

Rise and progress of the recent popular movements in Lower Canada.

The popular outbreak which has recently and unexpectedly occurred in the neighbouring Province of Lower Canada, has, it cannot be denied, excited much interest in the northern and eastern sections of the Union. The papers from all quarters comment more or less on the subject. This, if there were no other proof, is sufficient to shew the direction towards which the public feeling is setting.

It is probable, however, that most of the citizens of the states are yet in a great degree ignorant of the precise nature of the movement in the north; of the causes which have led to the temporary triumph of one of the parties, and to the temporary defeat of the other. But above all, few of them are acquainted with the chain of circumstances which hurried long lived and deep rooted discontent into sudden resistance to the constituted executive authority of the colony. The following details will, it is hoped, enable the public to form, without going very far back into history, a more distinct and a clearer idea of the rise and nature of the Canada difficulties.

The executive authority in that colony is perfectly irresponsible to the people of Canada. No matter how grave the malversation or misconduct of the persons exercising it—no matter how unfit they may be for the station; they can neither be removed from office, punished, or controlled by the people whose affairs they mal-administer, whose property or resources they waste, or whose liberties or rights they may invade or destroy. A consequence of this state of perfect freedom from control has been, that the members composing that executive have divided among themselves, their families and dependants more than a million of acres of the public lands. They have permitted the treasurer of the Province to peculate and convert to his own use, with impunity, \$600,000 of the public money belonging to the Colonists, and they still share among themselves enormous emoluments, large fees established without the authority of law, have obtained most valuable portions of the public domain for little or nothing, and combine, many of them, in their own persons, executive, legislative and judiciary functions. That is, the same individuals sit in one chamber as makers of the law; in another as judges of the law; and in a third as executors of the law. We need not tell our enlightened citizens that every constitution of the union wisely declares the exercise of these duties by the same persons to be incompatible.

In the next place, the second branch of the Provincial Legislature, which is called the Legislative Council, and which is equivalent to the senate of this state, is composed of persons appointed for life to that office by the authorities in Britain. The persons thus appointed are nearly without an exception, the creatures of the government—some of them immoral men, and all of them totally independent and beyond the control of the people, for whom they make laws. Let them behave ever so badly, they cannot be removed from office.

The great majority of the men holding seats in this branch of the legislature are dependant on, or connected with, the government in one way or another. Some of them hold offices of profit, of from \$4000 to \$14,000 a year. Others among them have their children or connexions in office, and many have large grants of lands or leases of public property, for which they pay but a nominal sum, the continuance or renewal of which leases depend altogether on the good will of the government. The independent members do not amount to more than half a dozen in a body of more than 30 members.

It is evident from such a composition, that it is directly the interest of these men to support a system, in which the salaries are high—the patronage extensive; to oppose small salaries, the economical administration of affairs, and the control of the public purse by the representatives of the people.

From these feelings, they have ever steadily opposed the just demand of the house of assembly to control the public purse, and in every possibly way embarrassed that body in the exercise of its just privileges of voting the salaries of the public officers. It is unnecessary to enumerate here, all the measures which have been passed by the People's Representatives, and destroyed in this Council. In 14 years they amount to more than two hundred bills, of the nature of which the following may give an idea.

They vetoed the bill continuing common schools in the Province, and thus at one blow laid in ruins 1500 schools, and deprived 40,000 children of the means of acquiring the elements of education. There is not a public common school now in Lower Canada.

They have constantly vetoed the bill to allow the people in the country parts of the province to elect parish or town officers to regulate their local affairs, and have destroyed the corporations of Montreal and Quebec by refusing to pass the bills continuing them.

In Lower Canada there is no law for the impartial drawing of juries. The sheriff, who holds an office worth from 10 to \$14,000 a year, during the pleasure of the governor, has the power to put whomsoever he pleases in the jury box. In common language, he can "pack" the jury. Whenever the government is prosecuting a person for political offences, it follows that the prisoner is sure of being found guilty, for the sheriff dare not displease the authority upon which his large emoluments depend. To rectify this vital grievance, the assembly have passed a bill to regulate the drawing of jurors. The legislative council, the creatures of the government, destroyed the bill so that it could not become a law.

They have arrested all public improvements; the assembly voted over \$100,000 in 1836 to finish a canal between St. Johns and Chambly, thereby to render uninterrupted the water communication from New-York to Quebec; and also passed a bill to complete the docks and wharves of Montreal. Both these bills were destroyed by the Legislative Council.

This list could be extended to ten times its length. But as it is meant only to convey an idea of what the country has suffered from the irresponsible constitution of the Council, these few will suffice. As a remedy, it is demanded that the members of that Council be elected to office for a limited time by the people, precisely as the senators of this state are elected. By that means, if they continued to prevent education, and public improvements, or to refuse their consent to laws for the security of the people's liberties, other and better men might be chosen in their stead. This prayer has been refused.

The next demand of the people of Lower Canada is that their representatives should have the control of all the public revenues raised within the Province. Some persons are under the impression that Great Britain pays all the expenses of the colony. This is an error. Lower Canada pays all the expenses of her own government, and has at the same time a surplus sufficient to defray the expenses of common schools and public improvements. Great Britain contributes not a cent to the civil expenditure.

Having thus to pay all the expenses, it is natural that the Assembly should insist on the exercise of its constitutional right of controlling all the revenue. The government which is not willing to have the means of rewarding its favorites curtailed—the office-holders who like high salaries—have always opposed these rights of the representative branch of the legislature. The governor has consequently year after year expended large sums of the people's money without the consent, and against the will, of their representatives; and although the government promised, so far back as 1796, to surrender all the revenues to the control of these representatives, it has never performed its promise. In spite of all that the assembly can do, the flood-gates of corruption and extravagance continue unclosed; and to destroy all opposition, the governor has at last accused the leading members of the assembly, who have supported the people's rights, of high treason; he has moreover outlawed them and set a price on their heads. When the wolves wish to devour the sheep, they first wisely set about destroying the watch dogs.

A few more samples of Canadian grievances, and we have done with that part of the subject.

When the Province belonged to France, large tracts of valuable land were given in trust to the order of Jesuits for the purposes of public education. This property has been most shamefully wasted.—Thousands and hundreds of thousands of dollars of the proceeds have been squandered among officials and favorite churches—thousands of acres of the estates have been alienated for a mere nominal sum; and the college founded by the Jesuits in Quebec, where in the last century, youth acquired a knowledge of science and the higher branches of learning, has been positively converted into, and continues to be used as a *barrack* for soldiers by the British government! Does not this one fact suffice to show the nature of British rule in Canada?

Again, nothing can give an idea of the difficulty which the people labor under of acquiring land to settle on. The militia of the Province were promised lots in return for their services during the last war. They fought and bled. Peace came. Their services and wounds were forgotten; and government has by systematic quibbling, ever since evaded the performance of the promise, it gave in a moment of danger and fear. It has, on the contrary, in order to raise a revenue independent of law, and beyond the control of the legislature, sold nearly a million of acres of the public lands to a company of speculators in London, at about twenty-five cents the acre, for which land this company in return demand and receive from a dollar and a half to three dollars the acre from emigrants and settlers. This land company has been chartered, and these lands sold, against the repeated protests of the local assembly.

As a remedy for their grievances, of which the above is necessarily but a brief and faint outline, the people of Lower Canada demand:—

1st. That the Provincial Executive Council should be responsible to the people through their representatives:

2nd. That the members of the Legislative Council should be elected by the people, on the same principle as the senators of the state of New-York:

3rd. That the Representatives of the people should have the control of all the moneys received in the public treasury, from public taxes and all other sources whatever, and that not a cent should leave that treasury without the authority of law:

4th. That no official incumbent should hold more than one place, and that the public salaries should be reduced. Many officeholders now hold three and four offices each, and the salaries are enormously high: the governor, for example, receiving \$20,000 a year, a sheriff \$14,000, and judges from \$4,000 to \$6,000:

5th. They next demand that various laws passed by the parliament of Great Britain, wherein they are not represented, and affecting the internal affairs of the Province, be repealed; and that the department of the public lands be regulated by law so that any man, whatever be his origin, language or religion, who wishes to settle in the country, may have the means, at a very trifling expense, of so doing, without favor or partiality for any class of settlers.

The house of assembly finally have resolved not to vote any supplies to the government, until their various grievances be redressed; and in accordance with this resolution have steadily refused for the four past years to grant any supplies.

The British government, in reply to these demands, reiterated for years, at length sent out a royal commission to inquire into their truth. This commission made its report last fall. It is a singular fact that all the evidence collected was from the office holders and their political friends. Strange to say, the justice of all the complaints of the people are notwithstanding admitted. Stranger still, the commissioners recommend the government to *refuse all the reforms demanded by them.*

In conformity with these anomalous and unjustifiable recommendations, the British minister introduced into the British parliament, last March, a series of resolutions, rejecting all the prayers of the Canadian reformers. Not content with this injustice, he went one step further. Following the bad and unconstitutional examples set him by the Grenvilles, the Norths, and the other enemies of American rights, and forgetful of the sound constitutional principle that no body has the right to dispose of a people's money except their own freely chosen representatives, the minister submitted his *eighth* resolution, authorizing the British House of Commons to dispose of—"to give, and grant" the money belonging to the people of Canada.

It is superfluous here to point out the blow aimed in this resolve against the very vitality of all constitutional freedom. It is the same unwarrantable pretension that the people of these states successfully opposed, in the shape of a stamp act and a tea tax, and which is so familiar to every school boy throughout this union.

These resolutions were, after strong opposition on the part of the friends of American rights, passed by the British parliament by overwhelming majorities. In the House of Lords only one man was found to record his vote against them—that man was HENRY LORD BROUGHTON.

Though passed in England, they were not, to her honor be it spoken, submitted to in Canada. Her representatives persisted in refusing supplies, and demanded that the 8th resolution be expunged from the journals of parliament. Taking a leaf from the history of the American revolution, the people met in their several counties, and at once resolved not to consume any articles imported from Great Britain—to encourage domestic manufactures, and to trade almost exclusively with these states.

Conformably to these resolutions, wine and other luxuries forthwith disappeared from the tables of the people. The members of the assembly and the inhabitants, women as well as men, clothed themselves in cloth of domestic manufacture, and no tea or coffee was drank, except such as was introduced from this country without paying duty.

A warfare such as this, the government well knew, would be fatal to its power, for the revenue proceeding in a great part from duties on imports, the non-consumption policy resorted to by the mass of the inhabitants, would most extensively affect the treasury.

To put a stop then to the spirit of incipient resistance, the Governor issued a proclamation, denouncing as "seditious" the meetings above mentioned. This proclamation fell still born from the press.—It was denied and treated with every possible contempt, and the meetings continued. Finding proclamations of no avail against the Democrats of Canada, Lord Gosford next had recourse to terrorism. He called magistrates and militia officers who attended the "anti coercion" meeting, (as they were called), to an account for so doing. These officers, with a spirit becoming freemen, at once repelled this incipient attempt to coerce them in the expression of their opinions or in the exercise of their inherent rights. The governor proceeded, thereupon, to dismiss them from office. These dismissals excited so much indignation throughout the country, that gentlemen who held commissions in the militia and in the magistracy came forward by legions in several counties, and voluntarily threw up the "royal" commissions which they held, and accompanied their resignation by letters couched in the most manly and independent terms. Whole counties by this means were left without a magistrate or a militia officer.

To prevent society from falling into a state of disorganization, the reformers next commenced laying the foundation of an elective system of local government. On the 23d October last, delegates from the six counties bordering on the river Richelieu,* assembled at St. Charles, and passed a series of resolutions, recommending the people to meet in the present month of December, in their several parishes, and to elect their own magistrates and militia officers. An address was also voted by this meeting to the people of Canada, containing a declaration of principles, thoroughly democratic—recapitulating the grievances under which the Province labored—protesting against the introduction of an armed soldiery, in times of profound peace, for the physical coercion and destruction of the people of the Province who were determined not to submit to the arbitrary measures of ministers; and finally recommending to their brother patriots to organize in their several localities, so as to be prepared for whatever it might please the Providence of God to bring about. This address expressed, at the same time, a confident hope that the people of these states would never permit the principles for which the fathers of American freedom struggled in 1776, to be crushed in Canada in 1837.

This great meeting, and this bold address, were the signal for the British government in Lower Canada to develop its long planned conspiracy against the liberties of the Colonists—to hurry the people into resistance, in imitation of the well known inhuman policy pursued by Lord CASTLEREAGH towards IRELAND in 1798, in order that it may the more easily crush all opposition and "*Polandize*" the Province.

The 6th of last month was the day on which the first part of this plot was unfolded. On that day a young men's association called "The Sons of Liberty," held their usual regular monthly meeting in Montreal. The government, or tory party stated at an early hour their intention to assault these young men. The latter not yet aware that it was a crime to meet publicly and peaceably to express their opinions on the interests of their native or adopted country, treated the threats of the tories with no attention, and held their meeting, at which they passed a series of resolutions. During this meeting, stones were thrown at the young men, yet this passed unresented. On their way home from the meeting, they were however assaulted—the assault was repelled—their opponents retreated, and the magistrates, most of whom are violent partizans of the official or tory party, called out the troops, and they paraded the streets accompanied by several pieces of cannon.

The "loyal" assailants of the Sons of Liberty, now safe under the protection of British bayonets and artillery, were not slow in committing excesses. The most prominent of these was the breaking of Mr. Speaker Papineau's windows; after which they broke into the office of the *Vindicator* newspaper, a reform journal, which, with the knowledge, and within the sight or hearing, of the magistrates, they utterly destroyed. Since that day, they have had undisturbed possession of the city of Montreal.

Not to be behind these furious men in zeal, the Governor next proceeded to act his part in this lawless drama.

His first step was to remove all the Liberal magistrates from the commission of the peace in the district of Montreal. He was well aware that so long as a reformer remained as a magistrate, the victims whom he intended to sacrifice might have some person to sympathize with them or give them advice. He deprived them of this hope, by removing in one day between sixty and seventy magistrates, who happened to be Liberals or were suspected of Liberalism, from the commission of the peace. Then the reign of terror commenced in good earnest. Warrants were issued in torrents against every man who had dared to take a prominent part, in the recent meetings. The president and divers officers of the "Sons of Liberty" were arrested on a charge of high treason, for merely having signed an address to their brethren in the other colonies. Warrants were next issued against the officers of the meeting of the six counties, and against the members of the house of assembly who had attended that meeting, as they were bound to do by the obligation they had entered into with their constituents, and the district jail was at once crammed with the victims of arbitrary government. Liberty of speech, liberty of meeting, and the liberty of the press, were thus annihilated in the British Province on our immediate borders, in the short period of twenty-four hours.

The people of the country parts of the district of Montreal, on learn-

* These counties contain about the sixth part of the whole population of Lower Canada.

† To-day, two young French lawyers (C. S. Cherrier and Mr. Peltier) were arrested, charged with treason and committed to jail. I saw them marched from the court-house by one of the volunteer-corps of this city—many of whom were *American born citizens!* May the free soil of our beloved country never again be polluted by their unallowable footsteps! There is not a man in this city who dares to declare himself a patriot—the liberty of the press is destroyed, and to speak in favor of their cause will consign the body to chains and dungeons.—To see these young Frenchmen, the descendants of the original proprietors of this city—driven to prison by a horde of hireling Britons, aided and abetted by a clan of mercenary American tories, was too much for my feelings, and I am not ashamed to confess that the revolting spectacle, was almost hid from my vision by the blinding tears of sympathy.—(Letter from an American citizen temporarily in Montreal, dated Dec. 1.

ing that warrants for high treason were issued against their public men, and aware that if the latter were once imprisoned, the chances were ten to one that their lives would be sacrificed, at once determined to oppose the execution of those warrants.

To those acquainted with the state of things in Canada, this determination does not seem strange. It rather does honor to the hearts of the Canadian farmers. The men doomed to incarceration, if not death, by the government, live among the people; are in daily intercourse with them, and have become connected with them by various ties. They are among the most intelligent, liberal and able men of the Province, and of high moral and personal standing. The jail to which these patriots were to be conveyed, is not situate in the counties in which they reside. There are indeed but three in the Lower Province, viz: at Quebec, Montreal and Three Rivers. Prisoners are removed in many instances fifty, sixty, and ninety miles from their homes, friends and neighbors, and immured in damp cells, in solitary confinement, on bread and water. Add to this, the serious consideration, that they will receive only the mockery of a trial; for in the absence of all law, providing for the impartial drawing of juries, dependent sheriffs pack such juries as they expect will return verdicts to please the government. Thus the political prisoner has no barrier between him and the vengeance of arbitrary power, and convinced of this, the country people determined to protect their representatives and public men.

The first time on which this feeling was called forth, was in the early part of last month, when Dr. Davignon and Mr. Demaray were arrested on a charge of high treason at St. Johns. Instead of conveying these prisoners quietly to Montreal, direct by the rail-road, the cavalry that captured them, resolved on striking terror through the country, by conducting them around by Chambly and Longueuil, a distance of thirty-six miles, with iron fetters on their hands and feet, and *ropes around their necks.* The people in the neighborhood of Longueuil had a short notice of this arrest, assembled in a moment to the number of between thirty and forty men, and rescued the prisoners. The government seized on this petty unexpected resistance as a pretext for levying war on the mass of the Canadian people, inhabiting the district of Montreal. Immediately a force of 800 men, with four pieces of cannon and a howitzer, was despatched, one-half to attack St. Denis, the remainder to storm St. Charles, where several of the leading reformers from Montreal had retired, when they could no longer remain at their homes.

So little expectation was there that such an armed force would be sent into the country on the grave expedition of arresting half a dozen of civilians, whose only offence was, that they had attended the St. Charles meeting, at which they had taken an active part, that not the least preparation had been made to oppose such a body. There were no more than thirty men at St. Denis previous to the arrival of the troops, and these were collected rather to prevent the sudden seizure of Dr. Neilson, by a posse of constables, than with any anticipation of contending against a regular armed force. The same may be said of St. Charles. When, however, it was known that the troops were coming, the tocsin was sounded—a crowd of about 300 men, armed some with fowling guns, and others with pitchforks, assembled at St. Denis, and after an engagement of five hours and a half, repulsed the soldiers, with a loss of fifty men and one piece of cannon. At St. Charles, the only triumph the troops obtained, was the empty one of setting fire to a range of out-houses, in which were stored a quantity of hay and grain, and from out of which the patriots, about 300 in number, had kept up a galling fire; and of compelling the patriots to withdraw, with a loss of some thirty men, killed and wounded.*—They afterwards burnt the house of one of the vice-presidents of the St. Charles meeting, not being able to find its owner, against whom they had a warrant, and made a prisoner of "a liberty tree," planted some weeks before by the people in honor of "PAPEINEAU," the erection of which, the governor in council had solemnly, though not very legally considered to be an overt act of "treason."

After a week's campaign, the troops were obliged to return to Montreal, having lost in the collision with the peasantry nearly 100 men, without arresting a single individual of those, to seize whom they had been despatched.

Two steamers, with four companies of soldiers, sundry pieces of artillery, a troop of horse and a supply of rockets, were next despatched on a second expedition to St. Denis, St. Charles, and St. Hyacinth, (the last named village being 18 miles in the rear of the other two) to bring in "the rebel chiefs." Not succeeding in the object of their expedition, and meeting with no opposition, the gallant band amused themselves with firing the houses of defenceless women, helpless men and absent individuals. Their course through the country, may be traced by havoc and devastation similar to that resorted to by the British troops in these states during the revolutionary war.

An impression prevails in this part of the Union, that the late movement in Lower Canada was the commencement of a system of revolutionary resistance to the government, regularly organized by the leaders of the Canadian people. This, it will be seen from what has preceded, is an error. The resistance to the troops was simply and purely the spontaneous impulse of the farmers, who were determined to prove their gratitude and attachment to a few of their public men, who happened to be in danger. If Dr. Neilson and Mr. Brown led the people on these occasions, it was rather from the immediate and uncontrollable necessity of the moment, than from any pre-arranged plan of general resistance. Under these circumstances it should not appear strange that advantage had been gained by regularly equipped and organized troops. The wonder should rather be, that the people had gained the day even at St. Denis.

The nature of the recent commotion in Lower Canada, is now before the public. It is evident from the details, that the movement was without the participation, and beyond the control, of the leading men of the country, who must be held guiltless of the charge of imprudence, to which subsequent events may seem to expose them, but of which, now that the real merits of the case are explained, they cannot be accused. The truth is, the British Government in Canada, and not the people, has been the aggressor. The latter pursued all along, a strictly constitutional course. They met in their parishes, counties and districts, where their proceedings were confined to the passing of resolutions, making speeches, and publishing addresses.—By these peaceable and strictly legal measures, the people were becoming thoroughly educated, and the foundations were being deeply laid for the establishment of a purely democratic system of government. The British authorities foresaw this, and resolved, *per fas et nefas*, to goad the people into resistance, in order that they might have a pretext before the world, for extinguishing all constitutional government in Canada.† With this view, they began by at once destroying the liberal newspapers in the Province, and offering large rewards for the arrest of the editors and printers thereof.‡ Next warrants were issued against the most influential members of the house of assembly, who had hitherto consistently opposed the pretensions of Downing-street, and they were charged with high treason, in order that all opposition on their part, in the legislature, might be most effectually removed. Whilst the people were still fancying that the law would be respected, large masses of armed troops were sent into the interior of the country, to court collision, which would furnish an excuse for further coercion and violence on the part of the government. That collision has occurred, and the government, ever ready to curtail the rights of the people, has followed up the conspiracy on which it entered, by offering a price for the heads of the leading reformers and declaring *martial law!*

Thus all law—all constitutional right—all civil liberty, is extinguished in Canada; the words of the American Declaration of Independence are verified:—"The free system of English law is abolished in a neighboring province, and an arbitrary government established therein, so as to render it at once an example and fit instrument for introducing the same absolute rule into other colonies." It is not difficult to foretell the result of this deep laid scheme against popular liberty, if the measures of the British authorities succeed. The limited privilege, hitherto possessed by the people, of electing representatives, will be either entirely destroyed, or so modified as to render the assembly what the legislative council now is—the creature of the colonial minister, for the oppression, not for the protection or defence, of the colony, and the continent of North America will, in the nineteenth century, furnish Europe with the singular phenomenon of possessing in the vicinity of each other, at one and the same time, the freest and most despotic systems of government. It remains to be seen whether the sympathies of the citizens of this enlightened Republic, will not save the Americans on the other side of the line, from the gloomy fate which now seems to await them.

* "The account which Col. Withall, known here as the 'hero of St. Charles' gives of the affair at that place, surpasses, (if he is to be credited,) even the barbarities of the Mexicans. He says that the patriots fought without a leader and without bayonets; that the regulars charged and murdered with bayonets, and the butts of their muskets, ninety-six French Canadians, most of them young men, and many of whom had laid down their arms and begged for quarters! and that at last the British officers were obliged to interfere and prevent a blood-thirsty hireling soldiery from massacring all who had surrendered!—(Letter from an American citizen, temporarily in Montreal, Nov. 30.

† The only offences committed by the people or their leading friends, was that of peaceably assembling, setting forth their grievances, passing and publishing resolutions, addresses, &c. It is a fact, that the government found great difficulty in designating any acts that could be considered treasonable, and that the Council at last resorted to the pretext of the erection of a liberty pole surmounted by a liberty cap, by a few of the more ardent young men at the meeting of the six counties as the "overt act," for which warrants were issued for high treason against some of the most intelligent, esteemed and able men of the province, and under which they were hunted down like wild beast, by the myrmidons of power, with a price set upon their heads!

‡ There is not one liberal newspaper now in Lower Canada. There were four in the beginning of last month.