

The case is above reasoning. Humanity is rather disposed to weep over the shrivelling and heartless selfishness of party, than to defend his Excellency in such a case—to execrate a system of policy that extinguishes every feeling of individual generosity, rather than vindicate an act which ought to call down a country's spontaneous blessings upon the head of its author. If HE whose example is not beneath the imitation of parties, any more than of Governors, wept with orphan sisters at Bethany, and raised the son of the widow of Nain, that he might support and comfort his mother, is Sir CHARLES METCALFE to be pilloried and ostracised as the enemy of Canada for acting *against* the advice of party, in order to confer upon a widow's son a "trifling appointment," that he might minister both to his mother and his sisters? I believe there is a HEART as well as a head in Canada; and I mistake the sympathies of that heart if they do not embrace that man as the friend of the country and the just guardian of constitutional rights, who prefers exercising the prerogative of the crown for the relief of the widow and the fatherless, rather than prostitute it at the dappn shrine of party patronage. Reader, was your mother that widow, and you her only son and support, and was you qualified for that situation, what would you think of the Governor who would exercise the lawful prerogative to enable you to support her, and what would you think of the system of government that would proscribe you because you were not of the dominant party?

Upon the appointment therefore even of Mr. POWELL.—*the case of the late Counsellors*—I fearlessly appeal to the justice, the patriotism, the humanity of honest men of all parties in Canada, to support his Excellency and her Majesty's government against the crusade of the late Counsellors, and against the *unprincipled* principle of exclusive party patronage.

Thus much, then upon the views of the Governor-General—*professedly and practically*—on the system of Responsible Government, as enunciated in the House of Assembly's resolutions of September, 1841.

I might here dismiss the subject, confident of an honest country's decision upon it. But I will add an illustration from *BRITISH PRACTICE*—all the late Counsellors say that they desire. I will give them, instead of the alleged unconstitutional practice of SIR CHARLES METCALFE, the acknowledged constitutional practice of the venerated GEORGE THE THIRD of blessed memory. The reader may easily judge, as he attentively peruses and weighs the following facts, whether there would not have been a revolution in England, had the late Counsellors been Ministers, and had they had George the Third as the head of the Government, instead of Sir Charles Metcalfe. I give these facts not as to what ought to be, but to show what *has been British practice*; and with these facts, and the elucidation of the principle, as suggested by them, I will conclude the

persent number, feeling that the importance of the subject is an ample apology for the length of the following extract from LORD BROUGHAM'S HISTORICAL SKETCHES OF STATESMEN,—Article, GEORGE III. :

“George III. was impressed with a lofty feeling of his prerogative, and a firm determination to maintain, perhaps extend it. At all events, he was resolved not to be a mere name, or a cipher in public affairs ; and, whether from a sense of the obligations imposed upon him by his station, or from a desire to enjoy all its powers and privileges, he certainly, while his reason remained entire, but especially during the early period of his reign, interfered in the affairs of government more than any prince who ever sat upon the throne of this country since our monarchy was distinctly admitted to be a limited one, and its executive functions were distributed among responsible ministers. The correspondence which he carried on with his confidential servants during the ten most critical years of his life lies before us, and it proves that his attention was ever awake to all the occurrences of the government. Not a step was taken in foreign, colonial, or domestic affairs, that he did not form his opinion upon it, and exercise his influence over it. The instructions to ambassadors, the orders to governors, the movements of forces down to the marching of a single battalion in the districts of this country, the appointments to all offices in church and state, not only the giving away of judgeships, bishoprics, regiments, but the subordinate promotions, lay and clerical ; all these form the topics of his letters ; on all his opinion is pronounced decisively ; on all his will is declared peremptorily. In one letter he decides the appointment of a Scotch puisne judge ; in another the march of a troop from Buckinghamshire into Yorkshire ; in a third the nomination to the Deanery of Worcester ; in a fourth he says that, ‘if Adam, the architect succeeds Worsley at the Board of Works, he shall think Chambers ill used.’

“For the great affairs of state it is well known how substantially he insisted upon being the King *de facto* as well as *de jure*.

“That such a sovereign was, for the servants he confided in, the best possible master, may well be supposed. He gave them his entire and hearty support. If he kept a watchful eye over all the proceedings both of parliament and the country ; if we find him one day commenting on the line taken in debate as ‘dangerous,’ at another as ‘timid and vacillating,’ or discussing the composition of the majority or its numbers upon the division, or suggesting that the journey of Mr. Fox to Paris should ‘make the different departments bring on all their business before he comes back, as we shall have much less noise for the next three weeks,’ or expressing his conviction that ‘the Speaker’s illness is feigned, and all to let the opposition have their pleasure at Newmarket ;’ he also asks,

'Who deserted you last night that you thought you had a right to count upon? Give me their names, that I may mark my sense of their behaviour at the drawing room to-morrow;' and again, 'if the utmost obsequiousness on my part, at the levee to-day, can gain over Mr. Solicitor-General to your views, it shall not be wanting.' This was indeed efficiently supporting a favourite ministry; and when he had one forced upon him, his whole conduct was the reverse; all his countenance being given to their antagonists, until the moment arrived when he could safely throw them out.

"The first impression which such conduct makes is unfavourable to the monarch, and may at first sight even give rise to an opinion that it was unconstitutional. But further reflection makes this somewhat more than doubtful. The question is, "Does the king of this country hold a real or only a nominal office? Is he merely a form, or is he a substantive power in our mixed and balanced constitution?" Some maintain, nay, it is a prevailing opinion among certain authorities of no mean rank, that the sovereign having chosen his ministers, assigns over to them the whole executive power. They treat him as a kind of trustee for a temporary use, to preserve, as it were, some contingent estate; or a provisional assignee, to hold the property of an insolvent for a day, and then divest himself of the estate by assigning it over. They regard the only power really vested in the crown to be the choice of ministers, and even the exercise of this to be controlled by the parliament. They reduce the king more completely to the condition of a state pageant or cipher than one of Abbe Sieyès's constitutions did, when he proposed to have a Grand Functionary with no power except to give away offices; upon which Napoleon, then first consul, to whom the proposition was tendered, asked if it well became him to be made a "Cochon à l'engrais à la somme de trois millions par an?" (A hog to be fatted at the rate of £120,000 a year.) The English animal, according to the above doctrine, much more nearly answers this somewhat coarse description; for the Abbe's plan was to give his royal beast a substantial voice in the distribution of all patronage; while our lion is only to have the sad prerogative of naming whomsoever the parliament chooses, and eating his own mess in quiet.

Now, with all the disposition in the world to desire that Royal prerogative should be restricted, and the will of the nation govern the national affairs, we cannot comprehend this theory of a monarchy. It assigns to the crown either far too much revenue, or far too little power. To pay a million a year, or more, for a name, seems absurdly extravagant. To affect living under a kingly government, and yet suffer no kind of kingly power, seems extravagantly absurd. Surely the meaning of having a sovereign is, that his voice should be heard, and his influence felt, in the

administration of public affairs. The different orders of the state have a right to look towards that high quarter all in their turn for support, when their rights are invaded by one another's encroachments, or to claim the Royal umpirage when their mutual conflicts cannot be settled by mutual concessions; and unless the whole notion of a fixed monarchy, and a balance of three powers is a more fiction and a dream, the royal portion of the composition must be allowed to have some power to produce some effect upon the quality of the whole. It is not denied that George III. sought to rule too much; it is not maintained that he had a right to be perpetually sacrificing all other considerations to the preservation and extension of his prerogative. But that he only discharged the duty of his station by thinking for himself acting according to his conscientious opinion, and using his influence for giving these opinions effect, cannot be denied, unless by those who, being averse to monarchy, and yet dreading a commonwealth, would incur all the cost, and all the far worse evils, of a form of government which they think the worst, rather than seek for a better, and would purchase the continuance of the greatest evils at the highest price, rather than encounter the risk of a change.

"George III. set one example which is worthy of imitation in all times. He refused to be made a state puppet in his ministers' hands, and to let his name be used either by men whom he despised, or for purposes which he disapproved. Nor could any one ever accuse him of ruling by favourites; still less could any one, by pretending to be the people's choice, impose himself on his vigorous understanding."

### No. 7.

The sixth and seventh propositions are so intimately connected (the first part of the latter being a corollary, or the converse of the former), that I purpose to discuss them both in this number. They are as follows:

"That his Excellency's avowed practical policy in the administration of the government, is precisely that which was professed by the late Counsellors twelve months ago, and which has been demanded by all shades of Reformers during many years.

"That the policy of government now advocated by the late Counsellors is that which they have heretofore repudiated; and which must prove injurious to the intellectual and moral improvement, the happiness and best interests of the people of Canada."

As to the nature of his Excellency's avowed practical policy in the administration of the government, his accusers,—in the tract published by the Toronto Association, quoted in the fifth number,—reproach it thus:

"The Governor declares, in almost every one of his answers to addresses, that the appointments are to be made without reference to party considerations." The sum of all his Excellency's declarations, is, that the government shall be administered impartially, without reference to religious creed or political party, for the equal benefit of all classes of the population—that appointments to office shall be made upon the ground of qualifications to render efficient services to the state, and not upon the ground of party connexions.

Proof in detail upon a point so well known and so universally admitted, is as unnecessary as it would be to prove that it is light at noon day. Such I assume then to be the Governor General's avowed practical policy in the administration of the government—the principle of justice as its basis, and IMPARTIALITY as its rule of practice. That a Governor should be held up as an enemy to the country for avowing such a principle and rule of government, is one of the most extraordinary phenomena of Canadian history.

The next point is, what was the principle and rule of government formerly professed by the late Counsellors, and I may add by the Reformers generally? The Upper Canada section of the late Counsellors (and I have written throughout for the people of Upper Canada,—I have never pretended to understand or to judge of things in Lower Canada) have always professed the principle and rule of government avowed by the Earl of DURHAM and Lord SYDENHAM; and the late Counsellors of Lower, as well as Upper Canada, have professed their adherence to the principle and rule of government proclaimed by Sir CHARLES BAGOT. The favourite phrase, and avowed doctrine of Lord SYDENHAM was, "*equal and impartial justice to all classes of her Majesty's subjects.*" It is known that Lord Sydenham professedly acted upon this principle not merely in legislation, and in his appointments to office throughout Upper Canada, but in the very selection of his Counsellors. It is known that Mr. BALDWIN took office under Lord Sydenham upon that principle; and upon that principle came before the Electors of Upper Canada, under the auspices of Lord Sydenham—as an officer of his Lordship's (even as to the composition of his Council) non-party government. In confirmation of this, I beg to state the following facts. When Mr. DRAPER and Mr. BALDWIN (the former Attorney, and the latter Solicitor General) were announced as candidates previously to the elections of 1841, Mr. Hincks then Editor of the *Examiner*, denounced Mr. Draper, and supported Mr. Baldwin, and yet professed to be favourable to Lord Sydenham's administration. In consequence of this, as my views of Lord Sydenham's policy were known, I received a letter from one of the officers of his Lordship's household, containing the substance

of the following paragraph (including the capitals), in an article written in reply to Mr. Hincks, headed, "On opposing and supporting the government," published in the *Guardian*, April 15, 1840.

"Now, we assert advisedly, that the Governor General attaches EQUAL importance to the return of Mr. Draper and Mr. Baldwin; and that opposition to the one, as well as to the other, under whatever pretence it may be got up, is EQUALLY OPPOSITION to the Governor General's administration. Parties and party spirit have nearly ruined the country; the object of the Governor General is, to abolish parties and party feelings, by uniting what is good in both parties. Therefore, the moderate of both parties, who possess superior personal qualifications to others, ought to be supported; and the violent extremes of both parties ought to be rejected as the enemies both of the government and the country. Adopting this course will be supporting the government; pursuing the opposite course will be opposing the government. Every man has a right to support or oppose the government as he chooses; but every man ought to know when he is doing the one or the other." "We assure our readers and all concerned, that both the Attorney and Solicitor General are *bona fide* government candidates, and that opposition to either of them is opposition to the administration of the Governor General."

Such was the avowed principle and object of Lord Sydenham's administration, of which Mr. Baldwin was a member, until June, 1841. I cannot but think that Mr. Baldwin would be doing more good for his and my native country, were he promoting the same object now, instead of fanning the flames of party conflagration by means of the Toronto Association. I think there is precisely the same or even stronger ground for the people of Upper Canada to support Sir Charles Metcalfe now, than Mr. Baldwin had to join the administration of Lord Sydenham. Even Mr. Hincks subsequently became a convert to Lord Sydenham's government, and at length joined Sir Charles Bagot's first administration with Mr. Draper, and Mr. Ogden and Mr. Day, in opposition both to Mr. Baldwin and to Mr. Lafontaine.

But look at that principle and rule embodied in the whole composition of Lord Sydenham's Council, and in the entire administration of his government, and mark the sentiments of the *Reform press of Upper Canada* respecting it. The following description which I gave of it at the time of Lord Sydenham's death, has been admitted upon all hands to have been correct: "It has often been said of his Lordship, as it was said of the Earl of CHATHAM, that he had made an administration so checkered and speckled—had put together a piece of joinery so crossly indented and so whimsically dove-tailed; a cabinet so variously inlaid; such a piece of diversified mosaic, such a tassellated pavement without

cement ; here a bit of black stone, and there a bit of white ; patriots and courtiers ; king's friends and republicans ; whigs and tories ; treacherous friends and enemies ; that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on.' But Lord Sydenham's acute discernment distinguished between the former and present state of things ; he knew that a difference of opinion or of party under the former constitution of Upper or Lower Canada, did not necessarily or fairly involve a similar difference under the new constitution of United Canada ; he possessed the requisite energy and patriotism to act upon his convictions, and commenced the illustration of his advice to obliterate the differences of the past, by selecting his advisers and public officers according to individual fitness and merit, irrespective of former personal opinions or party connexions. Few administrations of government in any country have acted so harmoniously and cordially on so great a number of important measures as the new administration formed by Lord Sydenham."

Now, what did the *Reform press* of Upper Canada say of a government thus constituted, and a government thus conducted "without reference to party considerations ?" In passages which I have heretofore quoted, Mr. Hincks has pronounced such a government incompatible with representative institutions ; and such, it appears, is the doctrine of the present organs of the Toronto Association. But what did Mr. Hincks say, in his *Examiner*, the last week in September, 1841 ? He said "*The principle of responsible government has been fully recognized. The members of the administration, all of whom were heads of departments, distinctly avowed on the floor of the house, their responsibility to Parliament for the measures of government. They acted together in perfect harmony and concert in regard to those measures, and although there were occasional deviations from British practice, yet that practice was always acknowledged as their rule, and a more strict adherence to it in future may be anticipated. Whatever political differences there may have been in the house, it was felt by every one that there was an administration, and that its existence depended on a parliamentary majority. Were we to pause here we feel that we should have said enough to prove that the name of Lord Sydenham should ever be held in grateful remembrance by the people of Canada. But we are bound further to acknowledge, that we are indebted to the energy and practical talents of his Lordship for the most important measures of last session, more particularly for the magnificent scheme of public improvements, and the favourable arrangements relative to our debt. It is not, in all probability, at the present moment that full justice will be done to the administration of Lord Sydenham, although, as far as the press is an indication of public opinion, there has never, we believe, been a more general expression of regret for the loss*

of any public man. Widely extended, however, as is that feeling, *it will, we are assured, be much more so after the lapse of a few years.* The existing political asperities will then have entirely subsided, and Lord Sydenham will only be remembered as the **FOUNDER OF OUR CONSTITUTION**, and as the individual who **BROUGHT INTO PRACTICAL OPERATION that sound British principle of Responsible Government** by means of which alone the connection between the colony and the parent state can be preserved."

In this passage (the most material sentences of which I have italicised) Mr. Hincks declares that Lord Sydenham "brought into *practical operation* the sound British principle of Responsible Government," that *his Lordship* was actually the "founder of our constitution," and *is* entitled as such to the lasting gratitude of the people of Canada. Mr. Hincks also, in the language of praise, represents Lord Sydenham not only as entertaining opinions of his own, but as acting an efficient part in the measures of the administration. Now why does Mr. Hincks denounce Sir Charles Metcalfe for doing what he praises Lord Sydenham for doing? If Lord Sydenham "brought into practical operation the sound British principle of Responsible Government," and yet his government was non-party, not merely in respect to its administration, but in respect to its very composition, why is Sir Charles Metcalfe proclaimed as an enemy to the "representative system of government," merely because he insists upon *impartiality* in appointments to office? Was there ever more gross inconsistency, self-contradiction, and injustice, than is thus exhibited in the former and present conduct of Mr. Hincks?

Nor is Mr. Hincks alone in an *unbiased* testimony in favor of Sir Charles Metcalfe. The sturdy and scolding *Kingston Herald* has been wont to bear the same testimony also in his better days. Of Lord Sydenham's policy he said—"As a statesman, he was, *undoubtedly wise and prudent*; for, however some, who have heretofore basked in favour, may complain of neglect to them and of promoting others whom they looked upon with prejudice, yet sure we are, nothing else could have secured peace; and, peace secured, this noble Province needs but time to be prosperous and happy."

Why then does the *Kingston Herald* make war upon Sir Charles Metcalfe for avowing a policy, which the *Herald* says, in Lord Sydenham, was *wise and prudent and secured peace*?

The London *Canada Inquirer* also—now so fierce against Sir Charles Metcalfe and his defenders—has recommended Lord Sydenham's example to his Excellency's imitation:—"His (Lord Sydenham's) views of the government of Canada, were founded on *shrewd observation and deep reflection, and whoever his successors may be, we are confident they cannot*

adopt a better chart for their guidance, than may be gleaned from the course he has taken, and the instructions he may have left. A system of government based on less liberal views will not succeed in Canada."

The chart laid down by Lord Sydenham has been adopted by Sir CHARLES METCALFE, in accordance with the "confident" recommendation of the *Canada Inquirer*. Why then is that same *Inquirer* in arms against his Excellency? Why does the *Inquirer* advocate a less liberal government now than in October, 1841? Why does he advocate an exclusive party government now, instead of an equal justice government?

To complete the catalogue of this class of Upper Canada papers, we have the now vociferous *Hamilton Journal & Express* more admonitory and impressive than the *Canada Inquirer*, the *Kingston Herald*, or the *Examiner*, in favour of a non-party and equal justice government. In its constitutional and healthy condition, the *Hamilton Journal & Express* spoke and taught thus:—"Lord Durham's Report, that admirable theory of political government, was the text book by which Lord Sydenham was guided; and the peculiar sagacity with which he applied principles hitherto considered as adapted only to British practice, in the administration of Canadian Government, entitles him to a place in the catalogue of benefactors of this Province, superior to all that have gone before him, and, we believe, not inferior to any that may follow. The great principle of Responsible Government, so liberally conceded to this Province by the British Ministry, although evidently necessary in the administration of Canadian affairs, still required much patient and correct attention to ensure its peaceable and successful application. For, harassed as he was on the one hand, by the violent opposition of the factious, the disappointed, and the bigotted; and but feebly supported on the other by those who,—although every consideration of duty and interest should prompt them to active exertion, remained in slothful apathy,—Lord Sydenham had difficulties to contend with at the commencement of his career in this Province which few men but himself could have surmounted."—"The wisdom and justice of his Lordship's government are now universally acknowledged, and those who opposed him when alive—and they were few indeed—now that he is dead, find it difficult to justify the cause of their opposition. Every sectional difference has been laid aside to do him honour. In the same spirit, then, let it be known to his successor, that to preserve tranquility, to increase trade, to support agriculture, drain out the resources of the country, and MAKE CANADA AN UNITED AND HAPPY PEOPLE, THE POLICY OF LORD SYDENHAM MUST BE CONTINUED."

Now what is the non-party policy of Sir Charles Metcalfe but a continuation of the non-party policy of Lord Sydenham in respect to Upper

Canada, and a policy generous beyond that of Sir CHARLES BAGOT, in respect to Lower Canada? Yet is the *Hamilton Journal & Express* at war with his Excellency almost "to the knife."

I have made these quotations from a pamphlet published by Mr. Hincks in the latter part of 1841, containing the notices of Lord Sydenham and his government "by the Press of British America." It will be recollected that these passages contain not merely personal references to Lord Sydenham, but deliberately expressed opinions of the system, the constitution, the policy, and the merits of his government—a government, be it also remembered, which had Mr. DRAPER for Attorney-General, and Mr. HARRISON for Secretary, for Canada West, and to which Mr. BALDWIN was in opposition. Are Messrs. DRAPER and HARRISON less liberal now than they were in 1841? And is Sir Charles Metcalfe less liberal than Lord Sydenham? And is that policy of government which was held up by these journalists as the only salvation of Canada in 1841, to be deprecated and resisted by them as the sure destruction of Canada in 1844? When you compare the present and former sentiments of these journalists, and consider them as the organs of a party, one cannot help exclaiming, what a weathercock is Canadian party, and what weather-cocks are Canadian party men! When the leaders of party were seeking for power, then party patronage government was denounced, and an equal and impartial administration was the only constitutional government for Canada; but no sooner do they gain the ascendancy in power, than we are told that there is no constitutional government for Canada except a party patronage government!

Is it surprising, then, that Sir CHARLES METCALFE, having the pamphlet from which I have made the above extracts, put into his hands on his leaving England, should come to the conclusion that a government administered "without reference to party considerations," was what the people of Canada desired? Was it not natural for his Excellency to believe that when he was insisting upon an adherence to that principle, in his decisions and acts, he was consulting both the wishes and the interests of the people of Canada? Had he not the strongest reasons for believing that when his late Counsellors insisted upon an opposite line of policy, they were not only in "antagonism" with him, but in "antagonism" with the people of Canada? Could he imagine otherwise? Could he suppose that the people of Canada entertained different sentiments and feelings respecting the right rule of government in 1843, from what they did in 1841? How then could he think or declare otherwise in his replies, but that he was maintaining the views, as well as defending the rights and interests of the people of Canada, in resisting the party patronage "stipulation," or "understanding," or even policy urged upon him by the late Counsellors? His

Excellency would of course take for granted that the *Journals* which I have quoted, together with the *Guardian*, spoke the sentiments and feelings of the reformers and middle classes of society in Upper Canada; and could he believe for a moment that they would not support him in maintaining what they had held and advocated as essential to the good government, happiness, and welfare of Canada?

These facts will explain the mystery of his Excellency's firmness, but of his confidence of ultimate support by the people, when the real nature of the question at issue between him and his late advisers should be understood by the country at large. He could not but be certain of the consistency and honesty of the people generally—that although the interests of parties, and partizan editors and readers might change; yet that the people would not change—that what they had demanded of his predecessors, they would desire and expect from him, and what they desired and expected from him, they would support him in securing for them. Hence the calm determination of his Excellency; and hence his forbearance in not forming an exclusive party government—a measure which his accusers have sought to badger him into, in order to give plausibility to their own accusations, and place themselves on the best ground to obtain a party triumph.

But besides the declarations of Lord Sydenham, the avowed policy, and even composition of his government, and the unqualified sentiments of the above quoted leading reform journals of Upper Canada, in respect to both the character and policy of that government, I will adduce other proofs still to show that Sir Charles Metcalfe's avowed practical policy is that which was formerly professed by the late Counsellors, and the Reformers generally. The first shall be the declaration of the Earl of DURHAM, in whose sentiments it is known reformers of all shades exultingly concurred. One example out of a dozen will be sufficient. In reply to an address from the citizens of the present metropolis of United Canada, July, 1838, the Earl of Durham said—"On my part, I promise you an impartial administration of the Government. *Determined not to recognize the existence of parties, provincial or imperial, classes or races*, I shall hope to receive from all her Majesty's subjects those public services, the efficiency of which must ever mainly depend on their comprehensiveness."—"Extend the veil of oblivion over the past,—direct to the future your best energies, and the consequences cannot be doubted." This doctrine of "an impartial administration of the government" is the very doctrine of the present Governor-General; and Lord Durham's declaration against the recognition of even the existence of parties or classes, is stronger than was ever made by Sir Charles Metcalfe. Such was then the doctrine of reformers.

My next proof shall be of a still stronger and more decisive character. It is known that Mr. NORTON BUELL, of Brockville, was appointed Treasurer of the Johnstown District by Sir CHARLES BAGOT, by and with the advice of his Council; that strong opposition was made to that appointment by the Municipal Council of that District; that an address was presented to his Excellency containing sundry charges against Mr. BUELL, in connexion with the events of 1837 and 1838, and praying for an investigation of them. Sir CHARLES BAGOT was advised by his Council not to investigate the charges against Mr. Buell, and to make an important and impressive reply to the Johnstown District Council—a reply that was hailed with a shout of triumph by the supporters of the late Council throughout the Province, and was received with dismay and dissatisfaction by their opponents—a reply that explained fully the *professed principles and policy* of Sir CHARLES BAGOT'S administration. That reply justifies every word and deed of Sir Charles Metcalfe against a party patronage government, and condemns the late Counsellors out of their own mouths, for their rupture and quarrel with his Excellency on that ground. The following is the concluding paragraph of that reply:

"I observe with pleasure your declaration, that you '*wholly repudiate all selfish, all factious, all national, all religious distinctions, animosity, and exclusion;*' and that '*you desire to see all her Majesty's subjects in this country enjoy the most perfect toleration and equality, and THE DISTRIBUTION OF THE PATRONAGE OF THE EXECUTIVE GOVERNMENT CONFINED TO NO PARTICULAR SECTION OR PARTY, RELIGIOUS OR POLITICAL.*' You MAY BE ASSURED THAT IT IS IN ACCORDANCE WITH THESE PRINCIPLES THAT I AM DETERMINED TO ADMINISTER THE GOVERNMENT OF THIS PROVINCE; AND THAT IN SO DOING I BUT EXECUTE THE COMMANDS I RECEIVED FROM THE QUEEN. I therefore call on you to co-operate with me in my task, and with that view to *lay aside those by-gone dissensions and PARTY DISTINCTIONS* to which you advert, and which have been the bane of this fine Province. I call upon you to turn your attention to the practical measures necessary for the improvement of the country, and to prove your loyalty and earn the gratitude of your fellow-subjects, by making this Province what it was by nature intended to be, the most valuable dependency of the British Crown—a source of wealth in peace, and a means of strength in war."

How applicable is this exhortation to the agitating section of the late Counsellors and the Toronto Associationists! Such a lecture from Sir C. Metcalfe to them would be deemed an infringement of their rights, yet they advised Sir C. Bagot to deliver it to the Johnstown District Council. And who could believe that within eighteen months after advising such a declaration against *party distinctions and political party*

*patronage*, they would come to an open "antagonism" with Sir Charles Metcalfe upon that very ground, and exhibit him to the people of Canada as an invader of their constitutional rights and an enemy of representative institutions, because he maintains what they did in 1842 advise Sir CHARLES BAGOT to avow as the principles of his administration; and which he declared also, as Sir C. Metcalfe has done, the command of his Sovereign!!!

Such again is the consistency and the patriotism of *party*, whatever may be the personal worthiness of the individuals who become chained by its serpent wiles. And such is the demonstration that Sir C. Metcalfe's avowed practical policy in the administration of the government, is precisely the same with that which was professed by the late Counsellors themselves under his Excellency's distinguished and lamented predecessor.

I will yet add another illustration, which will present, if possible, in a still more vivid light the downright inconsistency of the late Counsellors and their organs, and the claims of the Governor General upon the support of the people of Canada. Just a twelvemonth before I commenced this discussion, I wrote a short essay on "SIR CHARLES BAGOT AND HIS CANADIAN GOVERNMENT." That essay was originally published in the *Kingston Chronicle and Gazette*; was applauded in the strongest terms by the organs of the late Counsellors, and by THEMSELVES in various ways, and, in accordance with the suggestion of some of them, was printed in pamphlet form at the government press, and widely circulated. Now the whole object, and spirit and doctrine of that essay throughout was, to illustrate the evils of a government administered on party principles, and to show the importance of an impartial non-party administration of the government; for such I supposed was the government of Sir Charles BAGOT, from his reply to the address of the Johnstown District Council, and many other replies identical with that in sentiment. In enforcing this doctrine, I selected my illustrations from Greek, Roman and English history. My first example was that of LYCURGUS, who forgave and appointed to office in his own household, and thus "converted into a faithful friend and useful servant" a man who had carried his opposition to Lycurgus' system of government so far as to attempt the life of the Spartan legislator. My second example was that of THRASYBULUS, who abolished party distinctions in Attica (which had been convulsed by party dissensions), by requiring the "citizens to engage upon oath that all past transactions should be buried in oblivion." On which I remarked—"Thrasybulus required by oath, what Sir Charles BAGOT has often recommended as a duty; and those who admire the conduct of the former, ought to respect that of the latter." From Greece I turned to Rome, and then to England; and I solicit the reader's particular attention to

the following passages from my pamphlet, as they contain the policy of government which was professed and applauded by the late Councillors, and their newspaper supporters throughout the Province, at the time of Sir Charles Metcalf's arrival in Canada.

"Julius Caesar's celebrity as a general and a conqueror over armies and provinces, is surpassed by his conquest over his own *personal resentments and party feelings* (after having grown up and lived amidst all the asperities of both)—when he '*pardoned all who had carried arms against him, made no distinctions with regard to parties,*' and avowed in one of his speeches, 'I will not renew the massacres of Sylla and Marius, the very remembrance of which is shocking to me. Now that my enemies are subdued, I will lay aside the sword, and *endeavour by my good offices, to gain over those who continue to hate me.*'

"Such an example may, with personal honor and public advantage be imitated by every philanthropist and Christian in Canada, as it has been by Sir Charles Bagot.

"If we turn from Roman to English history, we meet with examples, even during its less enlightened periods, which ought to silence and *shame the proscribing spirit of our times.*

"The Earl of Pembroke, who, during the minority of Henry III. (1217) was protector of the kingdom, is admitted to have been the ablest statesman and general of his age. Yet, after suppressing a rebellion which had commenced during the latter part of the reign of King John, that distinguished nobleman (to use the words of Hume)—'*received the rebellious Barons into favor; restored them to their possessions; and endeavoured by an equal behaviour, to bury all past animosities.*'"

"It is known that Henry V.,—the most heroic monarch in English history—found the kingdom convulsed by the contests which had been commenced by his father, Henry IV., between the houses of York and Lancaster—to the latter of which Henry himself belonged. Yet, says Hume, — '*The King seemed ambitious to bury all party distinctions in oblivion; the instruments of the preceding reign, who had been advanced for their blind zeal for the Lancastrian interests, more than from their merits, gave place every where to men of more honourable character; virtue seemed now to have an open career, in which it might exert itself; the exhortations as well as example of the Prince, gave it encouragement; and all men were unanimous in their attachment to Henry.*' How much more honourable to Henry, and beneficial to the nation was such a policy, than the *partial and prescriptive* policy which has been pressed upon Sir Charles Bagot, and than the *party policy* which characterized the otherwise most useful reign of Henry VII., of the same House with Henry V. After referring to the union of the two Houses by the marriage of Henry

VII. with Elizabeth, heir of the House of York, Hume says—'Instead of embracing the present happy opportunity of *abolishing these fatal distinctions*, of uniting his title with that of his consort, and of bestowing *favour indiscriminately* on the friends of both families, he carried to the throne all the *partialities* which belong to the *head of a faction*, and even the *passions* which are carefully guarded against by every true politician in that situation. To *exalt the Lancastrian party*, to *depress the adherents of the House of York*, were still the favourite objects of his pursuit; and through the whole course of his reign, he never forgot his early possessions.'

"It will be a dark day for United Canada, should its Governor become 'the head of a faction,' and not of the *moderator of factions*; but Sir Charles Bagot, *disregarding the littleness of party faction*, and acting upon the maxim which even Buonaparte had the discrimination and wisdom to adopt—'tell me not what a man *was*, but what he *is now*,'—has pursued a course which has added brilliancy to the noblest acts of the most renowned statesmen of Greece and Rome and England; a course the recollection of which no doubt sweetens his hours of retirement and suffering, and will embalm his name in the grateful remembrance of Canada when the tongue of calumny shall have been silenced, and the breath of faction shall have been extinguished, amid the gratulations of a united and happy people."

"Whilst it has been theoretically admitted upon all sides, that our French fellow subjects are fully entitled to a representation in the Councils of the Sovereign, as well as of the people, Sir Charles Bagot has been assailed with unwonted bitterness for the selections which he has made—charge as consistent and as rational as it would be to admit the right of the people of Great Britain to a representation in the Executive Councils of the nation, and then denounce her Majesty for selecting such men as a Peel and a Wellington; since the same British principles of state policy, and the same means of information which suggested to her Majesty, Sir Robert Peel, and the Duke of Wellington, as the most influential and appropriate advisers of the Crown in behalf of the people of Great Britain, suggested to Sir Charles Bagot certain individuals whom he has selected as the most influential and appropriate advisers of the Crown in behalf of the French people of Canada; a measure so just, so wise, so expedient, as to induce the Hon. Mr. DRAKER, not only to advise it, but to regard his own retirement from the power and emoluments of office as not too great a sacrifice for its accomplishment—thereby furnishing a noble example of genuine patriotism and the highest possible encomium on Sir Charles Bagot's policy."

"If any one circumstance, in addition to the consciousness of having done his duty, and the expressions of gratitude and sympathy which greet him from every part of the Province, can alleviate the sufferings of Sir Charles Bagot, and the disappointment of so premature a retirement from office, it must be the respectful and affectionate references which are daily made to him by his distinguished successor, SIR CHARLES METCALFE. Indeed it is a spectacle of moral sublimity delightful and affecting to the whole country, to see two such statesmen, free from every feeling of personal jealousy, almost emulate each other in expressions of confidence and hope on the one side, and of praise and sympathy on the other. Were their spirit imbibed and their example imitated by the entire population of Canada, how soon would the fulminations of bigotry and the *criminations of party cease* throughout the land, and be succeeded by the purer language of Christian charity, and the nobler acts of public patriotism."

Such was the non-party administrative doctrine of the late Counsellors and their supporters twelve months ago. How came that which was true, and right, and constitutional, and necessary in 1843, to become false, and wrong, and unconstitutional, and destructive in 1844? How came that which was the glory of Sir Charles Bagot to become the shame of Sir Charles Metcalfe? The change is not in the principles involved, but in the party interests and proceedings of those who formerly professed, but now denounce them. The change is not in Sir Charles Metcalfe, but in his accusers. The doctrine of administering the government, and distributing the patronage of the Crown, was pure, and sacred, and loyal, (as expressed in the reply to the address against Mr. Buell,) as long as it favoured the party interests of the late Counsellors, but it became unconstitutional here, as soon as it admitted a poor widow's son, not of their party, to the office of Clerk of the Peace in a new District; and Sir Charles Metcalfe must be condemned and banished, as an enemy of Canada for maintaining it! Shame upon the shamelessness of party inconsistency and selfishness!

It is also worthy of remark, that a large portion of the Canadian press which animadverted upon the doctrine and facts of my essay above quoted, now support Sir Charles Metcalfe for taking his stand upon the same identical doctrine. It is thus that the two parties have to a considerable extent changed sides and exchanged principles. The late Counsellors, and their supporters have espoused the old Canadian Tory doctrine of party government and party exclusion; while their opponents (except the Woodstock *Monarch* and one or two kindred prints, that still revel in the nutshell of their own littleness), having learned wisdom in the school of adversity have become the advocates of the old constitutional

reform doctrine of "equal justice to all classes and parties." The latter furnish examples of conversion gratifying to every judicious well-wisher of his country; the former present humiliating instances of apostasy. Mr. Hincks even appeals to the old reprobated system of compact exclusivism as authority for the policy of his colleagues and himself. In his reply to Mr. VICK, p. 18, Mr. Hincks says—"How absurd it is for the Canadian Tories, who, when in power, acted most strictly on the principle of never giving offices to their opponents, to come forward now to condemn their own practice." There may be inconsistency in the "Canadian Tories" doing so, but I see no *absurdity* in "Canadian Tories" or any body else doing right now, because they did wrong once. But is it not both inconsistent and worse than absurd for Mr. Hincks and his colleagues and their supporters not only "to come forward now and condemn their own practice" but to advocate and adopt the practice of the "Canadian Tories,"—a practice which all shades of Reformers in Canada have reprobated during many years—a practice to which some of the late Counsellors have ascribed the rebellion itself! It is equally absurd for the late Counsellors to retain the name of Reformers when they, by their own confession, adopt and advocate the former practice of the "Canadian Tories." In his Toronto Association speech, March 25, Mr. BALDWIN remarked—"A rose, it was said, by any other name would smell as sweet, and he would venture to say that the poppy would be equally disagreeable to the sense, and equally deleterious in its effects, though dignified with the name of the queen of flowers. [Enthusiastic cheers.] If they were to have the old system, let them have it under its own name, 'the compact system,' or any other adapted to its hideous deformities." In this I quite agree with Mr. Baldwin; and if he and his late colleagues have adopted the practice of the old system of the "Canadian Tories," they ought to "have it under its own name"—and not foster the old monster under some new and fascinating name calculated to conceal "its hideous deformities." It was always admitted that the evil of the old practice, was not in the men, but in the system. If it has heretofore been injurious to the intellectual improvement, social happiness and good government of the country, it can be no less so now.

But the avowed practical policy of Sir Charles Metcalfe is sustained not only by the declarations of Lord Durham, Lord Sydenham, Sir Charles Bagot, the late Counsellors themselves, and the organs of the Toronto Association; his Excellency is also supported by the concurring views of the reformers in Nova Scotia. The reformers there have only asked for an *equal* representation in the Executive Council, and have deprecated even the discussion of the question of a party government in the Legislature. In the debate on the reply to the opening speech from the throne,

Mr. Howe said—"Turning to the second point of the address—that of party government—he (Mr. Howe) viewed it as a question of almost illimitable scope; and one which this house should not be called on to discuss." And in the amendment to the address which was proposed and voted for by the reformers in the Nova Scotia House of Assembly, is the following declaration: "The question of party government is one which this house does not feel itself called upon to raise at the present time." And as to the prerogative, Mr. Howe remarked in reply to a newspaper attack that had been made upon him—"There was as little consistency in what had been written about 'forcing opinions' upon Lord Falkland. No man had a right to do that; all had the right to reason, remonstrate, retire, and go into opposition. There were constitutional checks and guards operating all round a Governor, but leaving the prerogative unfettered."

This party patronage doctrine is denounced by even the whig republicans of the United States, and is only advocated by the party of what are called "Loco Focos" in that country—that is, the democrats—the name applied by Mr. Roebuck (who well understands the nature of their policy) to the late Counsellors and their supporters. Mr. Mancy, the late "Loco Foco" Governor of the State of New York—the friend of the sympathisers and brigades against Canada, in 1838—thus avows this doctrine in one of his speeches in Congress: "It may be, sir, that the politicians of the United States are not so fastidious as some gentlemen are, as to disclosing the principles on which they act. They boldly preach what they practice. When they are contending for victory, they avow their intention of enjoying the fruits of it. If they are defeated, they expect to retire from office; if they are successful they claim, as a matter of right, the advantages of success. They see nothing wrong in the rule that to the victor belongs the spoil of the enemy."

Mr. Mancy, like Mr. SULLIVAN, in his explanatory speech, speaks of those not of his party as the enemy, and represents the government as designed for the benefit of the victorious party and not for the welfare of the whole community. This theory, therefore, of the "spoils" for the one party to the exclusion of the other, is the policy of American Loco Foco democracy, and not the principle of British constitutional government. The late whig President of the United States repudiates this partyism in his government. Mr. Hincks has said that governing without "reference to party considerations is inconsistent with representative government." But what says the head of even a democratic republic? He was elevated to his office by a majority of the suffrages of his country; but does he say on reaching that elevation, that he will govern for the benefit of those

who voted for him, and regard as "enemies" those who voted for another? No, like a true representative of a country, who, when once invested with that character, represents the interests of the entire country without reference to the party that either supported or opposed him, the late President HARRISON, in his inaugural address, declares that he will know no party in his government. Intelligent republicans throughout the United States responded to that doctrine; and only "democrats" opposed it. And is a British Governor to be less just—less impartial—less of a party patronage man, than an American President? Let the following just and noble sentiments of the late President HARRISON sink deep into the mind of the reflecting reader, and abash the democratic policy of party selfishness which has risen up in Canada:

"Before concluding, fellow-citizens, I must say something to you on the subject of the parties at this time existing in our country.

"If parties, in a Republic, are necessary to secure a degree of vigilance sufficient to keep the public functionaries within the bounds of law and duty, at that point their usefulness ends. Beyond that, they become destructive of public virtue, the parents of a spirit antagonist to that of liberty, and eventually its inevitable conqueror. It was the beautiful remark of a distinguished English writer, that, 'in the Roman Senate, Octavius had a party, and Anthony a party, but the Commonwealth had none.' Always the friend of my countrymen, never the flatterer, it becomes my duty to say to them, from this high place, to which their partiality has exalted me, that there exists in the land a spirit hostile to their best interests—hostile to liberty itself—it is a spirit contracted in its views, selfish in its object. It looks to the aggrandizement of a few, a few, even to the destruction of the interests of the whole. The entire remedy is with the people. Something, however, may be effected by the means which they have placed in my hands.

"It is the Union we want, not of a party for the sake of that party, but a Union of the whole country for the sake of the whole country—for the defence of its interests and its honour against foreign aggression—for the defence of those principles for which our ancestors so gloriously contended. As far as it depends upon me, it shall be accomplished. All the influence that I possess shall be exerted to prevent the formation, at least, of an executive party in the halls of the legislative body.

"The true spirit of liberty, although devoted, persevering, bold, and uncompromising in principle, that secured, is mild and tolerant, and scrupulous as to the means it employs, whilst the spirit of party assuming to be that of liberty, is harsh, vindictive, and intolerant, and totally reckless as to the character of the allies which it brings to the aid of its cause.

*The reign of an intolerant spirit of party amongst a free people, seldom fails to result in a dangerous accession to the Executive power."*

In conclusion, I think the facts and authorities I have thus adduced, are sufficient to establish the propositions with which I commenced this paper. The latter part of the seventh proposition will receive a more distinct consideration, when I come to discuss the eighth and ninth propositions in the next number of this argument.

### No. 8.

The eighth, and part of the ninth proposition will form the topics of discussion in the present number; namely, *"That the proceedings of several late Counsellors, since the prorogation, have been unprecedented, —enervating, if not destructive of legal government—calculated, though not intended, to weaken and sever the connection, between Canada and Great Britain.*

*"That in at least seven different instances have the late Counsellors departed from British constitutional usage—that the present course of hostility against the Governor General and her Majesty's government, by some of them, must be attended with injurious if not fatal consequences."*

In my introductory address to the people of Canada West, I stated that for some members of the late Council I entertained the respect and esteem of personal friendship. I referred to two of the gentlemen on whose recent proceedings I am about to animadvert. I confess I had hoped much from their legislation and administration in the government. The only idea I entertained of ever writing any thing which would involve a reference to their proceedings, was a dissertation or two on the connexion between the laws of a country and the happiness of its inhabitants, and the adaptation of the colonial relations of Canada and the laws enacted since the union of the two Provinces, to the condition and interests of the people, and the spirit which should be cultivated by the people and their rulers to render the operation of those laws and relations beneficial. The deep felt conviction of duty which has impelled me to condemn where I had hoped to approve, to expose, censure, remonstrate and warn, instead of elucidating, applauding, encouraging and congratulating, involves one of the most painful events of my public life. But whatever others might think of men or parties, I have always professed to love truth and justice more than men—to regulate my own conduct by principles

and not by parties. Long before Mr. Baldwin had a party, and both before and since the union of the Canadas, I have disclaimed being a party man, and protested against being judged by the rule of party. I did so explicitly, either in explanation or in reply to attacks, in the *Christian Guardian* of May 16, July 11, August 15, September 19, 1838; June 5, October 28, 1839; January 8 and 22, February 5, and April 15, 1840. In reference to scores of attacks which have been made upon me on this ground, and in justification of the remarks which I am about to make, I will quote the following passage from the *Christian Guardian* of June 5th, 1839, when Mr. Baldwin was in private life, and when no small degree of odium and labour in supporting "equal rights and privileges for all classes of her Majesty's Canadian subjects" fell upon myself. "Before entering into the subject of attack, we beg to make two or three preliminary remarks:—1. Our views of the science of government, as well as of theology, and of the system of government adapted to the society and condition of this Province, were derived from early reading and reflection, independent and without the knowledge of political party. 2. We have always professed to advocate principles, irrespective of party. 3. It is possible to advocate the same interests and objects, and yet, at different times, support and oppose the same man and the same party; namely, when the said man or party assumes an attitude of hostility to those interests and objects, or connects other and irreconcilable interests and objects with them. If our consistency be tested by the men or parties that we have supported or opposed, we readily acknowledge ourselves very inconsistent; yet it is by this rule that we have been frequently judged. *Against such a rule of judgment, however, we protest, as we never professed to regulate our public or private conduct by it; but have again and again repudiated it as incompatible with our duty and office.* If we had professed to be devoted to party, then an inquiry into the manner in which we supported the party which we professedly espoused, in order to judge of our consistency, would be perfectly fair. But as, on the contrary, we have always disavowed any thing of the kind, the question is, not what party we have supported or opposed, but, what principles in regard both to the civil and ecclesiastical affairs of the Province, we have advocated."

Such were my views and positions in 1839; such they are in 1844; and whilst I pay a willing and cordial tribute to the amiableness, uprightness, and generosity of Mr. Baldwin, the private and professional man, I protest against the doings of Mr. Baldwin the party man; and whilst I honor the kindness and liberality of Mr. SULLIVAN as an individual, I cannot but deplore his late proceedings, and despise his "*Legion*" partizanship; and whilst I retain no unkind feeling towards Mr. HINCKE on the ground

of his personalities during the early part of Lord Sydenham's administration, and acknowledge the general courtesy of his late remarks in regard to myself, I must reprobate with feelings of the strongest indignation his conduct towards the Governor General and her Majesty's government.

If the proceedings of the late Counsellors, in their demands upon his Excellency and their mode of resignation and explanation, were unprecedented; their conduct since has been unexampled. A man who has been elevated to the station of minister of the Crown, has obligations of duty to his Sovereign and to his country resting upon him after his retirement from office as well as before. A vulgar rustic, when he quarrels with a neighbour, employs against him all the epithets and insinuations that his supposed history can suggest or the rustic's own imaginations and passions create. A retired minister of the Crown ought not so to conduct himself towards his Sovereign. *British practice* during a hundred and fifty years without exception, inculcates the language of the profoundest respect towards his Sovereign from the lips of the *ex-minister*, as well as minister of the Crown. Were it otherwise, that freedom of intercourse between the Crown and its confidential advisers which is essential to the safe and efficient administration of government would be interrupted and destroyed; reserve and distrust would characterise all the communications between the Sovereign and his advisers, and discord would ever and anon paralyse their most important counsels, confidence and frankness would flee from the palace, and suspicion and duplicity would succeed. Every retired British minister has, therefore, invariably regarded as sacred the feelings, the integrity, the principles, the understanding, the character of his Sovereign; and no British Sovereign since the days of William and Mary, has had cause to regret or blush for the most unreserved freedom with any of his advisers. But in what way have the *ex-Counsellors* treated the representative of their Sovereign? They commenced by impeaching his principles and conduct as unconstitutional; they have continued by impugning his justice and integrity, and even ridiculing his understanding. Witness the *Toronto Association address* itself, written by one *ex-Counsellor*, and brought before the Association for its adoption by another—an address abounding in insinuations which cannot be true unless the Governor General is a deceiver, a tyrant, and a hypocrite. Witness Mr. Hicche's charge of wilful falsehood against his Excellency in a passage which I quoted in a preceding number. Witness Mr. Sullivan's exhibition of the Governor General at a public meeting at Sharon, in the Home District, under the character and title of "Charles the Simple." Witness Mr. Baldwin's speeches at Toronto—at one time imagining his Excellency to have employed a Phrenologist as his adviser, and regulating his decisions by the science of bumps, and at another time holding up his

Excellency as aiming to impose upon the people of Canada "a new-fangled system of Responsible Government"—and concluding a philippic of ridicule against his Excellency's reply (or rather one-perverted phrase of his reply) to the Gore District Council—especially his advice to them to "keep" responsible government, "cling to it," not to "throw it away"—in the following words: "They all, no doubt, remembered the story of Little Redridinghood, and the poor child's astonishment and alarm, as she began to trace the features of the wolf instead of those of her venerable grandmother; and let the people of Canada beware lest when they trace the real outlines of this new-fangled Responsible Government and calling out in the sympathy of their hearts, Oh, grandmother, what big eyes you have! Oh, grandmother, what a great big nose you have! it may not, as in the case of poor little Redridinghood, be too late, and the reply to the exclamation, Oh, grandmother, what a great big mouth you have! be, 'that's to gobble you up the better, my child.' [Cheers and much laughter.]"

Now, it may be fun for Mr. Baldwin, and cause "cheers and much laughter" amongst the statesmen of the Toronto Association, for him to exhibit the Representative of his Sovereign (of whom he had recently been a confidential adviser) as in the passage just quoted; it may comport very well with Mr. HINCKS' feelings (the concluding sentence of his letter to Mr. BUCHANAN notwithstanding) to represent his Excellency as knowing what he had stated to be untrue; it may seem very witty for Mr. SULLIVAN (notwithstanding his testimony to SIR CHARLES METCALFE'S vigorous understanding and noble character in the concluding part of his explanatory speech) to shew up his Excellency to the wise people of *Sharon*, as a *simpleton*; it may be a necessary piece of *partyism* for Messrs. SULLIVAN and BALDWIN to apply to the Governor General the abusive insinuations and attacks which pervade the *Toronto Association Address*; but where is the precedent of *British practice* for such conduct? How would such conduct on the part of ex-ministers in England be viewed by the Parliament, or the nation? Would the people of England be likely to force such Counsellors upon their Sovereign after they had thus treated him? Would the British Parliament be likely to permit them to come again in the presence of the Sovereign as his ministers? Would not humanity to their Sovereign forbid it? Would not a sense of propriety in the nation prevent it, unless after satisfactory proof of deep humiliation and contrition? If the Sovereign has not an unlimited choice in the selection of his advisers, but must in a great measure be controlled by Parliament, is not that Parliament bound by every consideration of propriety, honor, justice and humanity, to see that the Sovereign's feelings and character are protected against those who either have

been or may be his advisers? In days of unlimited monarchy—before responsible government was known—the Sovereign had the remedy entirely in his own hands; but as Parliament has now a voice of control in the appointment of advisers of the Sovereign, Parliament is bound in the same proportion to defend from wanton insult and invasion the feelings, and character and happiness of the Sovereign. Reader, would you regard yourself as a free and happy man, were you compelled to commit yourself and all your interests to those who had held you up to the public as either a simpleton, or a despot, and conducting yourself *wolf-like* towards all who were in your power? Is the Representative of your Sovereign to be thus treated?

But this very language of ridicule and sneers, in which Messrs. Baldwin and Sullivan have so much gloried (for I might select many examples), argues the conscious badness of their own cause. Dr. Dwight (late President of Yale College) has justly remarked, in his 20th Discourse, "a cause which needs the support of ridicule and sneers is bad, of course, and is by its abettors seen to be bad; for no man of common sense will resort to this feeble and ineffectual mode of attack or defence, when the surer, more rational, and more efficacious resort to sober argument is in his power."

And if such has been the language of the ex-minister leaders of the Toronto Association, it may be easily supposed that its less-responsible members and newspaper organs have indulged with as little restraint as decency in the same style. The *Globe* has attained nearly to an equality with Mackenzie's celebrated *Advocate & Constitution*; and the *Examiner* is not far in the rear, as amongst the first words on which I cast my eyes in lately looking over one of his Editorials, was the designation of Sir Charles Metcalfe as "*the political spoiler who is destroying our substance and subverting our peace.*" Mackenzie's *Caroline Almanac* is not much in advance of this. But it is with the proceedings of the ex-Councillors I have to do in this paper, and not with those of their subalterns. And I would ask if their proceedings and language, as above referred to, are not calculated to degrade the majesty of the throne, to lower the dignity of the advisers of the Crown, and weaken the moral influence of the whole executive branch of the constitution? The honour of the Crown will not be long preserved inviolate in the country at large, if it be thus trampled upon by those who have recently been intrusted with its counsels.

To language so unexampled is also added *political organization* unprecedented. Can the late Councillors adduce an instance of ex ministers in England having even allied themselves with, or attended the proceedings of, much less created a political association such as the late Councillors have formed in Toronto? In the most exciting periods of Parlia-

mentary reform and political organization in England, have any of those political associations on the one side or the other ever included the name of even one minister or ex-minister of the Crown? Did Earl Grey and his colleagues ever become leaders, or members of such associations, even when the Sovereign got them out of office on account of his hostility to their policy? Did Sir Robert Peel do so in 1839, when her Majesty rejected his advice and claimed as her prerogative not to submit to the advice of a minister appointments which he had recommended her to make? Did Sir Robert Peel or his ex-ministerial opponents ever use such language towards their Sovereign, as the late Counsellors have used towards the Governor General? Sir Robert Peel calmly left the points of difference between his Sovereign and himself to the nation; the nation by a general election decided in favour of the Sovereign, and Sir Robert Peel was left out of office for two years, when he gained the majority of Parliament to his views on the corn law question. But during that interval of two years did Sir Robert Peel use a disrespectful or offensive word towards his Sovereign, or in word or manner impeach the views or conduct of that Sovereign? Was not his whole conduct characterised by such respect and courtesy as to gain more and more upon the good will of the Sovereign; so that, in 1841, she cordially acceded to his advice respecting all the appointments of the royal household, as well as respecting the great offices of state? How differently have the late Counsellors conducted themselves in regard to her Majesty in the person of her representative? In their Association speeches and address *duplicité* is the principle of his professions; *tyranny* the nature of his acts; the *wolf* the exemplar of his policy; and *simple* the appellation of his character. With what sort of face could they come into the presence of the representative of the Sovereign after having applied such epithets and insinuations to him? With what decency could they be pressed upon him without a due repentance for such conduct? With what impartiality and justice could they pretend to advise any representative of the Sovereign on the affairs of the Province, after having founded and become the articulated confederates of a political party association? They would exclaim loudly against a member of the *Orange*\* Association being an adviser of the Crown—nay, the original draft of their bill provided that an Orangeman should not even bear arms as a militiaman—(a provision that would have operated rather doubtfully in 1837); and could a member of the *Tolbo* Association, with a shadow of consistency or propriety, then be an adviser of the Crown? The signs of the one association may be secret, and the signs of the other association may not be secret; the

---

\* In drawing this, what may to some appear partial analogy, it is not to be understood that Mr. Ryerson is at all an upholder or an approver of Orange Societies.

obligations of the one association may rest upon an oath, and the obligations of the other may rest upon "an honest man's word," which is said to be as good as his oath; the professions of the one may be Protestant and loyal, the professions of the other may be confessedly party political; the subordinate members of the one may possess more physical courage and be less scrupulous and more hazardous as to the use of physical weapons than those of the other, except when there is a certainty of superiority and success; but is the one association any more than the other known to the constitution of the country? Are not the members of the one association as well as those of the other politically isolated from their fellow subjects? Are they not avowedly more so on the part of the Toronto Association? Do they not avowedly claim the spoils of office, power and emoluments, for themselves and their confederates, to the exclusion of all others? Has it not been shewn beyond doubt that the real contest between them and the Sovereign is, that that Sovereign through her representative insists upon bestowing the power and emoluments of patronage not upon the Toronto Associationists and their confederates exclusively, but upon all classes without distinction of party? Can an association more dangerous be conceived than one formed against the Crown under such circumstances, the leaders of which avow such objects, especially in view of recent events in Canada? The Arabians—the descendants of Ishmael—profess that the God of heaven has given them a right to their country and to *whatever they may find in it*, because their ancestor did not receive an equal portion with his brethren. When they therefore relieve the traveller or the merchant of all that he possesses, they do not profess to plunder or rob—they say, "*we gained it.*" So the leaders of the Toronto Association claim for themselves and theirs all the spoils of office which may be found in the country, to the exclusion of even a poor widow's son not of their fraternity, and they found and support the association as a lever to elevate themselves to power in order to make the Crown a "tool" for the attainment of such an end. The spirit of such a dominion is *Ishmaelitic*, and the principle of such a policy is that of *Ishmaelism*; and the heading of such an organization by an ex-minister of the Crown is an anomaly of the nineteenth century. The enlightened and eloquent GIBBONS, in his admirable work on the *Duties of Men*, after explaining the *Duties of the Executive Officers of Government*, thus remarks upon the duties of an ex-minister of the Crown: "When divested of his employment, whether he withdraws from the busy world into the shade of privacy, or continues to serve his country as a member of Parliament, he will arm his breast against the stings of unsuccessful ambition, and purify it from every emotion of bitterness and resentment against those who have profited by his fall. If he continues to act his part on the political stage, he will be on his guard against the

secret hankering after emolument and power, usually predominant in those who have once been in possession of high official situations. He will not frame his parliamentary conduct with an insidious view to regain the eminence from which he has been cast down; he will not seek popularity by disingenuous artifices; he will not hoist a standard to collect the discontented, nor present himself as the leader of the factious. He will support, from his heart, every measure of his successors which promises to promote the general welfare; however evidently it may contribute to raise them in public estimation, and consequently to obstruct the return of himself and his friends to the helm of government."

With how much more dignity and propriety would the late Counsellors have concluded, and how much more benefit would they have conferred upon the country, had they adopted such a course, instead of getting up an organized agitation against the Representative of their Sovereign? The late Counsellors for Lower Canada have pursued the dignified course of retired British ministers; so did Messrs. Howe, Uniacke, and McNab, of Nova Scotia. They did not even attend a public meeting assembled in their behalf in the metropolis of that Province. The resolutions were communicated to them at their own residences.

But the SENTIMENTS inculcated at the Toronto Association, and by its principal organs, are as *anti-colonial* as the proceedings of their ex-minister founders are unministerial. They have scouted the phrase, "Responsible Government as applicable to a colony;" and the Governor-General's remark, that, as *applicable to a colony*, it was "still an *undefined* question," they have denied as a fact, and reprobated as a covert attempt to subvert the constitutional liberties of the people of Canada. They have supposed that they would obtain a decisive advantage over his Excellency by representing his absence of precise definitions as hostility to the system of Responsible Government, contrary to his own assertions. Now, such a proceeding was as disingenuous in itself as it was unjust to the Governor-General. They knew that a precise definition of Responsible Government itself was impossible. Their own Mr. BLAKE has declared it absolutely *undefinable*, and said, "we seek not to define it." They also know that Responsible Government, as *applicable to a colony*, was to a still greater extent not only an "undefined," but an undefinable question. They also knew that Responsible Government in a colony and in the parent state, is not one and the same thing, as they and their organs have sought to impress upon the public mind. I say advisedly they knew it, because they had avowed it. The first part of the resolutions of September, 1841, quoted by the late Counsellors in their written communication to the Governor-General, is as follows: "*That the Head of the Executive Government of the Province, being within the limits of his Government the*

*Representative of the Sovereign, is responsible to the Imperial authority alone.* Now, the length and breadth of the import of this resolution, is (in addition to direct Imperial interests and foreign commerce,) the length and breadth of the difference between Responsible Government in Great Britain and in Canada; and when the late Counsellors shall have given a precise definition of this resolution in all the workings of our government, then may they charge the Governor-General with something a good deal worse than ignorance, for speaking of the theory of Responsible Government, as applied to a colony, as a still undefined question. In England the Sovereign is not responsible to any body for any act of the government; in Canada the "Head of the Executive Government is responsible to the Imperial authority" for every act of his government; and he is the ONLY member of the Canadian Executive that can be impeached and punished for the acts of his government. Now, if the Governor of Canada is involved in a responsibility in which his Sovereign is not—a responsibility equal in magnitude to the sum total of the acts of his government—then must he, within the range of his additional responsibility, be invested with some additional power; for responsibility without power is a contradiction and absurdity. In the sixth number of these papers, I have shown that the Governor-General has recognised Responsible Government in Canada to the full extent of the resolutions of September, 1841; but those resolutions themselves recognize a difference between Responsible Government in England and Responsible Government as applicable to a colony. What that difference is, it is needless for me to undertake to say, until the Associationists shall have defined the nature and extent of the above quoted resolution. While that resolution remains, the maxim that "the King can do no wrong," cannot be applied to the head of the Canadian Executive; that is, as long as Canada remains a Province of the British Empire.

How then do they evade the force of that resolution? Why, by not only avoiding all attempts to explain it, and even all reference to it, but by practically and positively denying its application,—nay, by denouncing the very principle of it. This office they appear to have assigned to Mr. BLAKE. In the execution of it, they repeatedly and enthusiastically cheered him; and for having performed it, Mr. Sullivan most warmly eulogised him. The following passages from Mr. Blake's Toronto Association speech, with the accompanying cheers, are my witnesses:—"But it is said that the head of the Executive Government here, is responsible to the people of England. Now, laying out of view for a moment the practical effect of this responsibility, which we shall consider by and by, we do now unhesitatingly assert, that however well fitted such responsibility may be to deprive us of all shadow of liberty, it can never raise us

to the rank of freemen. (Cheers.) "We have heard one to whom this Province certainly owes much, [I mean Lord Durham] declare, that he did not pretend to decide upon the *policy* of granting to Canada *representative institutions*—language this, which should never have escaped the lips of an Englishman. I must confess myself, therefore, indisposed to fix upon the wording of a *despatch*, or a *resolution*, for the purpose of fortifying our rights. Such a course may be highly proper in settling mere questions of form; but *those essential rights which we now demand, rest on the basis of eternal justice*, upon which no resolution, however constitutional, can more firmly establish them—from which no despatch, however artfully worded, can ever remove them." "But, sir, it is said that the responsibility of the head of the Executive to the people of England, is the safest guarantee of our liberties; nay, the only guarantee which we can have consistently with our position as colonists. That such language should fall from the lips of noble Secretaries of State; that *they* should consider a simple declaration of ministerial approval as a sufficient sanction for any violation of our rights, however flagrant; nay, that such passing notice of our humble condition should be regarded as the proper object of our gratitude, would not much surprise us. And we should not feel disconcerted, even though we should find such language faintly echoed by the people of England. But that there should be found in this country any man degraded so low as to pander to this lust of despotic power—(cheers)—that there should be found any man base enough to barter his own, his children's dearest right for some paltry present advantage. How can such things be, and not fill us with wonder? (Loud cheers.) Responsibility to the people of England, forsooth! What! does not the Crown constitute here the third branch of the Legislature, as in England? Is not the Legislative Council, our second branch, nominated by the Crown, as in England? Are not the prerogatives of the Crown as inviolate here as in England? And am I to be told that all those strong, those natural ties to the parent state, must be regarded as nothing, unless we are also to consent that the government of this country be conducted by ministers over whom the people of the country have no control? I say, Sir, this right must not be conceded by the people of Canada; nay, it must not be conceded even though the Commons of England were disposed to exercise it with the utmost impartiality and vigor—it is a concession no less repugnant to the liberty of Canada to grant, than unworthy the greatness of England to demand. We desire, indeed we earnestly desire, to be united to England; but it must be by ties of which *freemen* need not be ashamed. England cannot wish, and we must not consent to be bound as slaves. (Cheers.) But, Sir, we utterly deny that the right of control, if conceded, would even be exercised by the people of England with impartiality and vigor; and history shall have raised her warning voice for us to little pur-

pore, if she has failed to convince us that such control, however well fitted to secure the aggrandizement of the parent state, has never yet operated, and never will operate as a shield to the liberties of the colonist. We have, indeed, seen the people of England demand of a noble Lord some account of a rapacity almost unparalleled in the age of Roman despotism—rapacity which during a few brief years had amassed wealth sufficient to arouse the envy of the ancient and privileged nobility of England. But with what result? Why, at the very hour—the very moment when the Commons of England were engaged in the investigation of that heinous offence—at that very hour and moment, the King of England was desecrating the venerable temple of Westminster, by bestowing upon that Governor the highest honour the Crown of England could confer. But it may be said that the circumstances of our country, nay, its very poverty, (I have heard less tenable arguments urged,) sufficiently protect us from the iron grasp of rapacity, and that such instances as I have adduced, are therefore unimportant. Let us then contemplate the enormities of the immediate successor of that Governor of the Indian Empire of England, for the purpose of satisfying ourselves whether the responsibility of the head of the Executive Government to the people of England, on which we are asked to rely, can be justly regarded as any guarantee of our rights. Look then at Warren Hastings," &c. "Let us then hear no more of our insignificance in this our struggle for freedom. No man, no body of men, contending for liberty can ever be regarded as insignificant. Such a spectacle is insignificant only to the coward slave, who knows not wherein the true dignity of man consists. (Hear, hear.) It will be hailed by every true-hearted Englishman as a spectacle the most significant. He will rejoice to see the budding forth of those seeds of liberty, which it is the glory of England to have planted over the globe. (Cheers.)"

Every word of these quotations (as long as they are) is emphatic and full of meaning. Let the reader ponder them carefully. Apart from mere military occupation, (a great expense to England, and a corresponding source of gain to Canada,) apart from feelings of affection and friendship—these sentiments of the Toronto Associationists cut asunder the only *political* tie which unites Canada to England. If the head of the Canadian Executive is not responsible to England, then is he an independent potentate, and Canada is an independent sovereignty. The resolution of the House of Assembly of September, 1841, which says, "That the head of the Executive Government of the Province, being, within the limits of his Government, the Representative of the Sovereign, is responsible to the Imperial authority alone," is declared by the Toronto Associationists to be incompatible with liberty, to be fit only for slaves; and they repudiate the desire,—nay, they refuse to submit to any other than

this *independent* connexion with England—the friendly connexion which the “freemen” of the United States highly value and earnestly maintain with the people of England, and by virtue of which they have obtained large loans from British capitalists.

I shall not stop to *argue* the doctrine of the above quotations ; I merely adduce them as proof demonstrative that the doctrine of *independence*, (as I stated in my introductory address to the people of Western Canada) is involved in the proceedings, and has been inculcated under the auspices of some of the late Counsellors. Neither will I reply to these imputations upon the Sovereign and people of England ; they are the mere repetition of what PATRICK HENRY used to say, from whom Mr. Blake seems to have borrowed a considerable portion of his speech, and the animus of the whole of it. The Toronto *GLOBE*—the organ of the Association—breathes out the same denunciations against the Ministers, Parliament, and people of England, and the same denial of the Imperial authority to judge of those very resolutions which recognize the responsibility of the head of the Canadian Executive to that authority. In the *Globe* of the 4th of June, (it should have been dated 11th July,) the Editor quotes the paragraph of my *introductory address* in which I have stated the Imperial authority to be the legitimate tribunal of appeal on a question of the constitutional prerogative of the Crown, which, beyond all doubt, involves an Imperial interest of the highest and most sacred character, as well as acts for which the Governor-General is responsible to the Imperial authority alone according to the resolutions of 1841 ; that the Imperial authority had virtually decided in favour of the Governor-General ; that Mr. Baldwin practically renounced the authority of that tribunal, by refusing to appeal to it, and by appealing, through the Toronto Association, to the people of Canada ; to which the *Globe* thus replies :—“ We demur to the fact of a decision having been given. No official document has yet affirmed it ; and if it were the case, we deny the right of the Executive Government to interpret the resolutions of 1841. We hold that these resolutions are more binding than an ordinary act of Parliament. They received the sanction of both Houses of the Legislature of Canada, and of the Governor-General, and were afterwards assented to by her Majesty. The Executive Government is not an expounder of an act of Parliament. That can only be done by a court of law, on the application of the parties having a right to be heard. The Provincial Parliament would consider it unbecoming their dignity and responsibility to apply to a court of law to interpret these resolutions, far less to call for a decision from the Executive Government, in regard to them. These resolutions have become the property of Parliament, and of the people of Canada, and they must be adhered to in their literal and common sense.

meaning, *the Rev. Egerton Ryerson notwithstanding*. It is the business of the Houses of Parliament to be their own interpreters in matters relating to their own privileges."

Such is the argumentation by which the organ of the Association would overthrow my position; and such is their denial of the Imperial authority to judge in the matter. I will examine for a moment the statements and reasoning of this Association expounder of the British Constitution and law. In the first place, I had not said that the *Executive Government* had the right to give a final judgment in the case. It answered the party purpose of Association for the *Globe* to pervert my words, which implied the *reverse* of what that organ represents. My words were, "Then, *one branch* of the Imperial authority—the Crown, with the advice of a ministry jealous of their rights—has decided in favour of Sir Charles Metcalfe's construction of the constitutional prerogative. There is no reason to believe that the *British Parliament* will decide differently from her Majesty and her advisers. Are the people of Canada then prepared to resist the decision of the Imperial authority? It is no longer a question between Mr. Baldwin and Sir C. Metcalfe, but between Mr. Baldwin and the Imperial authority."

When I wrote this paragraph (the last week in May,) a despatch from England had been received expressing the approval of her Majesty of Sir C. Metcalfe's conduct; and her ministers had announced to the Imperial Parliament their approval also; and the late debate in the House of Commons has evinced the correctness of my anticipation, that the Parliament would not decide differently from her Majesty and her advisers. Then as to the *fact*, that the resolutions of 1841, have received the sanction of both Houses of the Canadian Legislature," it happens to be another *lapsus lingue* of the *Globe*. They were never brought before the Legislative Council. Then as to the *Globe's law practice*. Is not that tribunal to interpret the law, which the law makes the judge in the case or cases provided for? The Court of Queen's Bench interprets the law in cases which come within its jurisdiction. So the *Globe's* act of Parliament—the resolutions of 1841—makes the "Imperial authority alone" the tribunal to which the head of the Canadian Government must answer for his conduct. Must not then the "Imperial authority alone" interpret the law in the case in which the "Imperial authority alone" has power to decide? It is by such prevarication and trash that the Toronto Association organ imposes upon a portion of the Canadian public. The only point in his remarks worthy of grave notice is, his denial—with Mr. Blake and the Associationists—of the authority of the Imperial Government, which constitutes the only link of constitutional connexion between Great Britain and Canada. This denial he repeats, and adds several paragraphs

of abuse against Great Britain herself. I have not room to quote these paragraphs at large; I will give the first sentence of each of three of them, from which the reader can judge of their import and tendency:—"We deny that the government have a right to recal, or to interpret these Resolutions without the consent of the Canadian Parliament." "The British Government has often done wrong—glaring wrong." "Britain can be unjust, and she has shown it." To which I will add the following delectable sentence—"It will require heavier metal and clearer heads yet than the Rev. Egerton Ryerson to defend the present Government for their late treatment of Canada."

Now, aside from these denials of the authority of the Imperial Government, and the responsibility of the Governor General to that authority,—and especially in connexion with them—what is the object of these imputations upon the Sovereign and people of England, made by Messrs. Blake and Brown, amidst the cheers, or under the auspices of late Counsellors and the Toronto Association? Is it to make the people of Canada respect Great Britain more? To increase the confidence and attachment, and strengthen the connexion between Great Britain and Canada? These denials and imputations speak a language that cannot be misunderstood, and contain a moral which cannot be mistaken. The reader requires no assistance from me to enable him to read the one and interpret the other.

In view of the facts, therefore, which I have thus adduced, I infer "That the proceedings of several of the late Counsellors, since the prorogation, have been unprecedented—enervating, if not destructive of legal government—calculated, though not intended, to weaken and sever the connexion between Canada and Great Britain; that the present course of hostility against the Governor General and her Majesty's government, by some of them, must be attended with injurious if not fatal consequences."

I cannot in this place omit referring to another circumstance in connexion with the proceedings of certain late Counsellors and the Toronto Associationist reformers. The reformers of former years petitioned and remonstrated against *Legislative Councillors* even voting at an election, or attending any sort of political meeting. But the Toronto reformers of the present year, solicit their attendance at the current meetings of a political association, and Mr. Baldwin congratulates them upon the appearance of such personages in such a place and for such purposes, as forming a new epoch in the history of Canadian reform! This is another instance (in addition to those which I have adduced in the preceding number) in which the old repudiated anti-reform policy of high ultraism has been adopted by the reformers of the Toronto Association. It is indeed a new epoch in our constitutional history, and an unenviable one too, to see *Peers* attending meetings of popular agitation. Their constitutional position is

that of *umpires* between the crown and the people, and not the office of Mr. Roebuck's "democrats." It was less surprising to find an avowed "notorious whip" executing the functions of such an office, than to see him finding his way into the Legislative Council; but it was surprising to see so amiable a man as the Hon. Adam Ferguson caught in such a place. (On seeing his name in so strange a connexion, I was satisfied that his kind and ingenuous nature had been imposed upon with a view, if not of making a "stool pigeon" of him, at least using him as a "tool" for party purposes, and that his honest heart could not sympathise with the spirit and anti-colonial-connexion doctrine cherished by the Toronto Associationists, and so explicitly avowed by Mr. Blakq. On afterwards meeting with Mr. Ferguson's speech in the *Kingston Chronicle*, my first impressions were confirmed. The *animus* of the association is wanting in that speech. It indicates large mistakes as to many of the circumstances involved in the question of difference between Sir Charles Metcalfe and his late Counsellors; but it abounds in appropriate expressions in regard to the Sovereign and her representative, and bows constitutionally to Imperial authority. Mr. Ferguson said—"The reformers of Canada will not be goaded into unconstitutional acts. They await in confidence the award of the British government and of the British parliament—and I do verily believe, for one, they will reap their reward. [Hear.]"

The Toronto Associationists have already received the "award of the British government," and virtually "of the British parliament;" and, with Mr. Ferguson, "I do verily believe, for one, they will reap their reward." Mr. Ferguson and other good subjects, who have been unwittingly drawn into the Toronto Association, will doubtless be satisfied with and support the "award" of the Imperial authority—though the journals of the association kick against both the "award" itself and the authority which has made it. It is pleasing, however, to observe that such are not the sentiments, and such is not the spirit of reformers in other British Provinces. The "award" is declared to be all that the constitutional reformers ought to desire—all that the reformers of Nova Scotia ever asked for. The Hon. Joseph Howe has the following remarks in the *Nova Scotian*, on the late debate in the Imperial Parliament:

*Imperial Parliament Debate.*—When the Packet arrived, there was a great deal of exultation over Charles Willmer's report of the Debate on Canadian affairs, in which it was supposed that Lord Stanley had negatived the principles of Responsible Government, as understood and acted upon in this Province. We thought it strange that this should be the case, and sat down to a full report in the *Times*, with some forebodings of mischief—some anticipation of a recurrence to the antiquated errors, and

the old intolerant spirit of which these Colonies, in former times, had so much reason to complain. As we advanced, we were agreeably surprised to find Lord Stanley reading Lord Durham's report, and Lord John Russell's Despatches, and boldly avowing his concurrence in the principles, as acted upon in Nova Scotia for the last four years. What he objects to is :

"1st. The restriction of the prerogative in all internal affairs, and

"2d. The demand of a stipulation from a Governor, as to the mode in which he should, in all cases, exercise the prerogative in the distribution of patronage.

"No attempt has ever been made, in Nova Scotia, to do either of those things to which Lord Stanley objects.

"The whole tone of this debate is excellent—the sentiments throughout will be regarded with satisfaction by those who seek, and have ever sought, nothing more than the practical application of the principle of responsibility, with entire security to public liberty, and the vigorous exercise of all the royal prerogatives."

It now only remains for me to recapitulate the several instances in which the late Counsellors have departed from British usage.

1. It was contrary to British usage for them to remain in office twenty-four hours, much less weeks or months, after the head of the executive had performed acts or made appointments which they did not choose to justify before parliament and before the country.

2. It was contrary to British usage for them to complain of and condemn a policy or acts to which they had become voluntary parties by their voluntarily continuing in office.

3. It was contrary to British usage for them to go to the Sovereign to discuss principles and debate policy, instead of tendering their resignations for his past-acts.

4. It was contrary to British usage for them to demand of the Sovereign an exposition of his intended future policy, much more to demand from him an understanding or engagement that his policy should be such as "would not be prejudicial to their influence."

5. It was contrary to British usage for them to carry on such a negotiation with the Sovereign without furnishing him with their propositions and demands in writing. Lord Stanley's apprehensions on account of their not having been compelled to do so, have been fully realized.

6. It was contrary to British usage for them to resign on account of any alleged theories or opinions entertained by the Sovereign, instead of resigning upon his specific act or acts.

7. Finally, it was contrary to British usage for them to come before parliament with an explanation of the grounds of their resignation, without having the concurrence of the Sovereign in the facts of that explanation, much more to give an explanation in the teeth of the protest of the Sovereign, to impeach the principles of the Sovereign, and subsequently to get up political organizations against him.

I have thus finished the painful part of my task. I shall not leave the evils which I have pointed out without proposing a remedy. The proposed remedy, and the interests and duty of the people respecting it, will be the subject of my next and concluding number.

## No. 9.

It now remains for me to shew, "*That it is the duty and the interest of the people of Canada to maintain those views which they have always professed, and which Sir Charles Metcalfe has most explicitly and fully avowed.*"

What views the people of Canada have professed and Sir Charles Metcalfe has avowed, I have shewn in the preceding part of this discussion—especially in the *seventh* number. The practical operation of them in the administration of the government, and the practical maintenance of them by the people at large, involve the remedy for the evils which disturb the peace and impede the prosperity of Canada. In illustrating the efficiency of that remedy, I shall consider its application to the different departments of the government, and to the people generally. This includes the *Duty of the Governor General*—the *Duty of Executive Officers*—the *Duty of Legislators*—the *Duty of the People*. A few remarks on each of these topics will form my exposition of what I think ought to be the practical working of the established system of responsible government in Canada.

I. THE DUTY OF THE GOVERNOR GENERAL.—An ancient author remarks of the Roman Emperor Marcus Aurelius Antoninus, that "he appeared like some benevolent deity, diffusing around him universal peace and happiness." Such is the character of the present Sovereign of the British Empire; such should be the character of her representative in Canada. Such is his character in private beneficence; such it should be as the head of the executive. The government is established for the "greatest happiness of the greatest number"—for the equal benefit of the

entire community; the head of that government, therefore, should sustain a common relation to the whole of that community—like the sun in the firmament. He should not, therefore, be the head or the “tool” of a faction or party, or bound by or identified with faction or party, by “stipulation” or otherwise, in any shape or form whatever. It is a beautiful remark of Lord Bacon, that “The motions of factions under Kings ought to be like the motions, as astronomers speak, of the inferior orbs; which may have their proper motions, but, yet still are quietly carried by the higher motion of primum mobile.” I cannot state my own views on this subject—and the frequently expressed sentiments of the Governor General—better than in the words of the excellent GIBBONS *On the Duties of the Sovereign*. “To check as much as may be possible the spirit of party, appears to be one of the first duties and noblest employments of a King. To countenance it, is to encourage interested nobles and aspiring commoners, factious orators, needy and profligate adventurers, to associate into bands and confederacies for the purpose of obtruding themselves into all the offices of government: and under the name and garb of servants, of imposing on the monarch and on the people chains too strong to be broken. It is to proscribe men from employments, not because their characters are impeachable or ambiguous; not because their talents are inadequate or unknown; but because they are suspected of attending to measures rather than to men; to reason and to public good rather than to hackneyed watch-words and appellations; and hesitate an implicit allegiance to the chief, and obedience to every principle, of the political conspiracy. These are not the characteristics of a particular party, but of all party; and will be displayed in stronger or fainter colours according to the genius of the leaders and the circumstances of the times. Their prevalence at any one period not only endangers the final stability of the empire by dividing it into two conflicting portions; by perpetuating jealousies, animosities and feuds; by threatening the annihilation of patriotism and public spirit; but more speedily obscures the dignity and destroys the power of the monarch. Perhaps he may hope to preserve his authority by uniting himself with the ruling faction. But, as Lord Bacon says, ‘Kings had need beware how they side themselves, and make themselves as of a faction or party. For leagues within the state are ever pernicious to monarchies; for they raise an obligation paramount to the obligation of sovereignty, and make the King *tanquam unus ex nobis*’ (as one of themselves). A King, though he may be a member of a party, can never be the leader. That post will ever be filled by the bold declaimer whose influence commands the House of Parliament. All that is permitted to the Sovereign, no longer a Sovereign but in name, is to co-operate in forging his own fetters, and to endeavour to persuade himself that he is free; to be flattered by his

potent associates, when they are at leisure and in humour; to be menaced by them, when he dares to intimate disapprobation of their schemes; to be overawed by one part of his subjects, whom he denominates his friends; and despised by the other, whom he has forced to be his enemies.

“But when a Monarch (or Governor) considers himself as the *common father* of his people; when, *rejecting all distinctions not originating in personal merit*, he is ready to employ in the service of the state any of his subjects possessed of virtues and talents capable of furthering its welfare; it is difficult to say whether he ensures, as far as human conduct can ensure, more substantial advantages to his country, or more satisfaction, honour and authority to himself. Roused by his *impartial* call, public spirit revives in the remotest extremities of his dominions, prompting all classes of citizens to whatever exertions the general good may require. No individual is deterred from stepping forward in the common cause, by fear that, in consequence of inauspicious party connexions, his most strenuous efforts will be coldly accepted, his most important services forgotten. Political discussions no longer make one part of the family an enemy to the other. Harmony and confidence reign throughout the community, and afford the most stable security against attacks from abroad.”

Such is the kind of chief-ruler enjoined by the institutes of the inspired Jewish Legislator; such is the kind of chief-ruler that the people of Canada have already desired. That any considerable number of them should have been induced to band themselves together under the banners of the Toronto Association as enemies of Sir Charles Metcalfe for his insisting upon such an exercise of the vice-regal office, can only be accounted for from the fact—as remarked by the historian *de Thou*—that “nations, like individuals, are subjected to paroxysms of frenzy.” The President of a Board of Police in a village performs the duties of his office “without reference to party considerations,” and he is honoured for it, as is the Mayor of a city, or the Warden of a district; but the representative of the Sovereign—the fountain of honor and the supreme arbiter of justice in the country—avows the same principle of executing the functions of his high and responsible office “without reference to party considerations,” and he is proclaimed an enemy to the liberties of that country! He discountenances party exclusion, and he is set down as a *simpleton* or a *wolf*! But how does the hungry prowling *wolf* of party cupidity slink away before the solar majesty of equal justice and parental impartiality; and how does the faithless *simpleton* of party advocacy stand in its native worthlessness and degradation in the presence of a government harmonizing with that wisdom which is “without partiality and without hypocrisy!” It has been justly observed by Dr. Cooke

Taylor, in his *Natural History of Civilization*, that "*Exclusiveness is the principle of falsehood* in most of the opinions that have predominated over mankind;" the principle of falsehood against which the people of Canada have ever protested and prayed, and against which the representative of their Sovereign has solemnly objected, declaring, as he does in his protest, that "*all government exists solely for the benefit of the people*," and not for the "exclusiveness" of party patronage. Every just man is concerned that "the throne shall be established in *righteousness*"—that "the King shall reign in *righteousness*." Ambitious and selfish partizans alone are interested in having the King reign for *party purposes*. The people have more to expect from *righteousness* than from *exclusive party patronage*, apart from moral obligations human and divine. May "*justice* ever be the habitation of the throne" in the government of Canada!

II. THE DUTY OF EXECUTIVE OFFICERS.—If the end of government in a country is the happiness of the people, and if justice in the government is essential to that end, then ought the acts and counsels of the executive officers to accord with it. To exercise the power committed to them with a view to exalt one party and depress another, is a false and base view of the functions of their office. Though party may have placed them there, party is not the end for which they are placed there. Party may have contributed to make a man a President of a Conference, or a Moderator of a Synod, or Bishop of a Diocese, or Mayor of a Corporation; but in his office, he is not to play the part of a party man—to regard one part of the community over whom he is placed as his *friends* and the other part as his *enemies*—to cherish the former, and proscribe the latter. By whatever influence he may have been invested with his power, and by whatever influence he may be continued in possession of it, the *object* of that power is not *party*, but the *public good*, and he is selected as the most competent instrument to promote that end. For him to use his power for any other purpose is to betray the trust committed to him, and to pervert the very design of government itself. The Rev. Dr. WAYLAND, President of Brown University, United States, has the following just observations on this subject, in his sensible work on *Moral Science*—a work used as a Text Book in most of the American Colleges: "And not only is an executive officer bound to exert no other power than that committed to him; but he is bound to exert that power for no other purposes than those for which it was committed. A power may be conferred for the public good; but this by no means authorises a man to use it for the gratification of individual love or hatred; much less for the sake of building up one party, and crushing another. Political corruption is no less wicked, because it is so common. Dishonesty is no better policy in the affairs of state than in any other affairs; though men

may persuade themselves and others to the contrary.—He is not there as the organ of a section, or of a district, much less of a party, but of the society at large. And he who uses his power for the benefit of a section, or of a party, is false to his duty, to his country, and to his God. He is engraving his name on the adamantine pillar of his country's history, to be gazed upon for ever as an object of universal detestation."

What ineffable scorn does this noble language of an honest American Republican pour upon the democratic party patronage policy of the Toronto Associationists! Contrast the address of Mr. Hincks to the Electors of Frontenac and other publications printed by the Toronto Association—contrast what I have proved to be the real ground of rupture between Sir Charles Metcalfe and his late counsellors—with these immutable sentiments of justice, truth, and patriotism. Strange that in a Christian country in the nineteenth century, any considerable body of men should openly avow the principle which degrades and profanes the divine institution of civil government into a mere engine of political party. It is still more strange that this principle should be put forth as one article in the creed of men who had risen to the highest situations in the country by professing the principle of "equal justice to all classes and parties" in contra-distinction to the exclusive party policy by which Canada has in former years been governed, and by which one part of the inhabitants were made enemies to the other part—although the principle of the policy was so abominable in itself, and so utterly at variance with one of the first principles of civil government that it was never acknowledged in word. It was always admitted in theory, though violated in practice. It is probable that the principle of exclusive party patronage never would have been espoused as it has been, and a demand made upon the Crown to secure to a party the practical exercise of it, had not a vast amount of patronage been about to be placed at the disposal of the executive by the customs bill and certain other similar bills introduced into the legislature last session, and had not the long illness of Sir Charles Metcalfe's lamented predecessor reduced him to the condition of a mere signmanual or cipher in the government, and left it therefore entirely in the hands of a party without control or check. The unchecked exercise of party patronage for six months and upwards, was found to be a gratifying and advantageous accession of power to the leaders of a party, and it appears to have presented to them so golden a harvest as absolutely to have blinded them (as gifts blind the eyes of even the wise) to a fundamental article of their formerly professed creed, and to have allured them unconsciously and under the extraneous influence of party applications and threats, into the adoption of a contrary article, and at length into the avowal of it as a principle of government—especially through the lips of

Messrs. Sullivan and Hincks, who have been less remarkable for wisdom and prudence and consistency, than they have been for *zeal and ability*.

But the health and vigour and aristidean sense of justice entertained by Sir Charles Metcalfe presented a serious "antagonism" to this uncontrolled exercise of exclusive party patronage—especially in view of certain patronage bills pending before the Legislature, which had been prepared during the days of council supremacy and royal weakness, doubtless with the confident expectation that the authors of them would enjoy the uncontrolled advantages of the power which those bills conferred. They, therefore, seem to have hit upon the expedient of reducing by "stipulation" or "understanding" Sir Charles Metcalfe to the amanuensis or cipher condition to which Sir Charles Bagot had long been reduced by sickness. The expedient, however, did not answer the purpose anticipated, but produced an explosion which blew off and blew down its authors. To have come before the country upon this new policy of governing upon the principle of party patronage instead of the principle of equal justice to all classes of Her Majesty's Canadian subjects, would have blown them from the people as promptly as it had blown them from the Sovereign. They therefore, by another species of political alchemy, incorporate (as I have shewn out of their own mouths in previous numbers of this discussion) the hitherto exotic doctrine of exclusive party patronage as an element of responsible government itself; and thus go to the legislature and the country upon the principle of responsible government, and exhibit the representative of the Sovereign as an enemy to that system, notwithstanding he has, from the beginning, declared his undeviating adherence to it, and has, as I think has been proved to demonstration, recognized it as fully as his impugners themselves. Hence the anomaly of the present discussion. And hence the attempt by misrepresentation and party confederacy to beat down the most Catholic and impartial Governor that Canada ever had. Hence the cry, "up with Sir Charles Bagot, and down with Sir Charles Metcalfe," when of necessity the only virtue of Sir Charles Bagot during the last six months of his nominal administration was passive, as he was not up at all, could not get up, but his council alone were up; and the crime of Sir Charles Metcalfe was that he would not be down without being put down—that he would not be by consent what Sir Charles Bagot had been by disease,—a mere name for the use of his Council. Mr. BURKE says—"We know that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in turns to him who holds the balance of the state. The parties are the gamblers; but Government keeps the table, and is sure to be winner in

the end." But (as has been shewn in preceding numbers) one of Mr. Burke's "gamesters" in this instance was not willing to leave the "balance of the State" in the hands of the Sovereign, but claimed "balance of state," "table," "game" and all for themselves.

How strongly every principle of such partyism on the part of executive officers stands condemned by the above quoted passages from a sound headed American writer on Moral and Political Science, as also by the late Whig President of the United States in the words quoted in the preceding number. Let an enlightened English writer speak to the same effect on the *Duty of a Minister of the Crown*. Gisborne says—"In the disposal of honours and emoluments, the GOOD OF HIS COUNTRY WILL BE HIS RULING MOTIVE. That principle he will openly and uniformly avow; and will be anxious to exempt himself by all reasonable precautions from the suspicion of being influenced by the sinister allurements of ministerial or private convenience. There are few methods by which a Statesman can render more essential service to the community than by a judicious exercise of his patronage. Consistent simplicity of conduct on this point, manifestly combined with personal disinterestedness, will not only secure to himself rational confidence and esteem, and conciliate to his measures that general favour and approbation, which in the hands of an upright minister become the means of accomplishing the noblest and most beneficial designs; will not only contribute to excite every subordinate officer to a diligent and faithful discharge of his duty; but will tend to revive and invigorate public spirit in every part of the Kingdom; to call forth emulation in virtue; to diffuse an ardour of patriotism, which spreading through every class of the community, every department of the State, every branch of the public service, will produce effects truly great and glorious. There are likewise other advantages resulting from a steady adherence to this principle, of which he will himself reap the peculiar and immediate comfort. He will thus preclude his supporters from every ostensible plea for taking offence when their requests, improper in themselves, or unfit to be granted under existing circumstances, are refused; and deter them from preferring numberless claims, the rejection of which would have drawn upon him the resentment, and perhaps the active opposition, of disappointed pride.—In filling up inferior official situations, and in recommending persons to his Sovereign, when the post which he occupies authorises such a step, to be placed at the head of high executive departments, he will scrupulously make choice of men, whose abilities and attainments are suited to the functions which they will have to discharge. He will seek, he will encourage, he will reward merit, in whatever line it may be found, and in whatever situation it is employed!"

The operation of such principles and such a policy in the administration of the Government, would be like a well-spring of life to the country—to the virtuous principles and aspirations of its rising youth, and to the enterprize, harmony and happiness of all classes of its population; whilst a government propelled by the unhallowed stimulus of exclusive partyism, is like the burning lava of sterility and death, upon the best intellectual energies and moral feelings and social happiness of a community, emitting its volcanic eruptions in all the diversified forms of party association, party passion, party violence, party proscription, party persecution,—and not unfrequently party rioting, bloodshed and murder. When the life pulse of the government is partyism, it will beat to the extremities of the body politic, and partyism in every variety of secret and public combination, will spread throughout the whole population, and *statutes* themselves will be as cob-webs against its existence and even prevalence. When government announces party favoritism and party exclusion as the principle of its administration, it is itself no better than a political party confederacy armed with dreadful power; its oaths of secrecy are but the counterpart of the secret oaths of other political confederacies; its own policy would be serving the seed broad-cast, of which all party confederacies would be the legitimate fruit; it might even legislate against some of them, but itself would be the fostering parent of them all; party-policy being the rule of its action, party-spirit would be the life-blood of its existence, and with the death of that spirit would be its own dissolution; its moral power—the most essential means of good in a government—would be no more than the moral power of any other selfish party combination; the law in its hands would be felt as a tyranny, and the executive power an instrument of party despotism, only more regarded than any other party despotism, not because it was more just or virtuous, but because it was more powerful; under its sway not only would party combinations and societies, secret and public, increase and multiply, but the noisy worthless partizan would be the great man, and the intelligent worthy man would be the obscure man; party cunning would be the high way to executive employment, and virtuous industry the sure path of obscurity; and the teacher must apprise his pupils, that under the existing system of government they would not be encouraged, patronized, and rewarded, according to their virtues, their attainments, their abilities, their industry, their love of justice and law,—but according to their party confederacy, their party zeal, party skill, and all the arts and qualifications of the party gamester.

In illustration of the truth of these remarks, I appeal to the growth of party associations, secret and public, in Canada, since the hour when it was fully understood and acknowledged by the late counsellors, that party policy was their rule of Government. I appeal to the revival and the

character of party-spirit in the country, which is as the zephyr before the gale, in comparison of what will be, if such an unprincipled policy be substituted for the *principle of Provincial* policy in the administration of the government. I appeal to the party combinations and party manœuvres in those sections of the United States, where the executive power is only the breath of party, and where party is the mainspring in the whole machinery of government, where Lynch law triumphs over statute law, and mob power is stronger than executive power. I appeal to the late riots in Philadelphia—the natural spawn of an exclusive-party-policy-administration of the government advocated—to the moral weakness of the executive authorities there—the powerlessness of the law—the necessity and even inefficiency of military interference. I appeal to the sentiments and warnings of the late President of the United States, as quoted in the last number. I appeal to the denunciations of the above-quoted Dr. Wayland—to the testimony and the lamentations of the most able statesmen and writers, and most estimable characters in the American Republic. I appeal, finally, the unwitting testimony of the Toronto Associationists themselves. In the address of Mr. Hincks to the electors of Frontenac, which the associationists ordered to be re-printed and circulated by their agents, in illustration of the doctrine earnestly advocated, that “the vacant offices should be filled by men of their own party,” (p. 2,) a quotation is introduced, to show that the “distribution of patronage should be so wielded as to secure the active support of the friends of the government, and weaken the party of their opponents.”—(p. 4.) That quotation concludes thus:—“A man of ability in Prussia, without connexions, has a much better chance of getting on, if he devote himself to the public service, than in England; but at the same time, the chances of such a person being advanced are infinitely greater here, [England,] than in the United States. *In the latter, every thing is sacrificed to party considerations; and the most splendid talents and capacity to render great public services would never advance their possessor one step on the ladder of promotion if he happened to be of a different party from that in favour at the time, or to want party support.* The reason is, that in England Parliamentary influence predominates merely, whereas, in America it is everything; and everything must, in consequence, be made subservient to its support.”

Now, as to England, I shall presently adduce *fact* against *assertion*. But the operations of the party-patronage system must be vastly more marked and more baneful in Canada, than it is here exhibited to be in the United States as our *examples*. The population is much smaller here than there; and the number of offices much larger in proportion to the entire population; and they were greatly multiplied by the late Counsellors, and

proposed to be multiplied to a much greater extent. The violence and personality of party are increased in proportion to the smallness of the population, and the amount of patronage to be distributed for party purposes. This system, then, the rule of Government in Canada, and all hope is extinguished that the Janus temple of social war will ever be shut, or social peace ever be enjoyed. Between the rising youth of Canada and all promotion there is an impassable gulf, however "splendid their talents," or shining their virtues, or high their attainments, unless they can provide, and prove the possession of the additional requisite *bridge of political partizanship activity and partizanship interest*. And this apple of discord—this premium for partizanship—this offshoot of the worst species of democracy—this extinguisher of unobtrusive virtue and intelligence—this system of political and moral corruption—this blood-sucker of the religious and moral feeling of the country, is dignified as the "*essence of responsible government*"; and all who do not fall down and worship this golden image of party idolatry, are to be cast into the furnace of party proscription and execration, heated seven times hotter than it was wont in former days! Such a system will prove CURRAN—the gem of Irish intellect—an idiot. He said "I have known tumult and disorder to make many a rich man poor; but I never knew it to make a poor man rich." This newly advocated system of responsible government will indeed make a rich country poor, but it is the patent though unprincipled way to make poor political partizans rich. Under its operation *cunning* will be the desideratum for the public man, and moral *principles* will die, and with it will crumble the whole constitution of government; for, as the learned SCHLROEL, in his admirable lectures on the Philosophy of History, remarks—"At no time has a political constitution or mode of government been devised, which could permanently supply the place of *principle*." May the Ruler of Nations avert such a calamity from Canada!

For Sir Charles Metcalfe to be a party to such a system—much more the stipulated tool of it—would not only be violating the commands of his Sovereign, and the still higher commands of the King of Kings, and withering every verdant germ of Canadian excellence and hope, with the simoon blast of the evils above deprecated; but would be setting the seal of condemnation to his own appointment as Governor-General of British North America. In the late debate on Canadian affairs in the British House of Commons, Mr. Buller said that Sir Charles Metcalfe belonged to "the ranks of the opponents of Her Majesty's present government;" Lord Stanley said Sir Charles "was not a supporter of the present Ministry;" Sir Robert Peel said that Sir Charles was not even personally known to a single member of the present Government, until after his

recommendation to her Majesty as Governor-General of Canada. The emoluments of that office are larger than those of Secretary of State for the Colonies. The Ministry in England have many needy and office-seeking dependents and friends—noble and otherwise—to whom such an office would be an invaluable boon, and, who, no doubt regarded themselves as having strong political claims “for services rendered.” And, had Her Majesty’s Advisers acted upon the new and detestable article incorporated into the political creed of the late Advisers of the Governor-General, to regard their opponents as “enemies,” and fill up “all vacant offices with men of their own party,” then would Sir Charles Metcalfe not have been (as Mr. Buller expressed it) taken from the ranks of their opponents.” He desired not the office; he desired and needed not its emoluments; the office needed him; Her Majesty’s Ministers resolving (as Sir Robert Peel has more than once avowed, and as Lord John Russell declared, after the passing of the Municipal Corporation bill,) to recommend persons to office according to their fitness and merits, advised the appointment of one of their “opponents” in the person of Sir Charles Metcalfe. This is British responsible government, as practised by Her Majesty’s Ministers in the very appointment of the present Head of the Canadian Executive, and this is the true responsible government for Canada. Sir Charles Metcalfe’s peculiar fitness for the situation of Governor-General of Canada, was asserted even by Mr. Hume, and eulogized in the strongest terms by the late Counsellors themselves, at the commencement of the late session of the legislature, after they had had several months’ confidential intercourse with His Excellency. But Having changed their doctrine of Government, they have in a corresponding ratio, amazingly changed their language in regard to Sir Charles Metcalfe, and have done but little else in their speeches for months past, than attempt to falsify the words, which they themselves had employed in parliament, during the discussion of the answer to the Speech from the Throne at the opening of the Session. This is only another addition to the catalogue of their inconsistencies and self-contradictions which I have heretofore pointed out; whilst Sir Charles Metcalfe, true to the principles sanctioned by Her Majesty and her advisers in his own appointment—true to the equal rights and privileges of all classes of Her Majesty’s subjects in Canada—continues to maintain what the late counsellors advised Sir Charles Bagot to declare to the Johnstown District Council, that “*the distribution of the patronage of the Executive Government shall be confined to no particular section or party, religious or political.*”

That the patronage of government in England has been advised and used for party purposes—especially before the era of administrative and parliamentary reform—there is no doubt. Those were days of executive

corruption, and not of "equal justice" in the administration of the government. They are beacons of warning, not examples for imitation. The principle was always condemned by both statesmen and moralists—the same as profane swearing—even by those who were guilty of it; and the fact itself of such abuse of patronage was denied, except in cases where it was too shamelessly notorious to admit of denial. One minister of the British crown did indeed unblushingly avow the doctrine itself; but his name, in connexion with his celebrated maxim (the essence of the doctrine of the late Counsellors), that "every man has his price," is only remembered to be detested. Dr. PALEY, in his *Moral and Political Philosophy*, even ranks appointments to office according to qualifications amongst the *rights of the subject*. (Chap. X.) He says, "rights are perfect or imperfect. Perfect rights may be asserted by force, or, what in civil society comes in the place of private force, by course of law." In giving examples of "imperfect rights," he says—"appointments to offices, where the qualifications are prescribed, the best qualified candidate has a right to success; yet if he be rejected, he has no remedy. He cannot seize the office by force, or obtain redress at law; his right is therefore imperfect. Wherever the right is imperfect, the corresponding obligation is so too. I am obliged to prefer the best candidate, to relieve the poor, be grateful to my benefactors, take care of my children, and reverence my parents; but in all these cases, my obligation, like their right, is imperfect. I call these obligations 'imperfect,' in conformity to the established language of writers upon the subject. The term, however, seems ill chosen on this account, that it leads many to imagine, that there is less guilt in the violation of an imperfect obligation, than of a perfect one; which is a groundless notion. For an obligation being perfect or imperfect, determines only whether violence may or may not be employed to enforce it." Paley adds that a man who by *partiality*, "disappoints a worthy candidate of a station in life, upon which his hopes, possibly, or probability, depended, and who thereby grievously discourages merit and emulation in others, commits, I am persuaded, a much greater crime, than if he who filched a book out of a library, or picked a pocket of a handkerchief; though in the one case he violates an imperfect right, in the other a perfect one."

In this reasoning, it will be seen that candidates for offices have a right in proportion to their *qualifications* and *merits*; and that a corresponding obligation rests upon those who have the disposal of offices to make appointments upon that principle, similar to the obligation which exists between parents and children; and that to make appointments upon any other principle involves a species of dishonesty and injustice. It may also observe, that it involves dishonesty and injustice against the public as

well as against individuals. Offices are created, not for the purposes of party patronage, but, for the public good. The public therefore have a right to the employment of the best qualifications and talents (regardless of parties or party interests) in those offices. To use the patronage of those offices therefore for any party purposes is not only a perversion of them from the very design of their creation, but a wrong against the public. The late Counsellors have been compelled to admit this principle in respect to the office of magistrates. They have been compelled to declare that magistrates ought to be appointed without regard to party distinctions. And are not all other offices created for the good of the public at large as well as that of magistrates? And are not the other offices for the most part more burthensome upon the public than that of magistrates? And are not the public at large as much entitled to the full and impartial benefit of one public office as they are to that of another? In all probability, there cannot be more than one office holder to one hundred of the population. There are then the interests of ninety-nine to one in favour of having public offices filled according to qualifications and merit, "irrespective of party considerations." Neither the Sovereign nor the public have any interest in parties or party appointments. Partizans only are interested in party appointments; the public at large are interested in appointments according to qualifications and merits. Offices are created for the public at large, and not for partizans or parties. The whole theory, therefore, of party appointments and party patronage, is rotten at the very foundation. It is alike at variance with the fundamental principles of civil government and the first principles of morals. It is the original fountain of political corruption, and the death-knell of equal civil rights and privileges amongst all the members of a community. It is both the effect and the source of public corruption. It assumes that a people cannot be governed without this partial and therefore corrupt exercise of the patronage of the crown; and it makes them more corrupt. The emulations and pretensions of party to public favour, should, therefore, rest upon other grounds than that of party patronage. The sphere of their operations is *beneath* the throne—not *above* it. The exercise of their functions should not *taint* the *fountain* of honour, and justice, and law. That should be held sacred by all parties, and flow unpolluted by party to the humblest inhabitant in the land. The emulations of parties in regard to *patronage* itself should be, who shall advise its exercise most disinterestedly and most efficiently for the encouragement of virtue and intelligence—for the interest of the public service—for the discouragement of party contentions and divisions—for the promotion of peace and good will. Their emulations in regard to *measures* should be, who will devise and carry into effect the most numerous, most comprehensive, most simple, and most efficient measures for the good government of the

people, the advancement of the education, the morals, the enterprise, the agriculture, the commerce, the wealth, the happiness of the country. Upon these grounds and with these objects of honourable rivalry and mutual emulation, statesmen will, in exact proportion to their ability, skill, and success, command the confidence, support and gratitude of their fellow subjects, and be benefactors to their common country. This is my theory of patronage; this is my theory of the duty of Executive Officers; this is my theory of the practical working of "party government;" this, I believe, is the true theory of good government; whilst the vicious system of party patronage and party proscription is dangerous alike to the throne and the people, and the prolific parent of numberless vices and evils in a community. Lord BROUGHAM has well said (and the history of Canada proves it) that "Party undermines principles—destroys confidence in statesmen—corrupts private morals—unites sordid motives with pure—produces self-deception—destroys regard to truth—promotes abuse of the press—gives scope to malignant feelings—paralyzes the public councils—promotes treasonable proceedings."

III. THE DUTY OF LEGISLATORS.—The duties of a legislator are, in several respects, common with those of an executive officer. If it is the duty of the latter to advise measures and acts for the public good, without respect to party, it is the duty of the former to support them. If the executive counsellor, on being elevated to that position, should faithfully and impartially consult the interest and happiness of his country as a whole, and not regard one section of it as his "enemies" and the other section of it as his articulated confederates, the legislator should do the same. The representative of a county, or town, on being invested with that character by the major vote of his fellow freeholders, should lose sight of parties for or against his success, and be the faithful representative of his county or town, and not the mere agent of a party in it. It is not, however, my intention to write an essay on the general duties of legislators, but to advert to two particulars affecting them involved in the present discussion; namely, first their duty in preserving the constitution unimpaired, by maintaining inviolably the prerogative or rights of each branch of it—secondly, their duty respecting organized political parties.

It has been remarked by Dr. PALEY, that "There is one end of civil government peculiar to a good constitution, namely, the happiness of its subjects; there is another end essential to good government, but common to it with bad ones—its own preservation. Observing that the best form of government would be defective, which did not provide for its own permanency, in our political reasonings we consider all such provisions as expedient; and are content to accept as a sufficient ground for a measure, or law, that it is necessary or conducive to the preservation of the con-

stitution." One part of the duty of a legislator is, therefore, to preserve the Constitution. As in the removal of *one* corner stone, the whole edifice would be overthrown, so the weakening of one branch of our mixed constitution endangers the whole of it. The *Crown* is one of the fundamental pillars of the constitution; and without its prerogatives it is like Samson shorn of his hair, or like a body without life. To deprive the crown of its prerogatives; or, what is the same thing, to paralyse the exercise of them, is to convert our monarchical government into the worst kind of democracy—a democracy which embodies all the evils of ordinary democracies without their chief excellencies. Mr. Roebuck professes to be a democrat in theory—though he professes not by any violent means to apply that theory to England—but he does to Canada, as the reader will see from the appendix, No. 4. Mr. Roebuck is therefore, listened to with curiosity in the House of Commons. I myself heard him say, in commencing a speech in favour of establishing elective corporations in Ireland, that "he did so because it was *one step* towards carrying out those great principles of free government to which he bowed implicit assent." He, therefore, as their voluntary *patron* regarded it as no discourtesy or misnomer to term his *clients* in Western Canada, "democrats." He knew that their "stipulation" or "understanding," if sanctioned, would effect what I have shewn it did involve—democratic independence. But such is not the duty of a Canadian Legislator. The preservation of the monarchical constitution is one of his first duties at all times—and his first duty when any branch of it is invaded. On this point I will do no more than employ the authoritative words of Mr. BURKE to his Bristol constituents, and on an occasion too when, as he says, he received only *one Tory* vote, but was supported by the Whigs and Dissenters against a Tory candidate. The following are not only his own words, but his own *italics* and *capitals*: "The distinguishing part of our constitution is its liberty. To preserve that liberty inviolate, seems the particular duty and proper trust of a member of the House of Commons. But the liberty, the only liberty I mean, is a liberty connected with order; that not only exists along with order and virtue, but which cannot exist at all without them. It inheres in good and steady government, as in its substance and vital principle." "To be a good member of parliament is, let me tell you, no easy task; especially at this time, when there is so strong a disposition to run into perilous extremes of *servile* compliance or *wild popularity*. To unite circumspection with vigour, is absolutely necessary; but it is extremely difficult. We are now members for a rich commercial city; this city, however, is but a part of a rich commercial nation, the interests of which are *various, multi-form, and intricate*. We are members for that nation which, however, is itself but a part of a great empire, extended by our virtue and our

fortune to the farthest limits of the East and of the West. All these wide spread interests must be *considered*; must be *compared*; must be *reconciled*, if possible. We are members for a *free* country, and surely we all know that the machine of a *free* constitution is no *simple* thing; but as *intricate*, and as *delicate*, as it is valuable. We are members in a *great and ancient* MONARCHY; and we must *preserve religiously the true regal rights of the Sovereign, which forms the key-stone that binds together the noble and well-constructed arch of our empire and constitution.* A constitution made up of *balanced powers* must ever be a critical thing. As such I mean to touch that part of it which comes within my reach."

MR. BURKE quoted this last passage in his "*appeal from the new to the old Whigs*;" and on it made the following remarks, which ought at this time, to sink deep into the mind of every constitutional legislator in Canada. In this manner Mr. Burke spoke to his constituents seventeen years ago. He spoke, not like a partizan of one particular member of our constitution, but as a person, strongly and on principle, attached to them all. He thought these great and essential members ought to be preserved, and preserved each in its place; and that the monarchy ought not only to be secured in its *peculiar existence, but in its pre-eminence too, as the presiding and connecting principle of the whole.*

In every instance wherein an attempt has been made to subvert the monarchical part of the constitution, it has invariably been founded upon the pretext that the prerogatives of the crown had been unconstitutionally exercised; nothing is more easy than to get up a charge of the kind in relation to matters which have gone along in the ordinary way, and which have not been transacted with a view to so insidious and scandalous a proceeding as that which has been instituted against the Governor General. In the same way one half of the farmers and mechanics and dealers throughout the province might be proved to be rogues, because they had not in every instance rendered an account, and given a receipt, &c., &c., according to the technicalities of law. But in this case, I think I have shewn, that admitting even the extreme application of law which is known to be the worst species of tyranny, Sir Charles Metcalfe stands exonerated, and his accusers stand condemned. And never have the rights of the Canadian people been so fully recognized by their governor as in the replies of Sir Charles Metcalfe to addresses which have been presented to him; and never has the imperial government conceded so much and so cordially to the people of Canada, as in the late debate in the British House of Commons on Canadian affairs. Nothing but a deliberate and settled determination to pull the "key-stone" out of the arch of our monarchical government can justify the

present Toronto Association hostility against the Governor General and the supreme government of the empire.

The other point of legislative duty to which I beg to refer, relates to *political parties*. Days of political revolution, and days of political corruption and days of iron rule, are the days of plighted party organization. It is so with a neighbourhood; it is so with a town or city; it is so with a country. But as with a town or neighbourhood, so with a country, the days of mechanical, agricultural, commercial, and intellectual industry—the days of improvement, prosperity, and happiness, are the days in which the clangour of party faction is not heard—in which the social energies are in union instead of collision—in which individual independence is not impaired by party bondage—in which individual emulation, merit, intelligence and enterprise has free and unrestrained encouragement and scope of exertion. It is so in a family; it is so in a church; it is so in a province. In unity there is strength and in division there is weakness in a country, as well as in a church; and with as much reason might Mr. Baldwin talk about advancing the interests of a church by giving “a distinctively party character” to its annual assemblies and its local meetings, as to talk of advancing the interests of the country by giving “a more distinctively party character” to its legislative representation. Such doctrine may do very well for a party man who expects to be the head of a party, or a gainer by party—the same as some men advocate lotteries; but the sentiment is as unpatriotic as it is absurd. Never was a more gross political solecism uttered. And the party associations which certain ex-ministers have formed to elevate themselves against the Crown are of the same character. “Never were the remarks of that powerful advocate of popular rights—the late Rev. ROBERT HALL—on political associations, more applicable than in this instance: “Associations in this light may be considered as the finesses and tricks of the ministry. At present they are playing into each other’s hands, and no doubt find great entertainment in deceiving the nation. But let them beware lest it should be found, after all that none are so much duped as themselves. Wisdom and truth, the offspring of the sky, are immortal; but cunning and deception, the meteors of the earth, after glittering for a moment, must pass away.”

Can it then be the duty of a legislator to be the bond-man of party? Is it not his duty to be an independent representative of his constituents, and of his country, and judge of every act and every measure on its merits, and not be the horns, or the lungs, or the neck, or the belly, or the leg, or the tail, or the lap-dog, of any man, or party, to be at the option of his head, or the bidding of his master, as “party purposes” may require? In an old and extensive country—where all the institutions of

society are laid in the depth of ages and the administration of them in the usages and paramount authority of generations, and where every prerogative, and interest, and privilege, in the church and in the state, from the cottager to the Sovereign, is defined and settled by the common law of centuries, the collisions of party shake not the foundations of the empire—the sphere of their emulation lies by the avowal and interests of all parties within the fundamental institutions of the government ;—so that in some instances their different forces result in the increased velocity of administrative machinery, though in most cases in clogging its wheels, and on not a few occasions stopping its movements altogether. But the resistance and collision that would scarcely cause a jar or friction in the vastly powerful governmental machinery of an old and a great country, would rend to pieces that of a young and a feeble country. The differences or partizanship that would scarcely disturb a large congregation or church would scatter a small one to the four winds of heaven. But in Great Britain herself, parties are admitted to be evils in themselves, and are not, as far as I know, justified in the abstract by any authoritative writer on political science. The immensely varying majorities and minorities in both Houses of Parliament, shew how much individual judgment and independence are exercised, even where the existence of parties is acknowledged, where the great principles of government and public policy are thoroughly understood, and where the great majority of the House of Commons have avowed their preference for Sir Robert Peel and his colleagues as more competent and safe advisers of the government than Lord John Russell and his late colleagues. And at this moment in England (as stated by the last arrival) it is avowed as a doctrine by the advocates of free trade on the one hand and by a large portion of the Conservatives on the other, and illustrated by the example of the press—that they will act simply with a view to *principles and measures* without regard to men. When the Minister of the Crown is aware that he holds his place upon the ground of his general ability and integrity, and that his measures will be judged of according to their merits and adaptation to the country, he will be more vigilant, more circumspect, more just, and liberal, than when he grounds his strength and expectations of success upon the confederacy of party. The history of Canada proves that party policy and party legislation have been the sources of gross and numerous extravagancies, oppressions, and evils. In any country, and more especially in a new one, for a man to lay down party policy and party legislation as a theory of government, is to lay the axe at the root of the tree of public prosperity and happiness. Such a theory is alike dangerous to the stability of the Throne and the liberty of the Subject. Nor is it less favourable to the morals of public men. No legislator can long preserve his Christian feelings and principles unimpaired while he abandons

himself to the tortuous manœuverings of party. The following remarks of the Rev. T. GIBBORN should be treasured up by every legislator in Canada. "In order to preserve this principle of resolute and stubborn sense of duty at once pure in itself and efficacious in governing his conduct, let him resolve from the moment of his outset in public life to shun the snares of party. Let him learn to detect the hackneyed sophism, by which he will bear the sacrifice of every upright motive palliated and recommended; that a concurrence of many is necessary to the success of every plan; and that no man can expect the aid of others without being ready to make reciprocal concessions and compliances. Let him tell those who urge it, that to co-operate, is not to be a partisan; that co-operation asks no concessions but such as are consistent with morality and religion; that party requires her votary to violate, either expressly or impliedly, the dictates of both; to affirm what he believes to be false; to deny what he knows to be true; to praise what he deems reprehensible; to countenance what he judges unwise. Let him explicitly make known to those with whom he co-operates in political undertakings, that he is an independent friend, who will support them in every measure which he shall think equitable in itself, and conducive to the national welfare; not an articulated confederate, pledged to concur in proceedings which his judgment and his conscience disapproves."

In connexion with this theory of parties in the legislature and in the country, and party policy and party legislation, preparation is made for an organized opposition to the government, with a view to its embarrassment and overthrow, if possible, whatever may be its intentions and measures. And this is called "patriotism" and "love of liberty!" Rather should it be called *partyism* and the *grave of liberty*. On this point I would address every legislator—nay, every honest man in Canada, not in my own feeble words, but in the resistless language of one of the most ardent and eloquent advocates of civil and religious liberty to whom England ever gave birth—the late Rev. ROBERT HALL, who, so far from regarding such a doctrine and such a proceeding as patriotic and favourable to liberty, regarded it as a necessary measure of parliamentary reform, as the enemy of good government, and the death blow of liberty. In his great Essay "*On a Reform of Parliament*," Mr. Hall says—  
 "Freedom is supposed by some to derive great security from the existence of a regular opposition; an expedient which is in my opinion both the offspring and the cherisher of faction. That a minister should be opposed when his measures are destructive to his country, can admit of no doubt; that a systematic opposition should be maintained against any man merely as a minister, without regard to the principles he may profess, or the measures he may propose,—which is intended by a regular oppo-

sition,—*appears to me a most corrupt and unprincipled maxim.* When a Legislative Assembly is thus thrown into parties, distinguished by no leading principle, however warm and animated their debates, it is plain they display only a struggle for the emoluments of office. This the people discern, and in consequence listen with very little attention to the representations of the minister on the one hand, or the minority on the other; being persuaded the only real difference between them is, that the one is anxious to gain what the other is anxious to keep. *If a measure be good, it is of no importance to the nation from whom it proceeds; yet will it be esteemed by the opposition a point of honour not to let it pass without throwing every obstruction in its way.* If we listen to the minister for the time being, the nation is always flourishing and happy; *if we hearken to the opposition, it is a chance if it be not on the brink of destruction.* In an assembly convened to deliberate on the affairs of a nation, how disgusting to hear members perpetually talk of their connections, and their resolution to act with a particular set of men; when, if they have happened by chance to vote according to their convictions rather than their party, half their speeches are made up of apologies for a conduct so new and unexpected! When they see men united who agree in nothing but their hostility to the minister, the people fall at first into outrage and irresolution; till perceiving political debate is a mere scramble for profit and power, they endeavour to become as corrupt as their betters. *It is not in that roar of faction which deafens the ear and sickens the heart, the still voice of liberty is heard.* SHE TURNS FROM THE DISGUSTING SCENE, AND REGARDS THESE STRUGGLES AS THE PANGS AND CONVULSIONS IN WHICH SHE IS DOOMED TO EXPIRE."

IV. THE DUTY OF THE PEOPLE.—A few remarks on this subject, and I have done. The interests of the people, and their duty, are, of course, identical. What their real interest are, may, I trust, be easily inferred from the previous discussion.

1. In the first place, it is not the interest of the people to resist her Majesty or her Majesty's Representative in Canada. The interests and happiness of man require government; there can be no government without authority; that authority must be lodged somewhere; that authority involves a tribunal of ultimate appeal in all questions of dispute between any parties in the state. In regard to allegations against the head of the Canadian executive, the Imperial authority is the supreme and ultimate tribunal of appeal, as stated in the House of Assembly's Resolutions of September, 1841, which declare, "*That the head of the executive government of the Province, being within the limits of his government the representative of the Sovereign, is responsible to the Imperial authority alone.*" In all cases of litigation the unsuccessful as well as successful party must

abide by the decision of the legally constituted tribunal of judgment in such cases. To resist such a decision is to renounce the authority of the tribunal which made it. Is it the interest of the people of Canada to resist the decision which the Imperial authority has pronounced in favour of Sir Charles Metcalfe, and condemnatory of the allegations of his accusers? Are the people of Canada prepared to sustain a resistance if commenced? If not, ought they to commence it? This is the alternative—to resist or submit. And this is the point at which the question has now arrived. The chairman of the Toronto Association himself (in a printed letter) thus explains the responsibility of the Governor General, and thus anticipates the present position of the question at issue: "The Governor General fills a two fold capacity; *first*, that of representative or deputy to the Sovereign, for the exercise of those prerogatives of Royalty, with which he may be entrusted, and which by reason of the personal absence of the Sovereign, can only be performed by deputy; and *secondly* and emphatically, that of the minister of the crown in the colony, personally to watch over and control the local administration of public affairs, and see that the colonial authorities do not infringe upon Imperial rights of interests. In both these capacities he is responsible to the crown, and obnoxious to impeachment in Parliament, should he fail in the important functions thus confided to him." "In an independent state, the Sovereign is under greater restraint than the Governor of a Colony, but the difference is one of degree; not of character. In either case, where a difference arises, it becomes at once a question, whether the difference be of sufficient importance to enter upon the conflict which must necessarily arise, where two parties firmly adhere to their respective determinations. In an independent state, such pertinacity may bring about a revolution and the dethronement of the Sovereign. In a colony it may lead to a state of perpetual and continual irritation, which may end in the ultima ratio of all human affairs." That is, a resort to arms.

This is strictly constitutional doctrine. It admits all that is involved in my argument on this point in the preceding number. It admits that the Governor has more power in the colony than the Sovereign has in England, because of his greater responsibility, and because he combines in himself the power of the minister with the prerogative of the Sovereign. But how has the *practice* of the author of this quotation and of his fellow Associationists of Toronto contradicted his *theory*? In theory they here admit—though two months afterwards they and Mr. Blake contradict it—that the Governor General is responsible to the Imperial authority alone; they prefer certain charges against him for maladministration; but instead of bringing those charges with the alleged proofs of them before the Imperial authority for adjudication, they bring them

before the Canadian public. Their theory before the formation of the Toronto Association admitted *colonial connexion with England*: their practice, and theory also through Mr. Blake, since the formation of that association, asserts *independence of England*. And, as stated by the chairman of the Toronto Association himself, "*it now becomes at once a question whether the difference be of sufficient importance to enter upon the conflict which must necessarily arise!*" The Imperial authority has substantially decided; the only other tribunal of appeal is the *God of Battles—the chances of war*. Do the people of Canada regard the "difference of sufficient importance" to make this appeal? To enter upon this "conflict?" If not, ought they to countenance or become committed to the agitations and associations which are the essential preliminaries to such a conflict? I believe they ought not, and especially for two amongst many reasons. *First*, the Imperial authorities have done no more than they have a constitutional right to do. They pass no *stamp act*; they invade no Canadian right; they decide upon facts, of which the responsible government resolutions of 1841, make them the judge. To resist them, therefore, cannot be justified in the sight of God or before the world. One of the late Counsellors, and those who admitted him as their organ, have heretofore acknowledged submission to an inferior tribunal in regard to even the theory of responsible government itself—the prating of Mr. Blake about "eternal justice" and the shouts of the Toronto Associationists to the contrary notwithstanding. In the first number of *THE EXAMINER*, July, 1838, Mr. HINCKS, after stating that the object of his paper was to lay before the Earl of DURHAM the views of Reformers on the question of Responsible Government, said—"If after their views have been submitted, and duly considered, it should appear to his Excellency, the High Commissioner, inexpedient to recommend their adoption, *we trust all agitation on the subject will be dropped, and that those who cannot with comfort to themselves live happily under the institutions which shall be established, will peaceably leave the Province and settle where they can enjoy institutions more congenial to their wishes.*" If the decision of a High Commissioner was in 1838, to be final as to the theory of responsible government itself, ought not the decision of the authority that appointed that Commissioner to be final in 1841, in regard to certain facts relative to the working of that system—facts which the very document that embodies it refers to the decision of the Imperial authority? There would not have been a moment's hesitation on the subject—not a voice raised against it—nay it would have been received with acclamation—had not rapid strides been made on the road to independence, since 1838. But since the Imperial authority has decided the question, I may perhaps be permitted to say in the language of Mr. Hincks, "*we trust all agitation on the subject will be dropped, and that those who cannot with*

*comfort to themselves live happily under the institutions which shall be established, will peaceably leave the Province and settle where they can enjoy institutions more congenial to their wishes."*

*Secondly*—I believe the decision of the Imperial authority ought not to be resisted by the people of Canada, because it grants all that they have asked for. They have asked for responsible government, according to the resolutions of 1841. The imperial authority grants it without reserve. With those resolutions, however, the Toronto Associationists seem not to be satisfied. To those resolutions they have added Lord Durham's Report. In their proceedings, they have insisted upon the resolutions of 1841 and Lord Durham's Report. Why did they not think of this in 1841? Are they to change their ground and claims as often as they please? Up to the time of the late resignations, they asked for nothing more than the resolutions of 1841; but since then it has been found that those resolutions did not by any means cover the demands made by the late counsellors; and to make any tolerable excuse for some of those demands, they must go beyond the Magna Charta resolutions, and isolate some passages from Lord Durham's Report. But it should not be forgotten that whilst the Imperial Government unhesitatingly assent to the resolutions of 1841, they have assented to Lord Durham's Report only in connexion with the limitations laid down in Lord John Russell's Despatch of October 14, 1839. Lord Durham explained the theory; Lord John Russell added the securities required in its safe practical working. What the supreme authority has joined together, is not without authority to be put asunder. Under that despatch Mr. Baldwin took office in 1840; to that despatch Mr. Sullivan unequivocally subscribed, as I can prove to demonstration if required; and with that despatch the present newspaper organs of the Toronto Association expressed themselves satisfied at the time of its publication. The following is an editorial paragraph which I inserted in the *Christian Guardian*, April 8, 1849:—"The Editors of the following papers have already expressed themselves satisfied with the recommendations of Lord John Russell's Despatch; namely, the *British Colonist*, the *Patriot*, the *Examiner*, the *Mirror*, the *Commercial Herald*, the *Hamilton Express*, the *Niagara Chronicle*, and the *Montreal Gazette*. The *Examiner* (Mr. Hincks') pronounces the despatch '*the full concession of responsible government, as he has always understood and advocated it.*' This is an extraordinary statement; but we are pleased that our contemporary is satisfied. We have been told that Mr. Attorney-General DRAPER is also satisfied; and we have heard it stated that Mr. BALDWIN read the despatch before he was appointed Solicitor-General. Thus are all parties at last agreed as to our future system of government. Then may 'past differences be forgotten' on all sides."

Such was the decision of *Reformers* as well as *Conservatives* in 1840, respecting the expositions of Lord John Russell's Despatch. In the *Guardian* of the 8th and 15th of April, 1840, I gave lengthened articles on that despatch, stating the several points of agreement and difference between it and Lord Durham's Report—what was granted and what was not granted. I was not so much charmed with it as was Mr. Hincks; nor could I express myself in so joyous language as did he and his Reform contemporaries. I did, however, bow to it in the following terms, and am not prepared, like the Associationists, to deny my own words, though I reserved the right of future freedom of remark on the subject:—"For the sake of peace, from dutiful respect, and under pledge of good government, we bow to the Royal decision; we do so frankly, openly, unequivocally, and calmly await the experiment of the Government remedy. We shall exercise our pleasure as to our opinion on the theory itself, and as to what we may say or do respecting it in future years; but for the present, we yield obedience to the mandate from the Throne; and will render the Governor-General's administration all the support in our power."

It is all-important that every man in Canada should not be mistaken as to the decision of Her Majesty's Government. That was stated by Lord Stanley, "in every word of whose statement (Sir Robert Peel said) I—and I am sure I speak their sentiments—and the rest of the Government entirely concur. Lord Stanley said that Her Majesty's Government concurred in Lord Durham's Report, as explained and applied in the despatch of Lord John Russell. Then Lord Stanley expressed the sentiments (sanctioned by the cheers of the house) of Her Majesty's Government thus, in reply to Mr. Roebuck:—"Now the hon. and learned gentleman had asked him (Lord Stanley) whether he entirely concurred in the views which had been taken by Sir Charles Bagot on the subject of Responsible Government, whether he would state explicitly to the House what his own sense of responsible government was? (Hear.) He would do so. (Hear.) By responsible government, he understood that the administration of Canada was to be carried on by the heads of departments enjoying the confidence of the people and of the legislature of Canada; and responsible to the legislature of the colony for the due exercise of the functions of each of their departments. (Hear.) Nay, more, he also understood by it that the Governor, in introducing and expounding measures for the consideration of the Parliament of Canada, should be guided by the advice of those whom he might have called to his council. But if the honourable gentleman asked him whether, by responsible government, he meant that the Governor was to be the mere machine, or passive instrument of any set of men or party in the colony, his answer was, that he could understand very well to what it might lead, but that

such a system was not consistent with constitutional government in a British colony, under the authority of a British Governor. (Cheers.) He therefore approved of the conduct of Sir Charles Metcalfe—(cheers)—in not agreeing to the terms which his council wished to impose upon him. Sir Charles Metcalfe, however, had laid down in express terms, his adherence to the resolutions of the third of September, 1841, to which the honourable and learned gentleman had adverted,—that the Head of the Executive Government was responsible to the Imperial authority alone, but that the management of the local affairs of the colony were only to be carried on by him, by and with the assistance of subordinate officers of the government. Sir Charles Metcalfe had, in the most express and explicit terms, adhered to the principle of the resolutions to which he had just adverted, and had said, in doing so, that he considered any other system of government, as impracticable in the Province of Canada.—(Hear, hear.) He (Lord Stanley) was not disposed to enter into the question whether responsible government was or was not the one most likely to conduce to good government, to conciliate the opinions of the people of Canada, or to enlist in the public service men of honesty, character, integrity and faith; *but the principle had been conceded, both here and in Canada, and to it Sir Charles Metcalfe had agreed.* The resolutions in question said that the Governor-General was to be responsible; but the hon. and learned gentleman would leave him without responsibility at Home, but an instrument in the hands of the Executive Council, and responsible to them. The two responsibilities might, by possibility, be exercised by mutual forbearance and good sense, on the part of the Governor and the other body; but let the principle of the hon. and learned member (Mr. Roebuck) be adopted, and the Governor could be nothing more than a mere agent in the hands of the Executive Council—(hear, hear)—and yet, at the same time, responsible at Home. This was practically absurd, for without power there could be no responsibility.”

I submit, therefore, that the Imperial authority has fully sanctioned responsible government, as desired by the people of Canada; and that every man and association should be rejected and avoided that persists in resistance against Her Majesty and her Representative in Canada.

2.—I would remark, in the next place, that the people can have no interest in perpetuating strife and contention. Party editors, and office-seeking partisans may gain by it; but the people will be as a picked goose, or a pillaged householder. The value of property is not increased by agitation; nor the transactions of commerce advanced by strife; nor the influx of immigration, or the investment of capital, promoted by commotion; nor are the interests of Religion extended by calumny, or its

spirit diffused by clamour; nor are the resources of the country, improved by collision, nor its laws best administered by confederacy, nor its energies strengthened by division. In every respect must the people be a loser, and the country a sufferer from strife and contention.

3.—Nor can the people advance their interests by ranging themselves under the banners of party leaders, and disputing about men. To contend for principles is patriotic; but the Home Government have avowed all the principles ever contended for; and to dispute about men—the only remaining topic of contention—is factions. The late Rev. Robert Hall has forcibly remarked that “*factions are founded on men*,” and that in contending for them, “*the people are candidates for servitude, and are ony debating whose livery they shall wear*.” The same writer, after noticing that in the early times of the Roman Government, there were disputes relative to the principles of the government between the patricians and plebeians, remarks—“in the progress of corruption, things took a turn; the permanent parties which sprung from fixed principles of Government were lost, and the citizens ranged themselves under the standard of particular leaders, being banded into factions, under Marius or Sylla, Caesar or Pompey; while the Republic stood by without any interest in the dispute, a *passive and helpless victim*.”

4. Nor can the interests of the people be advanced by countenancing party combinations, by advocating extreme measures, or by supporting extreme men. By extreme men I mean, those who are violent and reckless in their conduct, or who push good principles to extreme lengths. Of two men one may be violent in his manner, but moderate in his measures; the other may be very gentle in his manner, but extreme in his application of good principles. Neither is desirable, but the latter is by far the more impracticable and dangerous of the two. He is in politics what the bigot is in religion—a man of one idea, and that idea is all the world to him; and all the world is not too much to be sacrificed for it. Opinions with him are fundamental principles; and his principles are infallibilities—always equal in magnitude and alike inviolable.—By extreme measures I mean, measures or proceedings that destroy the equipoise of our balanced constitution; or that infringe constitutional rights; or that involve hazardous if not dangerous experiments; or that savour more of change than stability; or are founded upon party rather than general principles, or are promotive of party more than general objects; or that alter the landmarks or loosen the foundations of society. What I mean by party combinations cannot be mistaken. In looking over the statute book of Upper Canada, and in contemplating its history during the last twenty years, I cannot find or recollect a single measure that has been carried into effect or a single principle that has been secured by

party combination or by extreme proceedings of any kind. It is an instructive, though hitherto unnoticed fact, that every advantage which has been acquired, every concession which has been obtained, and every considerable step which has been made in the science of constitutional government in Canada has been effected by moderate measures, by moderate men, and in opposition or in the way of no thanks to extreme theorists or partizans; and that extreme parties and extreme party proceedings have formed the most serious obstacles to the progress of just and liberal government. From 1833 to 1840, the only liberalizing measure got through the legislature was the amended King's College Charter Bill—and that was accomplished by moderate men in the spirit of concession between contending parties. The political association that sprung up in Toronto in 1834, and its township branches, with the extreme men directly or indirectly connected with them, were as inimical to civil reform as they were to public morals and constitutional principles, and sowed and nourished a seed which produced a fearful harvest of rebellion in 1837. Opposite party extremes and violence were nearly as baneful during the next three years. Lord Sydenham owed all his success, and Upper Canada is indebted for all the benefit, to moderate Counsels and the support of moderate men against the opposition of extreme men—especially Mr. Hincks and his followers. In June 1841, the responsibility of ministers of the crown to the legislature was, for the first time in the history of Canada, announced first by Mr. Draper and then by Mr. Harrison, when both Messrs. Baldwin and Hincks were in opposition, and when Lord Sydenham's administration was supported by the moderate reformers in Upper Canada. It was while they thus evinced a candid and conciliatory feeling, and a manifest desire to co-operate with the Governor General and the Imperial Government as far as possible, that the British Parliament was induced to guarantee a loan at a reduced rate of interest which secures to the people of Canada many thousand pounds every year. And the Home Government have since been passing fiscal measures highly beneficial to the agricultural and commercial interests of Canada. When Mr. Baldwin during the third month of the session of 1840, not content with the declaration of ministers (all that had ever been made in England) introduced certain resolutions on the subject of responsible government, the result was rather to secure the power of the monarchy than to advance the influence of the popular principle, as was evidently intended. For while in the amended resolutions (written by Lord Sydenham) the responsibility of ministers to the legislature was not more explicitly stated than it had been months before, by Messrs. Draper and Harrison, another resolution explicitly provides for the Governor's responsibility to the imperial authority alone, had it not been for which, it is clear from the spirit of Mr. Blake and other Toronto Associationists, the

responsibility of the governor to the imperial authority would have been scouted in toto, and we would have been further towards the verge of independence than we are now. Had not the new idol of party patronage and party policy been enshrined as the presiding deity of responsible government; and had the late counsellors conducted themselves towards Sir Charles Metcalfe in the same spirit of liberality and justice that characterised their professions under Sir Charles Bagot, and marked the spirit and proceedings of Upper Canada reformers in regard to Lord Sydenham, Sir Charles Metcalfe would soon have proved as great a benefactor to Upper Canada as ever Lord Sydenham was, and as efficient a friend to Lower Canada as Sir Charles Bagot ever was, and we would now be in a happy and prosperous state instead of being convulsed by agitations and torn to pieces by parties. Canada owes all its evils to immoderate counsels and extreme men, and all its improvements to moderate counsels and moderate men, and by moderate men, I mean practical men—men firm in principle—just in counsel—provident and safe in execution. This subject affords materials for an elaborate essay; but I can proceed no further than these few references. It is not possible that the Home Government can feel encouraged or authorised to recommend investment or incur responsibility on account of Canada, when they see the chief persons in its government employing every means to render the connexion between it and England as nominal as may be; nor can they regard themselves as very decently treated when they are never referred to by Canadian Executive Councillors except in some such insidious terms as those contained in Mr. Baldwin's favourite phrase—"dusty shelves of the colonial office"—a phrase that indicates distrust and hatred, and is calculated to produce them both, and not attachment or respect for the Imperial Government.

And every man in Canada should mark the progress in the sentiments and feelings of these party combinations and proceedings. Little more than a year ago, the late Counsellors would advise the distribution of the patronage of the crown without regard to sectional differences "religious or political." Now it must be demanded to be distributed with special reference to these differences. A few years ago, Mr. Hincks and his friends would bow to the decision of a high commissioner even in regard to responsible government. Now, they resist the Imperial authority even when deciding on certain facts of which the constitution expressly makes it the judge. In January last, the chairman of the Toronto Association admits a two-fold responsibility on the part of the Governor General to the Imperial authority; in March, all responsibility on the part of the Governor General to the Imperial authority is denied under the auspices of the Toronto Association. It is thus that Mackenzie's associations advanced from step to step before 1837. It is thus that the prin-

principles of one year are rejected and trampled upon the following year; and no man beginning such a course can tell where he will land. The authors of the French revolution set out with sound principles, but finished their career of party combination and party improvement without any principles. The *London Quarterly Review* for March (article 'Revolutionary Tribunal') has the following monitory remarks: "No body goes so far as he who knows not where he is going." Robespierre and Marat's first steps in literature and in public life were by essays and speeches for the total abolition of the punishment of death: they became, within a few months, the most fearful professors of both the theory and practice of judicial murder that ever decimated mankind. The first decree (in 1789) that the National Assembly passed on the penal code, provided that capital punishment should in no case be followed by confiscation of property. The first decree (in 1793) of the National Convention, on the same subject, was, that in every case confiscation should inexorably follow; and it would be easy to shew that there was not one of the salutary principles of government advanced by the legislators of 1789, which was not by the most contradictory energy trampled under the feet of the legislators of 1793."

5. Finally, I submit whether the people of Western Canada can do better in 1845, in regard both to the representation and the executive council, than they did in 1841? As first minister of the crown in Canada, Lord Sydenham avowed the principles and objects of his administration, and in her Majesty's name, asked the people for their support. They did not range themselves under the banners of Mr. Baldwin and of Mr. Draper; but elected members upon the ground of their supporting or opposing the avowed principles and policy of the Governor General; and they selected the best representation that Upper Canada ever had. Let them do the same again. Sir Charles Metcalfe is not less liberal than was Lord Sydenham; nor is he less trust worthy.

In a late reply "To the Pastors and Delegates of the Congregational Churches of Eastern Canada," his Excellency said—"Being in principle an advocate for those blessings [of civil and religious freedom] and opposed to the political exaltation or distinction of any church over another, I aim at justice to all. I rely on those, to whatever denomination they belong, who are loyal to the Queen, and attached to the mother country, and who seek the welfare of this colony as an integral portion of the British Empire. I thank you for the assurance of your hearty support in every measure that may appear to you for the Divine glory, the public good, and the honour of the Saviour, whom all Christians must recognise and adore, as the Head of the Church. I do not desire support on other conditions; and I shall not wilfully sanction measures of an opposite character."

By giving Lord Sydenham and the persons whom he thought proper to select a fair and generous trial, they obtained responsible government, good measures, and important assistance from the Imperial Parliament—and a change in the persons of the administration when it was subsequently desired. Let them give Sir Charles Metcalfe and his advisers the same trial—judging by measures—and they will escape the rocks and shoals on which the constitutional ship is like to founder, and leave the way open for any man or men to be employed in the service of the country, without reference to past differences. If the administration thus formed, and granted—what the last administration asked for and were allowed—the common justice of a trial, should not redeem their promises and fulfil the expectations of the country, they can at any time be changed by a vote of the legislature. But a league or an attempt to oppose an administration upon other grounds than its measures, has always proved suicidal in Canada, however plausible the pretext, and is at variance with the very end as well as the first principles of civil government. An administration thus formed will not be established upon and incorporated by the party-plunder articles of league confederacy, but upon its merits—its honesty—its justice—its efficiency to promote the general good; of which every member of the legislature will be the independent watchman and the unbribed judge. It is thus that responsible government will have a fair field of successful experiment in a British colony; that the prerogative of the crown will be unfringed by stipulating demand or factious combination, whilst its exercise will be constitutionally checked and efficiently influenced on every side; that the precipices and gulfs to the brink of which party rashness and party cupidity have brought the country, will be escaped, and the current of affairs will be restored to a safe and constitutional channel; that an open career will be afforded to every public man to recover from any errors of the past into which he may have fallen, and advance according to his merits in the legitimate judgment of his fellow subjects; that the institution and system of education, from the provincial university down to the elementary schools, will be extended to all classes without distinction and upon equal terms; that the foundation will be laid—as far as it can be laid by human efforts—on which to erect the structure of public prosperity and happiness, to remove the withering curse of political party associations, secret and open, and, by healing the wounds which divisions and collisions have inflicted upon the country, to restore its health, revive its energies, husband its resources of intellect and wealth, and elevate its character.

I believe there is a plain path of duty before the members of the legislature and the people at large; and I submit to every candid man in Western Canada, whether the remedy which I have taken the liberty to

propose, and the line of duty I have attempted to mark out, is not preferable to the Toronto Association remedy and war-cry of hostilities against the Imperial and local governments and party collisions and proscriptions, amongst their fellow subjects throughout the length and breadth of the land?

I have written these papers, and I propose the question just stated, with all its unmeasurable weight of magnitude and importance, as a man who has no temporal interest whatever except in common with that of his native country—the field of his life's labours—the seat of his best affections—the home of his earthly hopes;—up to the present hour I have never received one farthing of its revenue. I know something of the kinds and extent of the sacrifices which are involved in my thus coming before the public. If others have resigned office, I have declined it, and under circumstances very far less propitious than those under which the late counsellors stepped out. But duty in regard to fundamental principles, has nothing to do with calculations as to personal profit or loss. I have no interest in the appointment of any one man or set of men to office, or in the exclusion of any other man or set of men from office. I know of but one chief end of civil government—the public good; and I have one rule of judging the acts and sentiments of all public men—their tendency to promote the public good. And my reply to the advocate of King's College Council, on the University question, evinces my readiness to oppose Mr. Draper as well as Mr. Baldwin, when any thing said or done by him is, in my judgment, after diligent research and serious reflection, dangerous to the public welfare, or inconsistent with the constitutional rights of any branch of the government, or portion of the community. I am as independent of Messrs. Viger, Draper and Daly, as I am of Messrs. Baldwin, Sullivan and Hincks; and I would apply the same rule of judgment to the sentiments and acts of the former, as to those of the latter. Nay, I might appeal to more than one instance in which the authority and patronage of a Governor did not prevent me from defending the constitutional rights of my fellow-subjects and native country; nor would it on this occasion, had I become convinced that the Governor was the invader instead of the defender of constitutional rights. The independent and impartial judgment which I myself endeavour to exercise, I desire to see exercised by every man in Canada. I believe it comports best with constitutional safety, with civil liberty, with personal dignity, with public duty, with national greatness. With the *politics of party*—involving the confederacy, the enslavement, the selfishness, the exclusion, the trickery, the antipathies, the criminations of party—no good man ought to be identified. I believe he cannot be so long and be a man of God. Thus to article and resign himself, will soon eat up the

spirit, if not sap the principles of his holy Christianity. \* Upper Canada contains the warning monuments of many such moral shipwrecks. May they not be multiplied! With the *politics of government*—involving its objects, its principles, its balanced powers, its operations—even against the encroachments of any party—every British subject has much to do. Civil Government, as St. Paul says, “is an ordinance of God.” Every Christian—every Christian minister—has something to do with every “ordinance of God.” He is not to see it abused, or trampled under foot, or perverted to party or sectional purposes; but he is to seek its application to the beneficent ends for which it was designed by our common Creator and Governor. Such have been the ends for which the people of Canada have long sought its application; such have been the ends sought by the Governor-General. By all, therefore, that is sacred and important in those ends, I believe “IT IS THE DUTY AND THE INTEREST OF THE PEOPLE OF CANADA TO MAINTAIN THOSE VIEWS WHICH THEY HAVE ALWAYS PROFESSED, AND WHICH SIR CHARLES METCALFE HAS MOST EXPLICITLY AND FULLY AVOWED.”

## APPENDIX.

### MR. RYERSON'S DEFENCE OF HIMSELF.

#### No. 1.—*The late Counsellors and the Wesleyan Methodist Church.*

To my defence of the Governor General against the attacks of the late Counsellors, I beg to add, in an Appendix, a few words in defence of myself against the attacks which the organs of those Counsellors have made upon myself—as much ingenuity has been employed to weaken my arguments by assailing me.

1. It has been objected that as a clergyman, I ought not to discuss political questions. To the references I have made in the foregoing discussion and elsewhere, I will add two remarks. (1.) I have been heretofore applauded for it by the very parties who now object to it. (2.) When I consulted a very eminent doctor of divinity in the Wesleyan Methodist connexion, in London, on the subject, previously to writing my letters on the affairs of the Canadas in 1836, he remarked, that whilst he deprecated any religious body having any connexion with secular party

politics, he thought that a minister who had been endowed by his Maker with talents, and possessed qualifications to discuss questions of government, was responsible to God for their exercise, as well as for any other means of public usefulness, when the general interests of his country demanded their use. The remark so far applies to myself and the present occasion, as to induce a satisfactory conviction in my own mind, that in my present humble effort I am performing my duty. And this is all I have to say on the subject.

2. The partizans of the Toronto Association have endeavoured to make the WESLEYAN METHODIST CHURCH a party to their proceedings against her Majesty's government and the Governor General. I had, and throughout the whole of the preceding discussions have, made no allusion whatever to any church. I have written as a British subject, and as such I have addressed each man in Western Canada. But, notwithstanding all this, an attempt has been made to array the Methodists as a body against me. An appeal was first made to the Conference, and since then to the members of the Wesleyan Methodist Church throughout the Province. Such politico-sectarian appeals are execrable; and they impose upon me the painful necessity (for which I am not responsible) of stating the sort of grounds the late Counsellors have to demand the support of the Wesleyan Methodists *as such*. (1.) As to appointments to the legislative council. A representation was made, between one and two years since, that the Wesleyan Methodist Church was entitled to a representation of at least two or three members in the legislative council; but though an addition of several members has been made to that honorable body, no member of the Wesleyan Methodist Church has been deemed worthy of a recommendation. (2.) Whilst a sprinkling of Wesleyan Methodist magistrates has been granted in some places, an extraordinary exclusion—I will not say gross partiality,—has occurred in other placés. I have been advised on good authority of the following facts in Victoria District: Mr. Baldwin was twice a candidate there. In the first instance, he was entertained and zealously supported by a Wesleyan Methodist magistrate. That magistrate declined doing either in the second instance. In both instances, it happened, that scarcely any members of the Wesleyan Methodist Church voted for Mr. Baldwin. Shortly after the second election a new commission of the peace was issued, and the name of the Wesleyan Methodist magistrate referred to was omitted, and not a member of the Wesleyan Methodist Church was appointed, whilst quite a number were appointed belonging to a hostile seceding party, and some who were appointed were noted only for the most ultra partyism and ignorance even of writing (I believe) their own names. But a non-writing man of the party was preferable to any

member of the Wesleyan Methodist Church not of the party, as a justice of the peace. The only Wesleyan magistrates in that district were appointed during the reign of the "Compact" party. (3.) *Not a member of the Wesleyan Methodist Church throughout the length and breadth of the Province has been appointed to any situation whatever of profit or emolument under the regime of the late Counsellors.* The huntsman gives a portion of the prey even to his dog, as well as applauds him for his services. The late Counsellors seemed to have considered smiles and words quite good enough for Methodist dogs, and that the *substantials* should be reserved for their betters—for the true party men, such as CROMWELL was specially careful to appoint to all vacant offices (and many were made vacant), when he was preparing the way to supremacy upon the subversion of the throne, and the annihilation of the House of Lords, and the transformation of the House of Commons for "party purposes." (4.) Though the Wesleyan Conference of last June a year brought, by a long and explicit address, under the consideration of the government the unsatisfactory state and the great injustice done to the Wesleyan body, from the present position of the Clergy Reserve question; yet no proceeding on the subject was ever heard of, whilst the remaining proceeds of the sales of those lands were being devoured by management. (5.) The Wesleyan Conference at the same time represented in another address, and by subsequent as well as previous communications, the *educational* interests and claims of the Wesleyan Methodist Church—that whilst each of three other religious bodies received nearly two thousand a year even for religious purposes—two of them more than two thousand pounds each, and one of them more than ten thousand pounds per annum from public sources, the Wesleyan Methodist Church received not a farthing for religious purposes, and only five hundred pounds per annum for purposes of education; that the government was bound in common fairness to increase that educational grant to at least a thousand pounds per annum. But the late Counsellors thought it not a "case of adequate importance" to require their advice or even notice. They could very well understand that their own services were of "adequate importance" to entitle them each to a thousand pounds per annum, and some of them to a good deal more; but they had no arithmetic by the rules of which they could reckon the entire educational labours and interests of the whole Wesleyan Methodist Church of any importance beyond the pittance of five hundred pounds a year—no considerations of "adequate importance"—no principles of equal justice or public patriotism—no capacity to conceive how the sum total of the labours of the entire Wesleyan body was equal in value to the sayings and doings of one of themselves—though the matter was urged upon them with all possible earnestness and importunity. When such was their estimate of the claims

and interests of the whole Wesleyan body, is it surprising that one Wesleyan should think that their services for that body were not of such "adequate importance" as to entitle them to any *peculiar* support from it, or to gag him on the subject of their public policy. (6.) Nor is this all. A more important fact remains to be stated. A question of great pecuniary importance has for several years been litigated between the Wesleyan Committee in London and the Wesleyan Conference in Canada. The advocate of the Wesleyan Conference received intimation as early as December, 1842, that Sir Charles Bagot's illness disabled him at that time from investigating the papers which had been submitted to him. At that time it was intimated by one of the late Counsellors, that if the advocate of the Wesleyan Conference would obtain the Governor General's consent to refer the papers on both sides of the question to his council, they would examine them and report their opinion and recommendations thereon for the consideration of the Imperial government. The consent of the Governor General was obtained, and the papers remained in the possession of the council until after his death; but after all, they never thought the question of "adequate importance" to engage their attention or call for their *advice*. An order from home at length directed the withdrawal of the papers; and thus the matter dropped. Had "*party purposes*" been involved, they would doubtless have considered the matter of "adequate importance," to demand the right of giving advice; but as it was only a question of law and equity effecting a large non-political religious body, they did not consider it of "adequate importance" to exercise their right of giving advice upon it, when it was referred to them! And in the University Bill itself, the Wesleyan Methodist Church was made the sacrifice—the ass of burden—for others. The bill added to the educational resources of the Wesleyan Methodist Church not one farthing, but took away its university charter. This the Victoria College Board stated at length; but instead of offering opposition to the bill whose general objects were important, submitted the circumstances and claims of the church on the subject to the just and honorable consideration of the government. Whether the late Counsellors ever thought those circumstances or claims of "adequate importance" to engage their attention, I have, of course, no means of knowing. It is perfectly clear, however, in addition to the six facts I have mentioned, that whilst three religious bodies in Western Canada have for many years received upwards of *fifteen thousand* pounds a year from public sources, the late Counsellors did not regard the Wesleyan Methodist Church of "adequate importance" to deserve a recommendation to CONTINUE even a temporary assistance for four years of more than *five hundred* pounds a year. I may therefore well say, in the language of a letter addressed to me many months ago by a leading member of our church, that "It is cer-

tain there never was an administration in Canada which has done less for the Wesleyan Methodist Church than the Baldwin administration."

These facts were frequently and earnestly conversed upon by prominent ministers and members of the Wesleyan Church long before the late resignation took place; but we determined not to bring them before the public, to regard the administration in respect to its general measures, and to make private communications respecting our own rights and interests; and that such communications were made again and again, in the strongest language, the late Counsellors well know. But as strong and as astonishing as these facts are, I have not so much as hinted at them from the beginning to the end of the foregoing discussion. Nor did I intend to do so. But the organs of the late Counsellors have sought to convert the Wesleyan Methodist Church into a political party for their support. They have thrown down the gauntlet; and I hesitate not to take up; and let the entire responsibility and consequence be with themselves. They seem to regard the Wesleyan Methodists as very good political "tools" at the time of a general election—very good hewers of wood and drawers of water in such an emergency—but of very inadequate importance when the claims of "equal justice to all classes" come to be balanced in the administration and policy of the government. The Wesleyan Methodists and christian men generally are not constituted or qualified to make very good party men; hence they generally come out minus in regard to the patronage of a party policy government. They are first to be merely corporals or privates in the "*Legion*" of party; to the *leaders* belong the "*spoils of the enemy*." The Wesleyans may indeed receive the patronage of office as captains or sergeants of *election bands*; but then the emoluments of those offices are, the acquisition of a party master, and their honour is, the privilege of "*wearing his livery*."

### No. 2.—*Mr. Ryerson's alleged "inconsistency" in defending the different Members of the Constitution.*

The constitution of Canada may be considered as consisting of four members. The Crown—the Legislative Council—the House of Assembly—the colonial connexion with the mother country. Each branch of it I have always regarded as inviolable, while every British subject in Canada was entitled to the equal benefits of its administration. Each branch has been successively attacked in Canada; each branch I have in turn defended. I will not now enter into a detail of particulars; I merely state the general fact. I could not argue upon each of these subjects upon the same grounds; I have therefore been charged *ad nauseam* with

inconsistency. All I shall say in self-defence is contained in the following extract from Mr. BURKE's "*Appeal from the new to the old Whigs*," in reply to similar charges preferred against him. In reference to myself I might style this extract an "*Appeal from the new to the old Reformers*." Mr. Burke says—

"In the case of any man who had written something, and spoken a great deal, upon very multifarious matter, during upwards of twenty-five years public service, and in as great a variety of important events as, perhaps, have ever happened in the same number of years, it would appear a little hard, in order to charge such a man with inconsistency, to see collected a sort of digest of his sayings, even to such as were merely sportive and jocular. This digest, however, has been made, with equal pains and partiality, and without bringing out those passages of his writings which might tend to shew with what restrictions any expressions, quoted from him, ought to have been understood.

"He who thinks that the British constitution ought to consist of the three members, of three very different natures, of which it does actually consist, and thinks it his duty to preserve each of those members in its proper place, and with its proportion of power, must (as each shall happen to be attacked) vindicate the several parts on the three several principles peculiarly belonging to them. He cannot support the democratic part on the principles on which the monarchy is supported, nor can he support the monarchy on the principles of democracy; nor can he maintain aristocracy on the grounds of the one or the other, or both. All these he must support on grounds that are totally different, though practically they may be, and happily with us they are, brought into one harmonious body. A man could not be consistent in defending such various, and, at first view, discordant parts of a mixed constitution, without that sort of inconsistency with which Mr. Burke stands charged.

"As any one of the great members of this constitution happens to be endangered, he that is a friend to all of them chooses and presses the topics necessary for the support of the part attacked, with all the strength, the earnestness, the vehemence, with all the power of stating, of argument, and of colouring, which he happens to possess, and which the case demands. He is not to embarrass the minds of his hearers [or readers], or to encumber or overlay his speech [or essay], by bringing into view at once, as if he were reading an academic lecture, all that may and ought, when a just occasion presents itself, to be said in favour of the other members. At that time they are out of court; there is no question concerning them. Whilst he opposes his defence to the part where the attack is made, he presumes, that for the just rights of all the rest, he has credit in every candid mind. He ought not to apprehend, that his

raising fences about popular privileges this day, will infer that he ought, on the next, to concur with those who would pull down the throne; because on the next he defends the throne, it ought not to be supposed that he has abandoned the rights of the people. If the principles of a mixed constitution be admitted, Mr. Burke wants no more to justify to consistency every thing he has said and done during the course of a political life just touching to its close."

*No. 3.—Mr. Ryerson's alleged inconsistency in respect to the Constitution, Party, Party Spirit, and Party Policy Government.*

[The extracts which are contained in this and in the following numbers of this Appendix, were written and published at a time when my writings were much approved of by Reformers, and not approved of by their opponents—when Mr. Baldwin was in private life. The following extract is part of my editorial prospectus on resuming the editorship of the *Guardian* in 1838. Every reader can judge whether it does not agree throughout on the points referred in the above heading with my whole doctrine in defence of the Governor General, and strongly confirm the argument of my ninth number on the subject of party inconsistency and injustice.]

*From the Christian Guardian, July 11, 1838.*

"To the very natural and important inquiry in relation to CIVIL AFFAIRS, do you intend to be neutral? I answer no, I do not; and for this simple reason, I am a man, am a British subject, am a professing Christian, and represent a British community. At one period of Greece, Solon enacted a law inflicting capital punishment upon all neutrals. The present is a period in the affairs of this Province in which no man of intelligence or consideration can be safely or justifiably neutral. The foundation of our government is being laid anew—the future character, and relations and destinies of the country are involved in pending deliberations—the last whisper of rebellion is to be silenced in the land. My decision, however, is not one of *party*, but of *principle*—not one of *passion*, but of *conviction*—not one of *partial proscription*, but of *equitable comprehensiveness*. To be explicit as well as brief. I am opposed to the introduction of any new and untried theories of government. As the organ of the Methodist Church, I assume that the doctrines and discipline of that church are true and right. I take them for granted as far as the members of that church are concerned, and expound and recommend, and act upon them accordingly. So in civil affairs. I assume that this country is to remain a portion of the British Empire, and view every measure, not in reference

to every or any abstract political theory, however plausible that theory may be, but in reference to the well being of the country in connexion with Great Britain. As in church affairs, I take my stand upon the constitution of the church, in its doctrines and rules as expounded by its fathers and ablest theologians, and illustrated by general usage; so in civil affairs, I take my stand upon the established constitution of the country, as expounded by royal despatches, and illustrated by the usage of the British Parliament, British courts of justice, and the common law of England. Nothing more is wanted to render this Province happy and prosperous, than the *practical and efficient* application to *every department* of our government, and to our *whole system* of legislation, of the principles and instructions laid down in the despatch of the Earl of Ripon, addressed to Sir John Colborne, dated 8th November, 1832, and the despatch of Lord Glenelg, addressed to Sir F. Head, dated 15th December, 1835. In the application of these great and admitted principles to the government of this Province, *I repudiate party spirit—party interests—party pretensions. Party spirit has been the bane and curse of this country for many years. It has neither eyes, nor ears—nor principle, nor reason. Its patriotism is pestilence, and both its loyalty and liberality are alike a 'baneful domination.'* In illustration, I advert to two circumstances, which will likewise afford me the opportunity of reminding the public of some instructive facts. A few years ago, becoming convinced that a certain member of the British Parliament [Mr. Hume] (who had been much looked up to in this Province, by myself as well as others) entertained views incompatible with our colonial relations to the mother country, and also that certain individuals among us were beginning to put forth sentiments and to excite a spirit of a revolutionary character—I gave intimation first of the former, afterwards of the latter. What did party spirit do? It combined eleven presses for my overthrow in a single week\*—the rest I need not repeat. It was in vain that I distinguished between *principles* and *men*—in vain that I adduced the advocacy and associations of my public life—in vain that I contemporaneously laid before the public my then recent correspondence with the Colonial office, on presenting a petition there to be laid at the foot of the throne, signed by some 20,000 inhabitants of this Province, in favour of the appropriation of the Clergy Reserves to the purposes of education—in vain that that correspondence contained what was deemed by all who read it the most satisfactory exposition of that great question that I had ever written—in vain that in that very correspondence the evils of what I termed in my letter to Mr. Under Secretary Hay, dated 20th July, 1833, "a family

---

\* Five out of the eleven Editors here referred to were implicated in the rebellion and invasions of 1837-8.

compact" in the Executive of this Province, were pointed out—all this was blown away by the whirlwind of party spirit, as dust before the blast of the hurricane, and I was posted from Sandwich to the Ottawa as a 'traitor,' a 'hireling,' as 'bribed' and self-sold to the high church, &c. &c. &c. That party slander has died a natural death—its originators and its most active abettors are fugitives (I forgive them with all my heart), and many others have personally and otherwise acknowledged me as their benefactor, in thus timely warning them to avoid a ruin into which others have plunged.

"Such was the liberality and patriotism, and justice of party spirit on the *one* side! Well, a few months ago, I became convinced that an individual [Mr. Bidwell] (with whom I was known to differ on some grave questions of local government) had been removed from this Province under circumstances involving the honour of the British crown and the sacred rights of British subjects. I privately communicated the facts to the proper quarter for consideration. A few weeks after, a totally false (in my judgment) version of the affair made its appearance in the public prints. I then determined publicly to reply, by publishing what I believed to be a true statement of the case. What was the result? *Party spirit* appeared again in its true character. It was in vain that I pointed to the difference between *facts* and *principles*—between the *rights* and *opinions* of an individual—in vain that I disapproved of the *latter*, while I held the *former* as the dearest earthly birthright of every British subject. I would not view with party eyes certain facts and circumstances. I was therefore proscribed at once as only fit for imprisonment and exile! In vain that I could refer to the example and instructions of a venerable father, who fought *seven years* and bled, to preserve the old colonies, now the United States, to Great Britain; who has faithfully discharged the duties of different offices under the British government from that time to this, who with his sons and nephews, as the heart of one man, rallied to the defence of this Province against foreign invasion and domestic traitors, during the late war with the United States—in vain that I could appeal to the testimonies of Mr. Attorney General Hagerman himself, and other persons high in office, as to the influence which they themselves have affirmed my publications (published and circulated in thousands by the Constitutional Society) exerted, in 1836, in returning a constitutional assembly—in vain that a very dear brother and myself had been selected as victims of bloody revenge by the rebels in the event of success—in vain that I could appeal to all the intercourse of my public and private life—this was all nothing in the eyes and judgment of *party spirit*, which has denounced me in every form of phraseology as a 'hypocrite,' a 'rebel,' a 'traitor;' yes, as having been 'deeply died in the late infamous conspiracy.'

"Such is the liberality and patriotism and justice of party spirit on the other side ! How destitute of honour, of justice, of truth, of consistency, is party spirit ! How worthless is party popularity ! How dangerous is party association ! How many pious members of the church has it unsettled, and prejudiced, and ruined of late years ! AND IT MAY DO THE SAME AGAIN. How unprincipled and unjust has a party government ever been, whenever and wherever it has existed ! And how unprincipled and unjust must it ever be !"

No. 4.—*Mr. Ryerson's alleged Inconsistency, in formerly Opposing, and afterwards Supporting Responsible Government.*

Mr. HINCKS, in his *Pilot* newspaper, has selected certain isolated passages from my London letters on Canadian affairs, written 1836, to prove that I have always been an enemy of responsible government. Were I disposed, I could adduce demonstrative evidence to prove that Mr. Hincks knew that his statement was unfounded when he made it. I will, however, adduce a kind of proof, more practical, and more interesting and instructive to the public, although not less agreeable to Mr. Hincks and some of his party. I will shew *what sort of responsible government they formerly advocated*, which I opposed. And here I will observe, that ever since Mackenzie returned from England, in 1833, there have been growing up in Canada, two sections or classes of Reformers—the one *Constitutional*, the other *Democratic* Reformers; but the line of distinction was never drawn between them until the rebellion of 1837—yet the sentiments were put forth and advocated long before that period. After the Union of the Canadas, these two sections or classes of Reformers became blended into one body; but still the *animus* of the two sections or classes remains. In 1837, the *Constitutional* Reformers were loyal; the *Democratic* Reformers rebelled. In 1840—1, the *Democratic* Reformers in Upper Canada, excited by Mr. Hincks, opposed Lord Sydenham; the *Constitutional* Reformers supported him. During the early part of the Baldwin administration, I believe Mr. Baldwin listened to the opinions, and acted according to the counsels of *Constitutional* Reformers; afterwards, I believe he veered to the councils of the *Democratic* Reformers, and at length fully adopted them. The *Constitutional* Reformers always advocated conciliation, and a government of equal justice, in patronage and measures; the *Democratic* Reformers have been the sticklers for party patronage, party measures, party vengeance on their opponents. The former have always respected the prerogative of the Crown, as well as the right of the subject; the latter have always been

seeking to weaken, and virtually to annihilate the prerogative. The former are what I have defined in the latter part of the 9th number to be moderate men—the latter, extreme men. I could adduce proofs and illustrations by dozens in support of these remarks. I will adduce but one, and that is the extract which follows—which was originally written in reply to the *Quebec Gazette*, who thought it not consistent for the Editor of the *Guardian* and other Constitutional Reformers, to approve of Lord Durham's Report on Responsible Government :

*From the Christian Guardian, June 5, 1839.*

"The question arises, what kind of responsible government was advocated in both the Canadas in 1835—6, and what kind of responsible government does Lord Durham recommend? Every man the least acquainted with science, theology, or general history, knows how many errors and disputes have arisen from the ambiguous use of words; every man the least acquainted with language, knows that the same words are used in very different senses, in different ages and countries, and by different sects and parties in the same age and country, and often by the same individual on different occasions. It is true a party in both the Canadas advocated 'responsible government' in 1835 and 1836; it is also true that Lord Durham has recommended 'responsible government' in 1839; but it is likewise equally true, that there is as much difference between the 'responsible government' advocated by Mackenzie and his associates in 1835—6, and Lord Durham's 'responsible government,' as there is between an independent democratic Republic, and a subordinate Limited Monarchy. If the *Quebec Gazette* will turn to the third letter on the affairs of the Canadas, published by 'A Canadian,' in London, in 1836, he will find the objects of the parties whose designs he opposes, stated—and stated in their own words. We will quote a passage or two. The following are some of the articles of the constitution of the Canadian Alliance Association, established in the City of Toronto, December 9, 1834, the principles and objects of which were never disavowed by Mackenzie and his supporters, although they modified their mode of proceeding :

"1. A responsible representative system of government, and the abolition of the Legislative Council, the members of which are nominated for life by the Colonial Governors.

"2. A written Constitution for Upper Canada, embodying and declaring the original principles of the Government.

"3. The abolition of the law of primogeniture.

"4. The control of the whole Public Revenue by the representatives of the people.

"5. To oppose all undue interference by the Colonial Office, Treasury, or Horse-Guards, in the domestic affairs of the colonists.

"6. The extinction of all monopolizing Land Companies.

"7. The vote by ballot in the election of representatives, aldermen, justices of the peace, &c.

"Mr. W. L. Mackenzie, M. P., Corresponding Secretary for the society and all its branches.

"Mr. Joseph Hume, M. P., and Mr. John Arthur Roebuck, M. P., Agents in London.

"Mr. E. B. Callaghan, M. P., (Editor of the Montreal *Vindicator* newspaper,) in Montreal.

"Clerk of the House of Assembly of Lower Canada, Agent in Quebec.\*

"Mr. Roebuck, one of the agents of the association from whose constitution we have extracted the above articles, wrote a letter to Mr. Papineau, late Speaker of the Lower Canada House of Assembly, in May, 1835, from which we quote the following words :

"The *object* you have in view, is to *frame* a government in accordance with the feelings and wants of the people. In *America*, no government can unite these conditions but one that is *purely Democratic*."

"On November 14, 1835, Mr. Papineau made a speech in the House of Assembly, in the report of which we find the following words :

"The people of this Province were now preparing themselves for a *future state* of existence, which he (Mr. P.) trusted would be neither a

*From the Christian Guardian, June 5, 1839.*

\* "In the letters of 'A Canadian,' it was stated that such were not the sentiments of the people, nor of the majority of the 'Reformers' of Upper Canada; but they were the avowed and unretracted sentiments of an *important section of the Reformers*, and, unfortunately, not disowned by the others. Mackenzie was admitted not merely as a passenger, but as an officer on board the ship of Reform, which was left in a great degree to his control. The consequence of which was, that, undertaking to run down the noble ship of Methodism, as well as the 'Vixen' of high ultraism, the 'Reform' vessel was met by a gale of Public Opinion, and stranded upon the reef of Presumption and Extravagance, and about sixteen months afterwards, was wrecked upon the rocks of Conspiracy, Lawlessness and Madness, in the "Hell-Gate" of Rebellion, to the destruction of the crew, the ruin of many innocent passengers, and to the great reproach and injury of all who had, in any way, been drawn to embark their character and interests on board of such a craft, and under such management."

*Monarchy* nor an Aristocracy. He hoped Providence had not in view for his country a feature so dark, as that it should be the means of planting *Royalty* in America, near a country so grand as the United States. He hoped, for the future, America would give *Republics* to Europe.

“Such was the ‘responsible government’ advocated by certain parties in the Canadas in 1834-5-6. The abolition of one branch of the legislature—the entire control of all Crown revenues and Crown Lands—the power invested in the local legislature of judging how far, or if at all, either the ‘Colonial Office,’ the ‘Treasury,’ or Board of Trade, or ‘Horse Guards’ or Commander of the Forces, should have anything to say or do in respect to the Canadas; and sundry other things making up a ‘government purely democratic.’ Now, such a ‘responsible government’ we opposed; and no other ‘responsible government’ was ever proposed in Upper Canada, *avowedly disentangled from the above objects, except the present one of the Earl of Durham.* Now, does Lord Durham propose ‘a government purely democratic?’ No! Does he propose to abolish one branch of the Government? No! Does he propose that our relations with foreign countries, or our military affairs, or the Crown lands, or Crown revenues be placed under the control of the provincial legislature? No!—he proposes to place them exclusively in the hands of the Imperial Parliament. What does His Lordship propose, then? Lord Durham, except in the case of the Union of the Canadas, proposes not the alteration of a single letter of the established constitution; he proposes nothing more or less, than that the people of Upper Canada, within the defined and secured limits of local legislation and government, should be governed, as in England, by the men as well as institutions of their choice.

“Hence the *Quebec Gazette*, and all others whom it may concern, will not find it difficult to understand, how the Editor of the *Guardian* and thousands of the staunchest constitutionalists, could oppose the ‘responsible government’ of Messrs. Mackenzie, Papineau and their associates, in 1835 and 1836, and can, without any change of political principles, advocate Lord Durham’s ‘responsible government’ in 1839.”

“On our own account, we should not have thought it worth while to occupy half the space we have devoted to this subject; but as we believe the preponderating portion of the people of Upper Canada, like ourselves, have supported the constitution—are still supporters of it—yet believe the vital principle of responsibility to be essential to our political, commercial, and social recuscitation, and future healthfulness, we have thought the foregoing exposition necessary, and believe it will be highly acceptable to the mass of our readers. For the further elucidation of this important

subject, we refer the reader to Mr. Merritt's speech, on the last page of this day's *Guardian*.

"We view "responsible government" as no question of party, but as an essential corner-stone of a future stable and well-proportioned civil structure in this Province. We formed no 'new associates' in the advocacy of this principle: we published copious extracts from, and expressed our opinion of the merits of Lord Durham's Report, four days earlier than any other editor in Upper Canada, and without the knowledge of what would be the expressed sentiments on it of any public man in the Province."

REMARKS ON THE ABOVE EXTRACTS.—Thus did I write in June, 1839. The public can judge how much reliance ought to be placed on Mr. Hincks' statements, when with the knowledge of these, and many similar facts, he declares in his paper that I have always been an enemy to responsible government. Mr. Hincks himself borrowed my London paper containing Lord Durham's Report, in order to make extracts for his own paper, and knew what I wrote from time to time on the subject as long as I was connected with the press. I envy not the feelings of the man who can thus violate the first principle of moral obligation to accomplish a party purpose. It is thus that *partyism* soon shakes the very foundation of Christian morals.

From the above extracts, it is clear as the light, that there has been for many years a large *democratic* party in the Canadas. They could not get, as Mr. Roebuck called it, "a government purely democratic;" and they now seek to administer a monarchical government on purely democratic principles. Hence the present "antagonism;" the old antagonism under a new form—Democracy against Monarchy. They are dissatisfied with responsible government itself, unless they can have it on principles "purely democratic." Constitutional Reformers should be cautious how they become again merged into the ranks of the Democratic Reformers—those whom Mr. Roebuck terms "Democrats"—the class whom he used to represent, the class whom he still represents. The Democratic Reformers always disgraced and retarded the cause of Reform.

No. 5.—*Characteristics of an able Governour and Minister, as laid down by Mr. Ryerson in the Christian Guardian, January 8, 1840. Originally selected from "An Estimate of the Manners and Principles of the Times."*

1. He will not only have honest intentions of mind, but wisdom to plan and courage to execute.
2. He will regard the interest of the prince and people, as inseparably and invariably united.
3. He will endeavour to destroy party distinctions; and to unite all men, in support of the common and national welfare.
4. In consequence of this he will be hated by the corrupt part of the kingdom, high and low; because *their* expectations and advantage can only arise from those distinctions and that influence which he labours to abolish.
5. The honest and unprejudiced part of the nation will adore him for the contrary reason.
6. He will be remarkable, rather for his knowledge in the great principles of wisdom and virtue, than the oblique ways and mysteries of selfish cunning.
7. He may be displaced once, or more than once, by the power of faction; but the united voice of an uncorrupt people will restore him to the favour of the Sovereign, especially in the time of danger. And the oftener he is cast down by corrupt power, the deeper root will he take in the affections of the Prince and people, and rise and flourish with renewed vigour.
8. He will be distinguished by his regard to religion, honour, and his country.
9. If his measures are not always clear to the people in their *means*, they will always be so in their *ends*.
10. As a natural and happy consequence of this conduct, should he happen either to *err* in *design*, or fail in execution, an uncorrupt people will still *confide* in him. They will continue to repose in his general wisdom and integrity; will regard him as a kind of watchful father; yet, though *wise*, not *infallible*.
11. He will look *forward*, rather than to what is *past*; and be more zealous to select and reward those who may do well, than to prosecute those whom, in his own opinion, he may think delinquents.

12. His principles and conduct, as they will be *hated* by the *vile*, so they will be *derided* by *narrow* minds, which cannot enlarge their conceptions beyond the beaten track of present practice. Prince Maurice was ridiculed in his attempts for those very expedients by which he drove the Spaniards out of his country.

13. If his little or no influence in Parliament be objected to him, he will answer as Henry the Great did with regard to Rochelle, "I do all I desire to do there, in doing nothing but what I ought."

14. The laws he frames will be generous and comprehensive; that is, in Lord Verulam's nervous expression, "deep, not vulgar; not made on the spur of a particular occasion for the present, but out of providence for the future; to make the estate of the people still more and more happy."

15. Above all, he will study to restore and secure upright *manners* and *principles*; knowing *these* to be the very *strength* and *vitals* of every state.

16. As by these means, he will put the natural and internal springs of government into action; so he will keep up the action in its full vigour, by employing *ability* and *merit*: and hence men of genius, capacity, and virtue, will of course fill the most important and public stations, in every department of the state.

17. To fulfil this great purpose, he will search for men capable of serving the public, without regard to wealth, family, parliamentary interest, or connexion.

18. He will despise those idle claims of priority of rank, or seniority of station, when they are unsupported by services performed in that rank or station. He will search for those, wherever they are to be found, whose active spirits and superior capacity promise advantage to the public.

19. He will not abuse this power indulged to him of superseding superior rank, by preferring his own favourites. If he finds the appearance of ability and worth among the friends or dependents of his enemies, he will trust them with the execution of his most important designs, on the success of which his own character may depend.

20. Having no motive but the welfare of his country, if he cannot accomplish that, by such measures as his heart approves, he will bravely and peaceably resign,

No. 6. — *Characteristics of an Impartial Public Writer, as laid out by Mr. Ryerson, in the Christian Guardian, September 19, 1838; which he selected as his exemplar, as far as he might think it his duty to write on public affairs, and as far as his humble capacities would allow. Originally selected from "An Estimate of the Manners and Principles of the Times."*

Let us attempt to sketch this portrait for the use of those who may aspire at impartiality; and consider "by what characteristics he would be distinguished."

1. He would choose an untrodden path of politics, where no party man ever dared to enter.

2. He would be disliked by *party bigots* of every denomination: who, while they applauded one page of his work, would execrate the next.

3. The undisguised freedom of his manner would please the brave, astonish the weak, disgust and confound the guilty.

4. Every rank, party and profession, would acknowledge he had done tolerable justice to every rank, party and profession, their own only excepted.

5. He would be called arrogant by those who call every thing arrogance, that is not servility.

6. If he writ in a period when his country was declining; while he pointed out the means from whence alone honest hope could arise, he would be charged by scribbling sycophants with plunging the nation into despair.

7. While he pointed out the abuses of freedom, and their fatal effects, he would be blackened by designing whisperers, as the enemy to freedom itself.

8. The worthless of every profession would be his sworn enemies; but most of all, the worthless of his own profession.

9. As he would be reviled and defamed by the dissolute great without cause; so he would be applauded by an honest people beyond his deservings.

10. Though his abilities were small, yet the integrity of his intentions would make amends for the mediocrity of his talents.

11. As such a writer would have little pretensions to literary fame ; so he would not be intoxicated with the fumes of literary vanity ; but would think with Sheffield, that

“ One moral, or a mere well-matur'd deed,  
Does all desert in science exceed.”

12. Yet though he scorned the gildings of false ambition, and the riches acquired by adulation ; he might not, possibly, be unconscious of that unsought dignity, that envied superiority to wealth and titles, which even the love of wisdom and virtue give.

13. Should any of the great, therefore, affect to disdain him on account of his private station, he might, perhaps, reply with Perdita,

“ I was not much afraid ; for once or twice  
I was about to speak, and tell him plainly,  
That the self-same sun that shines upon his palace,  
Hides not his heavenly visage from my cottage,  
But looks on *both alike*.”

14. His free and unconquered spirit would look down with contempt on views of interest, when they came into competition with views of duty.

15. Nay, were he called to so severe a trial, he would even dare to make the greatest and rarest of all honest sacrifices, that of friendship itself, to truth and virtue.

16. Should the sense of his duty to his country determine him to a farther prosecution of his labours, he would say,

“ If such my fate, do thou fair TRUTH descend,  
And watchful, guard me in an honest end :  
Kindly severe, instruct my equal line  
To court no friend, nor own a foe, but thine.”

# INDEX

## TO THE PRINCIPAL SUBJECTS.

- Abandonment* of their former principles by the late Counsellors, 102—115.
- Address* to the people of Western Canada, by the author, 5—13—of the Toronto Association to the people of Canada, import and tendency of it, 5, 31, 120.
- Accusers* of the Governor General refuted out of their own mouths, 56—72, 78, 79, 95, 96, 103—116.
- Anomalies*, five, in the proceedings of the late Counsellors against the Governor General, 31—38.
- Appointments to office*, none made by the Governor General without his knowing the sentiments of his advisers, 36—those objected to by the late Counsellors stated by Mr. Sullivan to be trifling, 36—cannot be made without the knowledge and concurrence of at least one responsible adviser, 89, 90—two modes of making, recognized by the late advisers, 88, 89—should be made without regard to party, according to the formerly avowed principles of the late Counsellors, 110—qualifications and merit the true rule of, 144—147.
- Apostacy* of the late Counsellors from the principles formerly professed by themselves and by the Reform Press and Reformers generally, 102—116.
- Association* at Toronto, of 1844 and 1854, compared, 5—demands of the former make the Governor General a slave and infringe the rights of their fellow subjects, 44—49—denies the responsibility of the Governor General to the Imperial authority and involves independence, 126—130.
- Bacon*, Lord, quoted against the late Counsellors, 135.
- Blake*, Mr. W. H., states responsible government to be incapable of accurate definition, 32—denies the responsibility of the Governor General to the Imperial authority, 126—130.
- British Practice* disregarded by the late Counsellors, 22—29, 34, 120.
- Burke*, Right Hon. Edmund, quoted against the late Counsellors, 148, 149.
- "*Case of facts*," what meant by, 21—essential to the kind of ministerial explanation involved in this question, 21—not furnished by the late Counsellors, 22—29.
- "*Cases of adequate importance*," this phrase perverted by the late Counsellors, 88—examined in its legitimate connexion, 88, 89—Counsellors ultimate and principal judges of, 88, 90.
- Charges* of the late Counsellors against the Governor General, examined and refuted, 39—48.
- Corruption* of party policy government, 137—143.
- Courtesy* of the Governor General towards his late Counsellors, as stated by themselves, 92—94.
- Councillors*, Legislative, ought not to be popular agitators, 131, 132.

- Counsellors*, why responsible, 19—may be responsible for acts which they have not formally advised, 19, 35, 36—responsibility of, *voluntarily*, and therefore no hardship, 35, 36—different grounds of resignation by, 20, 21—why sworn to secrecy, 21—British mode of resignation disregarded by the late, 22--29—dangerous consequences of it, 29, 33, 36—the late expected to be out of office only a few days, 34—demands of the late, did involve the surrender of the prerogative to them, as stated by certain of themselves, 63—71—their conduct since their resignation unprecedented, 120—122—their party policy at variance with their former professions, 110—condemned by the late President of the United States, 117—by Rev. Dr. Wayland, 137—by Rev. R. Hall, 152, 153—by Rev. T. Gisborne, 140, 152—by Rev. Dr. Patey, 145—subversive of all good government and public morals, 142—145.
- De Lolme*, his statement of the responsibility of ministers in England, 19, 20.
- Demand* of the late Counsellors unprecedented, 55, 56—did involve the surrender of the prerogative into their hands, as stated by certain of themselves, 63—71.
- Democracy*, involved in the policy of the late Counsellors, 94, 116—long advocated by a large party in the Canadas, Appendix No. 4.
- Despatch*, of Lord John Russell, dated October 14, 1839, explanatory and guarding certain parts of Lord Durham's report, approved by the reform press, 156.
- Discrepancies* between the statements of the Governor General and the late Counsellors, sought to be concealed by them, 50.
- Durham*, Earl of, his avowed principles of government the same as those of Sir C. Metcalfe, 109—his report how far sanctioned by the Imperial authority, 156.
- Executive Officers*, duties of explained and illustrated at large, 137—147.
- Explanations*, the, of the late Counsellors, not authorised, 22—29—forming a dangerous precedent, 29—33.
- Extreme men*, who, 159.
- French gentlemen* offered office by Lord Sydenham, 10.
- Governor General*, the duties of, 134—137.
- House of Assembly*, erroneous proceedings of, 37—duties of the members of, 48, 49.
- Howe*, Hon. Joseph, conduct of, contrasted with that of the late Counsellors, 63—quoted against the late Counsellors, 33, 53, 68, 73, 116, 132, 133.
- Inconsistencies* of the late Counsellors pointed out, 102—116.
- Legislators*, duties of, 147—153.
- METCALFE**, Sir Charles, his character, 9, 12—his statements proved by the testimony of his accusers, 53—72—his avowed sentiments respecting the system of responsible government embrace all that is contained in the Resolutions of September, 1841, 82—92—his avowed principles of administering the government the same as those avowed by the Earl of Durham, Lord Sydenham, Sir C. Bagot, and formerly professed by the late Counsellors themselves, 103—115.

- Moderate men*, who, 161.
- Opposition*, an organized, in parliament denounced by the Rev. Robert Hall, 152, 153.
- Party government* (the phrase used in two senses) 1st, governing by or through a party, has never been objected to by Sir C. Metcalfe, 77; 2ndly, governing for a party, demanded by the late Counsellors, 77, 79—this the antagonism between Sir C. Metcalfe and his late Counsellors, as stated by Mr. Hincks, 79—party government in *this bad sense* always objected to by Reformers, and formerly objected to by the late Counsellors, 102—115—destructive of good government and of the best interests of society, 141—143.
- Party patronage doctrine*, denounced by the late Whig President of the United States, 117, 118—only supported by the democrats of the United States in contradistinction to republicans, 116—effects of in government, 141.
- Patronage of the Crown* distributed by Sir C. Metcalfe almost entirely in favour of the party of the late Counsellors, 95, 96—demanded for party purposes by the late Counsellors, 75, 76—this the real antagonism between them and his Excellency, 79.
- Peel, Sir Robert*, his mode of negotiating with his Sovereign, and of his resignation, 24—not sustained by the people of England, 123—his conduct towards his sovereign when out of office, 123—his approval of Sir C. Metcalfe, 157.
- People*, duty of, at the present time, and generally, 153—165.
- Powell, Mr.*, Clerk of the Peace in the Dalhousie District, the circumstances of his appointment stated, 93, 99.
- Prerogative*, how it has been exercised by English Sovereigns, 19, 20, 100—102.
- Propositions*, nine, to be proved, stated, 17.
- Question at issue*, one of facts, 13—Sir C. Metcalfe defendant and his late Counsellors accusers, 14, 15—stated by Mr. Baldwin, 14, 15—proved that the real question of difference between Sir C. Metcalfe and his late Counsellors, was not stated to, or decided upon by, the House of Assembly, 74—79—present position of the, between the people of Canada and the Imperial authority, 154, 155.
- Reader*, the manner in which it is his duty to investigate and decide upon the question at issue, 16.
- Reformers*, always opposed to a party policy government, 103—108—two classes of Reformers since 1834, and the difference between *Constitutional* and *Democratic* Reformers, Appendix No. 4.
- Resignation of ministers* may take place on various grounds, 20—British mode of, 24—of the late Counsellors, *un-British*, 24—29.
- Resolutions of September*, 1841, quoted, 81—recognized by Sir C. Metcalfe, 86—and by the Imperial authority, 157, 158.
- Responsibility of ministers* in England stated and illustrated, 19, 20—of the Governor General to the Imperial authority, 84—denied by the Toronto Association, 126—129—formerly recognised by the chairman of the Toronto Association, 154.

- Responsible Government*—those who had opposed its establishment not to be excluded from participating in it, 9, 10—not definable according to Mr. Blake, 82—fully recognized by the Governor General and the Imperial authority according to the Resolutions of September, 1841, 84—92—158—So considered by the Reformers of Nova Scotia and New Brunswick, 83—difference between responsible government in Great Britain and in Canada, 125, 126.
- Roebuck, Mr.*, in favour of a "purely democratic government" in Canada, Appendix, No. 4.
- Royalty*, the establishment and existence of, heretofore opposed by a large party in the Canadas, Appendix, No. 4.
- Russell, Lord John*, quoted against the late Counsellors, 47—his despatch on Lord Durham's Report and Responsible Government, dated October 14, 1839, subscribed to by the Reform Press of Upper Canada, 156.
- Speaker*, of the Legislative Council, circumstances relative to the appointment of, stated, 96, 97.
- "*Stipulation*," proved to have been demanded by the late Counsellors, 62—67—did involve what was alleged by Sir C. Metcalfe, 68—72.
- Usages*, established, importance of adhering to them in judicial and parliamentary proceedings, 18.
- Youth*, influence of a party-policy government upon their prospects, conduct and morals, 141—143.

## E R R A T A .

- Page 34, line 19 from the top, "Aequid Volsci" read "Aequi and Volsci."
- Page 149, line 15 from the top, before "In," insert double commas, and also after "whole," line 21.
- Page 169, line 16 from the bottom, for "first," read "fit."