performed his important functions, can deny but he is the most faithful of SLAVES and the most obsequious of MINIONS. He has left no stone unturned to gratify the wishes of his masters: he has been their devoted servant by night and by day: no work is too foul for his hands, nor indignant to his feelings: and such are his ardour and indefatigability, that I am firmly persuaded he would cut throats merely to please them. But let me turn to the thing itself and speak of it as it is. It may be considered as a sort of reverse to the prophesies of Cassandra; it never tells truth on the subject of the financial concerns of this province, and is yet believed in the circle of its own admirers. The enemies of the country, as you must have partly seen from the late United States journals, are certainly much obliged to it. It is the real

ivory gate of intelligence, "*falsa ad cœlum mitens insomnia,*" and you might as well look for facts in the Arabian Nights Entertainments. No engine of mischief can perform its functions better. It never ceases to defame and insult, in the most gross language, all the respectable characters in the country who may be concerned directly or indirectly in the administration of public affairs, and, in the same breath, gives every virtue to the vilest. The spirit of those incarnate hell hounds, Marat, Danton and Robespierre, seems to pervade its columns. Every day, it calls the Governor in Chief a tyrant and despot, and the judges and other public officers of government, villains bought with the public money of the people to betray their interest. Such of his Majesty's ministers, as may have occasion to correspond with the government of this province, it calls knaves and blockheads. It spares no pains, it neglects no artifice to subvert the supremacy of Great Britain, in this country. It calls aloud on all the other colonies to join the noble enterprize. There is no shape which sedition, the arch-fiend of society, can assume to effect this destructive purpose, but it embraces. Proteus-like, it varies its form with the greatest facility. Now the daring demagogue, defying the laws, braving the government, and courting prosecution—then the wily incendiary, inflaming the passions of the

ignorant, deluding the simplicity of the young and unwary, and infusing by every channel that malicious ingenuity can discover, restlessness and discontent; next the specious reformer, professing an enthusiastic regard for both the Imperial and Provincial Constitutions, but calling for reform, with a view to subversion; and anon the bold innovator, displaying the ideal forms of speculative perfection to ensnare the harmless and innocent people of this province, to quit their present solid hold of substantial policy.

Yet such is the channel through which those, styling themselves "THE REPRESENTATIVES OF THE PEOPLE", give their wishes and sentiments to the public; and such is the instrument which they employ on all necessary occasions to blow their MANIFESTOS, RESOLUTIONS and other public documents into notoriety! It is impossible therefore to mistake the object of the following eloquent proem in the *Spectator*, on publishing the manifesto:

*The Address of certain Members of Parliament to their Constituents.*

"The public will read with great pleasure this exceedingly interesting document. With singular neatness and accuracy of aim, it picks out each and every allegation in the speech, which His Excellency made, in an evil hour, and under very bad advice, and completely settles the business of each and every one of them. *There is one passage in this document which is a perfect instance of the sublime; we question WHETHER DEMOSTHENES AMIDST HIS ATHENIANS COULD HAVE UTTERED A BETTER.* The brevity of the expression, and the tender

and noble feelings which this brief expression instantaneously excites, and by which it swells and elevates the mind to the highest pitch, produce that powerful effect which is truly sublime; it is a powerful feeling and a powerful argument, for virtuous feeling and sound reason are closely allied. There is no breast so callous that will not acknowledge the passage."

"WE QUESTION WHETHER DEMOSTHENES AMIDST HIS ATHENIANS COULD HAVE UTTERED A BETTER!!" Gods! what extreme bigotry of devotion to superior rule! What slavish adoration of supreme authority! What folding of the hands—what bending of the knees, nay what absolute crawling and prostration in the dust does this man exhibit in the worship of his Baals, in order to raise their miserable drivelling into an equality with the sublimity of the first profane O-rator the world has ever produced! Who will now say, that slavery has ever been exercised with such unmitigated severity over physical, as it is impossible to extend to intellectual man? Are not these the chains of the direst and most abject mental slavery! Do you not perceive in every word of the above passage a writhing under the lash of mental despotism? Do you not imagine that you hear the howling of the poor wretch, when compelled by his torture to proclaim a few ignorant and obscure Canadian demagogues as the rivals, if not the superiors, of Demosthenes himself? Let us turn from the disgusting and degrading scene, and endeavour to draw a more just and adequate parallel. It is

well known that the manifesto was written by Mr. Papineau. He has accordingly, in the opinion of his friends and admirers, entirely superseded the rivalry of Cicero with Demosthenes, and assumed to himself the palm of eloquence *next* to that immortal Orator. Longinus drew a parallel between the ancient orators; and compared the eloquence of Cicero with a wide-spreading conflagration, and that of Demosthenes to irresistible lightnings. There is now no harm in inquiring how far *Speaker* and *Orator* Papineau will stand the test of a similar comparison. In doing so, I think it proper to adopt *local* similies, that the parallel may be better understood. The eloquence of Demosthenes, then I hold, to be like the New-Brunswick conflagration: that of his modern rival, the great and patriotic Papineau, like fire by which a miserable hut situated in a remote corner of Bonsecour street of Montreal, and full of poverty and vermin, was burned to the ground a few summers ago. The eloquence of Demosthenes is like the St. Lawrence, deep, wide and overflowing; now gliding calm and serene "o'er its pebbly bed", then expanding into immense lakes, whose boundaries extend far beyond the human sight, and anon approaching, like an angry monarch, the brink of the precipice, determined to be avenged of his enemies, and then rushing furiously along,

involving every thing in its way in one common and irresistible scene of destruction: that of his modern rival, the great and patriotic Papineau, is like the mud and filth which, dissolving into a polluted liquid, gurgles its way through the sewers of the aforesaid Bonsecour street, and finding a subterraneous passage, slowly winds its *serpentine* way to the Saint Lawrence, corrupting not only the purity of that noble river, whenever they meet, but every other stream that comes in contact with it on its dreary passage. Oh! ye renowned and hitherto unparalleled shades of Cicero, and Cæsar, and Cato, and Pliny, and Tacitus, and Chatham, and Pitt, and Fox, and Burke, and Erskine, “hide your diminished heads,” and permit the great and patriotic Papineau to pluck from your brows, the palm of eloquence, and place it on his own, there to flourish and bloom in everlasting verdure, the pride of his race, and the glory of far famed CANADA, now the land of unrivalled HEROES and ORATORS! *Cedite, Romani, Canadensi; cedite Graii.*

But, for a variety of purposes, it may be proper to introduce, in this place, the whole of the “*SUBLIME*” passage alluded to by the *Spectator*, as placing the great and patriotic Papineau on the same level with Demosthenes. Here it is:

“His Excellency tells us: These are the questions which you are to answer to your own consciences, as men who are

bound by oaths of fidelity to their country and to their King;

“As for the oath of fidelity to their King; there is not a person in the Province, be his situation what it may, who would dare to say of member of that Assembly, that he failed in it. The people of this Province, the Electors, know too well what loyalty is, they have given too many convincing proofs of it, to permit any one to suppose that they would choose for Representatives, men doubtful on this point.

“As to the oath of fidelity to the country—who has ever heard any man speaking of an oath of fidelity to his native country?”

“Home! Home! that single word is enough.”

I. “AS FOR THE OATH OF FIDELITY TO THE KING, THERE IS NOT A PERSON IN THE PROVINCE, BE HIS SITUATION WHAT IT MAY, WHO WOULD DARE, TO SAY TO ANY MEMBER OF THE ASSEMBLY, THAT HE FAILED IN IT!!” No indeed?—What have I been saying all this time? I do not esteem myself a more *daring* man than my neighbours; but I think I have more than once *dared* to give the lie to this empty and swaggering bravado; if not, I *dare* to do it now, and to assert, that not only have the majority of the members of the Assembly failed in their fidelity to the King, but have for years been in the daily practice of subverting His Majesty’s authority in this Province! What is fidelity to the King? Is it the pertinacious refusal to comply with his instructions to his representative, in this province? Is it to disobey his despatches with respect to these matters which, by the party-intrigues of the Assembly, have so long kept this province in one uninterrupted scene of ferment? Is it to deny,



in the person of his representative, the privileges and prerogatives of the crown ; and to usurp his authority by refusing to maintain his government, except in a way destructive of the constitution ? If it is, I have no hesitation to admit that he is as intrepid as the Octavians can wish him to be, who will *dare* to say that “ *any member of the Assembly*” has failed in his fidelity to his King. I for my part, confess, that I have no desire to inlist in such service ; neither have I any ambition to become a Martyr to *daring*, at the risk of forfeiting my veracity and integrity at the same time. My wish is to serve under banners whose device is TRUTH, and whose cause is PEACE : not under those which pervert the one and disturb the other. “ BE HIS SITUATION WHAT IT MAY !” — This is a curious distinction. When we speak of persons in the ordinary ranks of life, we seldom allude to their SITUATIONS, unless they be hangmen, libellers, or rebels ; but when men are exalted in station and dignity, the case is otherwise and we refer to their *situation* either as proof of their innocence, security from their insolence, or guarantee of their promises. Now, it is very evident to me, that the *manifesto*, in coining the above foolish and childish appellative, had no less a personage than the nobleman holding the *situation* of Governor in Chief in view, whom, with a cowardice of speech peculiar to

faction without power, the authors *dared* to the assertion of their infidelity, as if that personage had passed the fearful ordeal already, and been a man to hesitate to *dare* where his duty called him. Poor miserable men, how low and groveling must be their estimate of human nature, who could thus insult SITUATIONS and dread those who hold them! How unworthy of men—how truly unworthy of legislators!

II. "THE PEOPLE OF THIS PROVINCE, THE ELECTORS, KNOW TOO WELL WHAT LOYALTY IS, THEY HAVE GIVEN TOO MANY CONVINCING PROOFS OF IT, TO PERMIT ANY ONE TO SUPPOSE THAT THEY WOULD CHOOSE FOR REPRESENTATIVES MEN DOUBTFUL ON THIS POINT!" I shall not insult the people of this province by calling in question either their general knowledge of loyalty, or the practical proofs they have given of it. But as, in the present instance, the *Representatives* whom they have chosen, have been made the *criterion* of their loyalty, they must pardon me, if I question the soundness of the loyalty of the people, which, upon the whole, I believe to be steady and uniform. What I mean to say, is, that if that loyalty were to be judged of, as we are here desired to do, by the sentiments of their Representatives, I should be at no loss how to estimate the general loyalty of the country, and to prepare for the consequences. For, if thwart-

ing in peace and war the measures of government—if the perversion of the clearest dictates of the constitution—if to insult and vilify, in and out of parliament, His Majesty's Representative; if to refuse to comply with His Majesty's commands—if to deny him the means of carrying on the public business of the country—if to usurp the executive authority, be loyalty, then I say there is not a spark of genuine unsophisticated loyalty in the country, and that the sooner the PEOPLE exhibit a *new and different criterion* of their loyalty, the sooner will the public happiness that awaits them convince them of the policy of the measure. The PEOPLE ought to see and feel, that it is a very ungenerous and ungrateful return for the confidence reposed in their Representatives, thus to measure *their* loyalty by the *conduct* of these Representatives.—The *people* ought not to learn their loyalty from their Representatives; but, on the contrary, teach their Representatives what true loyalty is, and if there be any untoward or unwilling to be taught amongst them, to deprive them of their authority, and place others in their stead more willing to obey them and promote the best interests of the country. If the *people* be the stem of our tree of loyalty, let them not be corrupted by the rottenness of the branches; but rather let these branches be lopped off, and deprived

of all power to pollute where pollution is so contagious. Let not the purity of the fountain be poisoned by the stream; nor the atmosphere tainted by exhalations from the putrid carcasses of faction and sedition.

III. "AS TO THE OATH OF FIDELITY TO THE COUNTRY,—WHO HAS EVER HEARD ANY MAN SPEAKING OF FIDELITY TO HIS NATIVE COUNTRY? HOME! HOME! THAT SINGLE WORD IS ENOUGH!! This is mere bombast, fustian, froth, and sophistry, and what Cicero, should he not be confounded by the sublimity and splendour of eloquence that has for ever deprived him of all rivalship with the father of oratory, might be tempted to call *artifices officiorum*. But this fine trope—this wonderful prosopopœia—this extraordinary *invitâ Minervâ*, besides being false in taste, and mean and contemptible in rhetoric, is entirely without foundation in point of fact. The passage in His Excellency's speech here animadverted upon is as follows:—

"*These are questions which you are to answer to your own consciences, as men who are bound by oaths of fidelity to your country and to your King.*"

Now, what are the intent and meaning of those oaths which are prescribed by the constitution of this empire? It was discovered from the beginning, that society could not exist without some solemn appeal to the great Ruler of the universe,

declarative of the engagements of the people to maintain the order of things instituted amongst them. It is true, that, with us, there is a natural allegiance due from all men born within the King's dominions immediately upon their birth, which is in every respect, as binding upon them as if, at that instant, they had been capable of taking all the oaths appointed by law. "For," says our great constitutional writer, "immediately on their birth, they are under the King's protection; at a time too when (during their infancy) they are incapable of protecting themselves. Natural allegiance is therefore a debt of gratitude; which cannot be forfeited, cancelled, or altered by any change of time, place or circumstance, nor by any thing, but the united concurrence of the Legislature." But, besides this natural allegiance, the law has determined, that there are express engagements which we must enter into; for the oath of allegiance must not only be taken by all persons in office, trust or employment, but may be tendered to all persons above the age of twelve years. The King himself, though by the very descent of the crown, bound to all the duties of sovereignty, is obliged to take an oath, by which he solemnly promises to govern the people according to law. It is therefore evident, that these reciprocal engagements imply some contract from which sundry great

advantages are to be derived. The simple question, then, comes to be *who* benefits by these advantages? *Is it not the country?* Let us listen no longer, then, to such idle and profane rhapsody about oaths of fidelity to the country. No honest man who loves and values his country will hesitate to take any lawful oath prescribed by law; nor will he ever dream of applying such an oath to any other purpose, than to the welfare and happiness of himself, his family, his friends, his neighbours, and consequently his *country!* Certainly, in order to have a country, it is in the first place necessary to have a "*home*;" but is the mere circumstance of possessing a "*home*" *all* that is requisite to constitute a good citizen? I fear not; and wonder if the venal orators of Athens, who sold their country to Philip of Macedon, had a *home!* I wonder if the Syllas, the Marii, the Cæsars, the Catalines, the Gracchi, the Antonies, the Clodii, the Bruti, the Cassii, of Rome, had a *home!* I wonder if those fiends of hell and scourges of earth, who sipped with cannibal ferocity, the blood of *Antoinetta*, the most lovely and beautiful woman of her age, and than whom, to use the sublime language of Burke, there "surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision," had a *home!* I wonder if the Pichegrus, the Jourdans, the Santerres, the Rolands,

the Brissots, the Goras, the Robespierres, the Carnots, the Tallions, the Dantons, the Fayettees, the Noailles, the Perigords, and the long *et cetera* of the perfidious sans-cullottes of France, had a *home*! I wonder if the butchers of Lyons, had a *home*! I wonder if Cromwell and his train-band of Roundheads, had a *home*! I wonder if the authors and executioners of the massacre of Glencoe, had a *home*! I wonder if the Fitzgeralds, the O'Connors, the Emmets and the Rocks, of Ireland, had a *home*! I wonder if the Mohawks of Boston, the villagers of Lexington, the *sons of Liberty* of New-York, the Adamses, the Franklins, the Jeffersons, the Hancocks, and the Washingtons, of America, had a *home*! Yes! they all swore they had a "*home*" and a *country*, too.— But what was that in their estimation, in comparison of the grand projects of political reform, revolution and rebellion? Did it prevent them throwing aside their oaths to their country, or spilling a single drop of blood less than they otherwise would have done; or even less than the wildest savage that wanders in the forest without either a home or a country would have done in similar circumstances? Shall we, then, believe, that because the Reformers and Democrats of Canada, tell us they have a "*home*," they are more honourable and virtuous men than those I have been describing; and that their patriotism

is more pure, and their passions more under the controul of reason! Others may do as they like; for my part, I cannot in conscience favour them one jot more than their predecessors, in anarchy and desolation. They are all animals of the same tiger species that can gorge no food unless human blood is mixed with it. Yet all the guarantee that the Octavians give us of the contrary, is the parrot-repetition of the monosyllable "*home! home!*"

Sir, upon the whole, I am of opinion, that I cannot be more zealous for the welfare of this Province, more friendly to the happiness of the people, than by imploring them to beware of the machinations of these demagogues, who, I am firmly persuaded, have no other motives to lead them on in their iniquitous career, than personal aggrandizement, and the foulest ambition that can contaminate the human breast. If they gain their object, which is the sole executive power of this Province; they will bring inevitable destruction on their country; and when Canada is involved in ruin, do these ambitious and ill-advised men, imagine that they can escape the more dreadful blaze of public indignation? AS FOR US, WE ARE FOR THE CONSTITUTION!

I have the honour to be, Sir,

Your most obedient servant,

DELTA.

— — — 30th April, 1827.



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POSTSCRIPT.

It was my intention before concluding the foregoing letter, to have presented you with a BIOGRAPHICAL CARTOON of those mighty and intrepid spirits of freedom who have signed the Manifesto; but the discussion of their conduct having been extended to a greater length than I could possibly have anticipated, I have been under the necessity, though reluctantly, of postponing this interesting portion of my subject till a more convenient season. The public may be assured, however, that I shall at no distant period avail myself of my original intentions, that posterity may not be deprived of so interesting a piece of information as the *Lives and Characters of those distinguished Individuals who have restored the Liberty of Canada to her pristine purity*. Indeed, when you consider the vast mass of *Materials* which I shall have to encounter and examine in the execution of this task; such as *University Diplomas*, for I believe every one of them can boast the first rate

classical education,—*Attorney Brieves, Reports of Auction Marts, Commercial Invoices, and General and Private Stock Books*, I am sure you will be of opinion, that I could scarcely have accomplished my purpose in so short a time as has elapsed since the commencement of this epistle, and that there is a chance of its being better performed by taking a proper allowance of time to complete it.

DELTA

# APPENDIX.

## PROVINCIAL PARLIAMENT OF LOWER-CANADA.

### LEGISLATIVE COUNCIL,

WEDNESDAY, 7th March, 1827.

THIS day, at three o'clock, His Excellency the Governor in Chief came down in State to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was sent to command the presence of the Assembly, which being come up, His Excellency was pleased to give the Royal Assent to nineteen Bills, passed by the Legislative Council and Assembly. Two other Bills were reserved for His Majesty's pleasure.

*Gentlemen of the Legislative Council, and  
Gentlemen of the Assembly,*

I come to close this Session of the Provincial Parliament convinced by the state of your proceedings, that nothing likely to promote the public interests can be now expected from your deliberations.

To you, Gentlemen of the Legislative Council, who have attended your duties in this Session, I offer my thanks on the part of His Majesty, as an acknowledgement of the regard which by your presence, you have shown to the welfare of your country, and also of that proper respect, which you have manifested for the Sovereign from whom your honours are derived,

*Gentlemen of the Assembly,*

It is painful to me, that I cannot speak my sentiments to you in terms of approbation and thanks. The proceedings of this Session impose upon me a duty of which, however unpleasant, I will acquit myself as a faithful servant of the King and a sincere friend to the Province.

Many years of continued discussion on forms and accounts have proved unavailing to clear up and set at rest a dispute, which moderation and reason might have speedily terminated. It is lamentable to see, that no efforts or concessions of His Majesty's Government have succeeded in reconciling those differences of opinion in the Legislature, but it is infinitely more so, that differences on one subject should cause a rejection of every other measure which His Majesty's Government recommends to your consideration.

The duties expected of you in this Session were not difficult; among the first was an examination of the public accounts of last year, and a report upon them, whether of approval or otherwise; has that duty been done so that your country can know the result?

Have you considered the estimated expenditure for the current year, and granted the supply required in His Majesty's name? Or have reasons been assigned for the refusal of them, that can be known and understood by the country?

Have the Messages from His Majesty's Representative been duly acknowledged, and answered according to the Rules and forms of Parliament or according with the respect which is due by each branch of the Legislature to the others?

Have the Rules or Orders of proceedings in the House of Assembly been duly attended to, in so far as they affect, and recognise the Prerogative Rights of the Crown?

These are questions, Gentlemen, which you are now to ask yourselves individually, and answer to your constituents on your return to them.

These are questions which you are to answer to your own consciences, as men who are bound by Oaths of fidelity to your Country and to your King.

In my Administration of this Government I have seen seven years pass away without any conclusive adjustment of the Public Accounts: thus accumulating a mass for future investigation which must lead to confusion and misunderstanding. In the same years I have seen the measures of Government, directly applicable to the wants of the Province, thrown aside without attention and without any reason being assigned. I have seen the forms of Parliament utterly disregarded, and in this Session a positive assumption of Executive Authority, instead of that of Legislative, which last is alone your share in the Constitution of the State.

The results of your proceedings in this Session have been, the refusal of the supplies necessary for the ordinary expences of Government, the loss of the Militia Bill, the failure of all provisions for the maintenance of prisoners in your goals and houses of correction, for the support of the insane and foundlings, and the establishments of education and charity, and a total obstruction of local and public improvement.

In this state of things and with this experience of past years, it is now no longer consistent with a proper discharge of the high trust committed to me, to entertain hopes of a return to better reason in the Representative branch of this Parliament, but it is still my duty to call upon you as public men, and to call upon the country, as deeply interested in the result, to consider seriously the consequences of perseverance in such a course.

I shall conduct the Government with the means in my power, and with an undiminished desire to do good; but while I must submit myself to the interruption of all public improvement, under the authority of the civil Government, I will declare my deep regret at such a state of things. I think it right to convey to the country a free and unreserved expression of my sentiments upon these public misfortunes, and I will leave no doubt on the public mind of my determination to persevere firmly in the path of my duty, with a faithful regard to the rights of my Sovereign, with which are also combined the best interests of the Province.

It only remains for me now, compelled by existing circumstances, to prorogue this Parliament, whatever may be the inconvenience resulting from such a measure.

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## THE MANIFESTO.

### TO OUR CONSTITUENTS.

WE the undersigned, Members of the House of Assembly, residing in the City and District of Montreal, having taken into consideration the Speech pronounced by His Excellency the Governor in Chief on proroguing the Provincial Parliament, in which His Excellency refers us to our Constituents, conceive it our duty to evince in a public and solemn manner, both the respect which we bear to our Electors, and the noble pride which we feel for having, in difficult times, discharged our duties towards them with fidelity and in a manner worthy of those who had chosen

us for their Delegates. Representatives of subjects obedient, honest and devoted to the British Government, our line of conduct seemed perfectly traced out for us: Representatives of free born English subjects, our duties were clear and evident; and we appeal with confidence to our Constituents: It belongs to them to judge of our conduct.

In other times and in other circumstances, we should not consider it necessary to enter into any discussion, well assured as we are of not having done any thing which could lose us the esteem and the confidence of our Constituents, the recompense of our labours; but accused in a body, in a grave manner, by a public document, which at the same time that it accuses all of us, takes from us the power of answering as a body, we consider it to be our duty, not to exculpate ourselves, (for this we are sensible is not requisite) but to put it in the power of our Constituents to judge with certainty of the accusations urged against their Representatives.

His Excellency declares to the whole Province that the difficulties existing on a single point have occasioned the rejection of all other measures, which His Majesty's Government has submitted to our consideration.

The House of Assembly sat about thirty days, during which seventy nine Bills were introduced, sixty of which were passed. It is not possible that among so many Bills, there should not have been one relating to some measure recommended by Government, unless we suppose that the House and the Council were occupied with a multitude of measures, of public or private utility, none of which the Government thought proper to support by its recommendation. Might it not be said with more accuracy, that it is painful to see that, upon the refusal of the House, to vote the supplies in the form required, His Excellency should have considered himself obliged to exercise the Royal Prerogative, and to prorogue the Parliament, without giving it time to discuss the measures recommended by His Excellency, or which interested the whole Province though not recommended by His Excellency, and the delay or loss of which His Excellency has with so much sensibility lamented.

His Excellency reproaches us for not having giving a suitable attention to the public accounts of the last year, for not having approved or disapproved of them by such a report as would enable the public to judge of the result.

We have given to those Accounts a suitable attention. We have been delayed in our investigation by multiplied difficulties which different public functionaries made to answer the questions of the special Committee, without the permission of His Excellency. The special Committee having proposed some questions to Messrs. Perceval and Gore, the principal officers of the Customs, received as the only answer, that these Gentlemen had submitted the questions of the Committee to His Excellency the Governor in Chief. The Committee, by that alone, was prevented from reporting on that part. But in spite of all these obstacles, it did report; the report is printed, and every person can have cognizance of it.

His Excellency asks us if we have considered the estimates for the present year and granted the supplies required in His Majesty's name, and if our refusal has been accompanied by reasons that can be known and understood by the Country?

His Excellency seems to desire very much that the public and our Constituents should be informed of what has taken place in Parliament; this desire we share with frankness and honesty. We examined these documents; we were immediately convinced that they were in direct opposition to the principles which the House has followed ever since 1818; that they were opposed to the essential rights of our Constituents; that free men

worthy of enjoying the benefits and advantages of a Constitution, modelled on that of England, could not accede to them without sacrificing their dearest rights: The Representatives of such men were in duty bound to refuse such demands: they have done so; and in order that the public might be enabled to know their reasons, they have declared that they would persist in the resolutions and addresses made and passed by the House on this subject, as they are recorded in their Journals. Electors! it is for you to judge if the reiterated demand of an unjust thing can constitute a right to obtain it.

His Excellency asks if we have given proper attention to the Message of His Majesty's Representatives; if we have received them, if we have answered them, according to the rules and forms of Parliament, or according to the respect which each branch of the Legislature is bound to observe towards the others.

His Excellency admits that there ought to exist a mutual respect among the different branches of the Legislature: The Speech of His Excellency, whilst it admits the principle, does not in our opinion, seem a very convincing instance of its application.

These questions are too general: It appears to us that it would have been of more avail, to direct our attention or rather that of the public to such or such a particular Message, in order to give us the opportunity for explaining ourselves. Far from neglecting such messages in general we have even proceeded on messages of former Sessions, and if we have not taken them all into consideration, it must not be forgotten that His Excellency is the sole Judge respecting the duration of Parliament, and that to him alone it belongs to terminate its Sessions when such is his pleasure. His Excellency found it proper to prorogue the Parliament after a Session of some weeks, at a time when there was still before it a great deal of business and when the House of Assembly still counted nearly forty members present.

But if this reproach refers to our not having voted an address of thanks to His Excellency for each of those messages, we avow the fact; but it is the usage of the House not to lessen the merit of those Addresses by multiplying them without necessity; they are reserved for important occasions which require the expression of public thanks. If the House have not more frequently voted such Addresses, it is unfortunately because an opportunity for doing so has not been afforded; it is not exactly its fault.

His Excellency tells us: These are the questions which you are to answer to your own consciences, as men who are bound by oaths of fidelity to their Country and to their King.

As for the oath of fidelity to the King: there is not a person in the Province, be his situation what it may, who would dare to say of any Member of that Assembly, that he failed in it. The people of this Province, the Electors, know too well what loyalty is, they have given too many convincing proofs of it to permit any one to suppose that they would choose for Representatives men doubtful on this point.

As to the oath of fidelity to the Country—who has ever heard any man speaking of an oath of fidelity to his native Country?

Home! Home! that single word is enough.

His Excellency tells us: that we have refused the necessary supplies: that the Militia Bill has not been passed, that no provision has been made for the maintenance of prisoners, of the insane, of foundlings, for education, for establishments of charity, and that public and local improvements have been obstructed.

Electors! It is a disagreeable duty for us to assure you that there are

Here as many errors as accusations. If the supplies have not been granted it is because they have been required in such a manner that your Representatives could not grant them without violating your interests and their duty. But they have offered to pass a Bill similar to that of 1826, and similar to the Act of 1825, which was sanctioned and carried into execution.—This they are still disposed to do.

The Militia Bills had been continued for two years. The House had inserted in the Bill of this year a Clause which annulled the Act of the 57th, inasmuch as it provided for the pay of the Militia Staff. It had received, on the 7th of February, a Message from His Excellency concerning the subject, as well as the contingent expences of the Militia, and the appropriation of a certain sum to furnish arms to the Militia in certain cases. The House wished to make that Message the object of a separate measure for which it only wanted time. But the Council was pleased to amend the Bill which continued the Militia Acts, and to strike out the Clause which annulled the Act of the 57th which seemed to have the effect of re-establishing the pay of the Militia Staff. This amendment was inadmissible. We were disposed to take efficacious measures to supply the loss of that Bill; but we were prevented by the precipitate prorogation of Parliament.

The House passed a Bill for the insane and foundlings as usual. Contrary to all parliamentary usage, the Council amended that Bill. Unable, according to rule, directly to consider the amendments made by the Council to a Bill of supply, and unwilling, nevertheless, that the unhappy objects of public commiseration should, on this account, suffer, the House passed a second Bill incorporating the amendments of the Legislative Council, and sent it back there on Tuesday the sixth March. There it has since remained. We might be disposed to think that time alone was wanted to the Council for passing the second Bill; but the House sent the day after, three other Bills to the Council at eleven o'clock in the forenoon: these Bills were examined and passed before three o'clock in the afternoon, and were sanctioned or reserved by His Excellency on the same day.

As for what relates to Education and to charitable establishments, we appeal with confidence to the proceedings of the House of Assembly.

It has voted about £15,000 for Education: if the Bills that were to carry into execution these votes, have not been passed, if they have remained without effect in the Legislative Council, if it was not possible to perfect them in the Assembly, is it the fault of that House? It has done all that was in its power, and it would be supremely unjust to render it responsible for the acts of the other branches of the Legislature.

Let those in fault bear the burthen between them, they will diminish the weight by dividing it. As for charitable establishments the House has not neglected them either? it provided with liberality for foundlings, for the insane, for the sick and infirm in the different Districts, for the support of the Hospital for Emigrants at Quebec, for the General Hospital at Montreal, &c.: And, we cannot too often repeat it, the House is not to blame if these votes have not been carried into execution.

We have been reproached for not having settled the public Accounts during seven years. If recourse be had to the Journals of the House, it will be found that these accounts have been settled as far as depended on us in 1823, and in as complete a manner as we then had it in our power to do.

Electors! Of our conduct we have considered it a duty to give you this exposition which, at the same time, is a refutation of his Excellency's

Speech. We have not sought the occasion; it has been offered to us; nay, we have been compelled to this step, by the attempt to destroy us in the opinion of the public and in that of our Constituents. That public opinion is in itself a power to which the greatest functionaries are amenable in all cases, even when the Laws, in their ordinary course, cannot reach them. Those who appeal to it against us are not above its reach; in the present cause, we respect it without fearing it.

L. J. PAPINEAU,  
HUGHES HENEY,  
J. LESLIE,  
JOSEPH VALOIS,

JOSEPH PERRAULT,  
AUSTIN CUVILLIER,  
J. M. RAYMOND,  
F. A. QUESNEL.

#### PUBLIC MEETING AT St. HYACINTHE.

At a meeting of the principal inhabitants of St. Hyacinthe held on the 12th April, the following resolutions were unanimously adopted.

Joseph Bistodeau Esquire in the chair:

Resolved,—That the conduct of the House of Assembly composed of the Representatives of this Province always firm and constant in maintaining our privileges, has produced in the heart of every good Canadian sentiments of gratitude which never will be effaced.

Resolved,—That the House by declaring that it would grant supplies only in the manner provided by the act of 1825, has proved to our entire satisfaction that, although always disposed to grant supplies necessary for the support of the Government it would never cease to protect the rights of the people of Canada.

Resolved,—That among the numerous Bills which received their origin in the House of Assembly during the last session, there were many which the situation of the country for many years imperiously required, and that the Province has been deprived of the valuable benefits which these bills would produce, by the sudden and unexpected prorogation of the Provincial Parliament.

Resolved,—That the province and especially the country parts which were so lately calculating the knowledge and happiness that the inhabitants would have acquired by the liberal grant of the Representatives for the purpose of promoting education, have been cruelly disappointed in their expectation that so necessary a Bill would meet with no obstacles.

Resolved,—That we have seen with surprise the House of Assembly of this Province seriously accused in the speech of his Excellency the Governor in Chief of having failed in its duty to its country.

Resolved,—That although we have the greatest respect for every thing that emanates from superior authority, it is impossible for us to cease reposing confidence the most entire in a body composed of Canadians, attached to the happiness of the country by the closest ties and whose patriotism has been so eminently distinguished on many occasions, but particularly during the short continuance of the late session.

Resolved,—That the foregoing resolutions be published.

By order of the Meeting.

JH. PORLIER, Secretary.

#### ERRATUM.

In page 27, 9th line, the word "constitutional" has in a few impressions only, been unaccountably reversed.



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