

private

(405)

000439

Toronto 21st December 1846

My dear Friend

Since I wrote you Sir Allan Maclean has been in Town. He called to see me on Wednesday last with the Hon^{ble} Mr de Broullais - He commenced by saying that he had called to pay me a visit but that he had also called for the express purpose of having some conversation respecting the question at issue between him and the Administration with a view to ascertaining what course he had to expect to be taken by our side of the House. He said such communications had been made to him as satisfied him that he might dictate his own terms to the Ministry and they would be complied with but that they had behaved in such a manner that he would and could have nothing to say to them or their offers - I repeated briefly what I had said to Mr de Broullais of my confidence that the opposition would as they had always done before do him justice in the matter but that we would not prejudge the Ministry. He said that justice was all he desired. He then showed me a copy of a letter written by Mr Hillyard Cameron the present Sol^l Gen^l at last Sir Allan's request dated a few days before the former took office addressed to Col Cameron and in which the unqualified offer of the Deputy Adj^{ut} Gen^lship for U C is made to Colonel Cameron in a manner that certainly, to my mind left Sir Allan (whose letter of course it must be considered) no alternative but that which he afterwards adopted. Either Sir Allan had the sanction of the Government for what he had thus done or he had not. He can of course never admit the latter with any regard to his own honor. An issue is therefore raised between them on this point which can be

Am^l H de Montarville

disposed of only by the condemnation of the one or
the other - Then comes the second issue which though
intimately connected ~~with~~ with the first is still collected
viz. did Sir Allan vacate his seat for Hamilton
or in other words was there such an acceptance of
office by him as to produce that legal consequence -
And it was ~~with~~ the view which we would probably
take of this point that it was avowedly the object of
his visit to ascertain - Besides the letter of Mr. Kilgus
Cameron of which I have spoken Sir Allan also showed
me Mr. DeLoys letter to him which certainly appears
to be substantially to admit the understanding
respecting Col. Cameron and expresses regret
that the Government had not been able to carry
it out - Now Sir Allan says that he had from the
first let them fully understand that he deemed
the services of Col. Cameron essential to the efficient
conduct of the business of the Department without
which he was not prepared to take the responsibility
of undertaking its duties. Having done so he
immediately on receipt of the Commission when
he found that arrangement departed from
returned it with a letter declining to accept it -
And I for my part do not see what more he
could have done. No man I prepared to say
that even if he had agreed unconditionally to
accept the place he would have been precluded
from afterwards changing his mind and refusing
it - I mean of course so far as regards its effect
upon his seat in Parliament. But certainly when
he had all along given them to understand
that he looked upon Col. Cameron's being his
Deputy for Upper Canada as an essential

from him which he received in England declining to
do so as his letters, ^{it was said} were considered official documents -
I said that if that was all that certainly did not
appear to me to alter the matter. He had never been
in a position to require such leave and the contingency
therefore which was, to give life to his letter not having
arisen it was but so much waste paper. And it does
really appear such a contemptible petty fogging
attempt at snapping a judgment as it were
upon a man that I scarcely know how a government
could have the face to make it. I have no doubt
how an English House of Commons would deal with
it and I should hope there was none that the
Commons of Canada would do the same -

Sir Allan informed me that when Mr Robinson
was appointed Com^r of Public Works he had sent
him down a warrant for a new writ for Simcoe
but that he had heard (I think he said from Mr
Robinson himself) that his warrant had not been
acted upon but that an authority had been
obtained from two members upon which the
writ on which the election took place was issued.
So that they may be in a fix in that quarter
also - Sir Allan also said they had refused him his
warrant for his quarters Salary as Speaker and
that he supposed that as soon as they lost all
hope of an accommodation with him they
would issue a new writ for Hamilton - and I
suspect they will - No doubt he will be returned
again and we shall have a nice mess of political
porridge at the opening of the House. What of
course will be returned without his recognizing the proceedings
I will claim to hold his seat by the former election & the
Speakers chair also -

part of the arrangement by which he agreed to accept the office it would be monstrous to hold that he had not the right to reject the office when he found it unaccompanied with that condition. I told him therefore that such was my view of the case as submitted to me by him and that from my own strong conviction of its justness I had no doubt but that those who honestly acted with us would view it in the same light. Indeed that I did not see how any one could look at it in any other. However repeated that I did not wish to prejudge the absent party. He said that he had heard that Attorney General Draper had given an opinion that his seat had been vacated and that he understood one of the points much dwelt upon as showing an acceptance by him of the office was a communication of his to the Military Secretary the particulars of which he related to me as follows. At the time the arrangement took place he was under the necessity of visiting England without delay. This was perfectly known to the Government at the time and it was fully understood that the leave of absence should be granted. Fearing however that he might not have time to make his formal application for this before leaving Canada, if he waited for the receipt of the Commission before sending it to Montreal, he wrote a note to Cap Talbot enclosing a formal application for leave of absence to be made use of on his behalf when he received the appointment, or in other words when he (Sic Allan) was in a position to begin such leave. On Sir Allan declining to accept the office he wrote to Cap Talbot to return him this letter. But after some delay he got an answer

21 dec. 1846 (contd)

Sir Allan says he has the opinions of Sir James
Falconer and I think he said others considered high
Parliamentary authorities in England that he
had not vacated his seat. And I confess I entertain
no doubt at present that it will be found that he
has not - At the same time I repeated to him
when leaving me that I had expressed my
opinion to him frankly & candidly as I entertained
it upon the facts he laid before me but that I
did not mean thereby to prejudice the Ministry.
I added that I doubted not that one side of
the House would generally take that view of
the question but that of course I could not speak
of other men's views upon a particular point
except from what I supposed would be their opi-
nions from the general coincidence of their
views with mine on principles of action com-
mon to us both - That, however, should
he led to doubt the correctness of my con-
clusions upon this point and to believe
that our friends would not take the same
view of it as I did myself I would promptly
inform him of the same - With this he
expressed himself perfectly satisfied and certainly
throughout the whole interview maintained the
same high tone with respect to his own position
& that of the Ministry which makes it un-
possible for me with any justice to him to
doubt the sincerity of his own conviction that
he

has a high ~~the~~ public obligation which, come
what will either to himself or the Ministry, he
is called upon to fulfil and which forbids compromise
of any kind as alike injurious to the public interests
and disgraceful to himself. If I am correct in
this conclusion he deserves support and no
condemnation growing out of difference of political
views would prevent my giving it to him -

I have forgotten to say that Sir Allan disclaimed
holding any opinion adverse to the responsibility
of the Provincial Ministers to the Parliament of
Canada in the appointment. ^{Lord Cathcart} And explained
the latter part of his letter to ~~Mr. Daley~~ ^{Mr. Daley} as having
been meant only to convey an opinion that
Commissioners in the Militia ought not to be
disposed of for mere party purposes. He
said that he had of course formerly fought
against the introduction of the principle
of Responsible Government with his best exertions,
but that it having been conceded by the
Imperial Government there was no more
to be done than to carry it honestly out
and that the address he had made to
the S. of C. when presenting the Civil
List Bill last Session would show that
such was his opinion then -

I have here now repeated the substance
of this conversation touching the point

question and shall be anxious to know whether
you approve of what I said on the occasion, as
well as to be informed whether you think I was
right in my judgement as to the course
likely to be taken by our friends generally
upon this important question

In the mean time

believe me to be

Very dear friend

Yours faithfully

W. B. Baldwin

ps. I of course showed the foregoing to Sullivan & Price
& my paper has not ill stood the opening & closing. I would
have rewritten it but might have missed a mail & ~~so~~
therefore think it better to put it under an envelope -

M^r L. H. LaFontaine
M^r
Montreal

Vermeil

M^r D. Radisson

21 Decembre 1846

Archives de la Ville de Montréal