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## GUY CARLETON, LORD DORCHESTER: AN ESTIMATE<sup>1</sup>

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Tradition made Carleton divine; research makes him human. The portrait of this Irishman, as touched up by his English biographer, was almost an idol to Canadians. The picture was beautiful—that of a soldier, a political sage, and, one might almost add, a saint all combined. It was made for worship, not for understanding. No such perfect man was ever born, even in Ireland. In two respects, however, this mythical figure resembles the real Guy Carleton. For all his faults, there was a certain greatness about him; and he is difficult to understand.

The difficulty lies partly in the striking contradictions revealed by a study of the man's records. He was mean and yet he was great. He would have crushed the American Revolution at its very inception, but he refrained from doing it when the means for which he had begged were placed in his hands. The contrast between his two periods as Governor is so strange that Lord Dorchester is scarcely recognizable as the old Carleton. Another reason why it is not easy to understand him springs from his very nature. He shrank from revealing himself, preferring to hide behind a mask of austere reserve. In writing and in speaking, he generally weighed his words to produce a calculated effect. Finally, there arises between us and him the smoke of the fire to which his obedient widow consigned all his private papers.

In attempting to form an estimate of Guy Carleton, we cannot shut our eyes to some serious defects of character, because they influenced his official conduct. His disposition was autocratic; his temper was treacherous; and he could be quite unscrupulous in covering up his own mistakes. On the morrow of his arrival in 1766 and again on the eve of his departure in 1778, he was cornered for excluding Council members from regular Council meetings. For this exclusion, we may perhaps find some extenuation in the local politics of Quebec, but only the grace of God can cover the sin he committed in cutting his way out. He struck down those who had caught him, thereby increasing his fault; and then, to obscure it, he resorted to gross misrepresentation in his reports home. His first victims, Irving and Mabane, recovered from the blow though they were never officially vindicated; but Peter Livius, his victim of 1778, was a broken man in spite of the fact that the Privy Council upheld him and condemned the Governor's action. More serious than the damage he did to these individuals was the injury he wrought upon the country. He crippled the Council, in which there could be no real freedom of debate when such leading members were driven out for speaking out. He continued what he had repeatedly denounced as a curse—the iniquitous fee system—rather than be himself exposed by a vote on Livius's motion. That was why he

<sup>1</sup>Since most of the facts in this paper are to be found in *The Old Province of Quebec*, it has seemed unnecessary to cite specific authorities for statements dealing with Carleton's career before the end of 1791 when that province ceased to exist.

suddenly terminated the 1778 session of the legislature. Still greater evil followed upon his summary removal of Livius from the Bench, for though the Chief Justice was ordered back to his post a train of accidents detained him on the other side of the water when he was sadly needed in Quebec. Without a head to guide them, the well-meaning but incompetent amateur judges who presided over the Courts of Canada dealt out a justice that was a byword in the land.

Fear of being found wrong may partly explain the perversity displayed by Carleton in the quarrel he picked with Germain. In the military events of 1775 and 1776, the Governor saw some of his mistakes exposed. As these were faults of head rather than of heart, their consideration may be postponed with the remark that they were fraught with disastrous consequences. True to form, he seems to have feared that he would be held to account and to have acted on the principle that the best defence is to assume the offensive. Later, when ordered to hand over to another the command of the army detailed to march south, a transfer necessitated by military etiquette, he must have seen himself deprived of the chance to retrieve his own errors. Then he became more aggressive in attacking his superior.

Bad temper as well as the fear of being found out explains why he dipped his pen in gall whenever he wrote to the Secretary of State. Various things, such as troubles in his own government and the preferment shown to his junior, Howe, had been irritating him. As he abominated Germain, that individual was more useful than dog or wife for the venting of his spleen. His despatches home became positively insulting. His own brother admitted it when he said that his "correspondence with *Cain* will not dispose the latter to continue him in his government"; and the King, who had been a good friend of Sir Guy, said: "Carleton was highly wrong in permitting his pen to convey such asperity to a Secretary of State and therefore has been removed from the government of Canada." The removal was effected by a prompt acceptance of his resignation.

When he returned as Lord Dorchester in 1786, he seems like a reformed character. But after his two years' leave in England from 1791 to 1793 it became abundantly clear that age had not sweetened his disposition. Growing disappointment rather soured it. In 1786 he had aspired to unite British North America under his own immediate sway. He was then made Commander-in-Chief and Governor over all. His military authority remained unimpaired, but, in ways that will be mentioned later, his actual control of civil administration was cut down before 1793 to the narrow limits of Lower Canada.

Here lies the key to his famous quarrel with Simcoe. It used to be said that Simcoe was all wrong and Dorchester all right, and that the root of the trouble was Simcoe's resentment at the loss of the independence he had enjoyed during Dorchester's absence from 1791 to 1793. The reverse is nearer the truth. Alured Clarke, as Commander-in-Chief, had exactly the same authority over Simcoe until 1793 as Dorchester possessed afterward, but Clarke had no difficulty with Simcoe. Dorchester resented Simcoe's appointment in the beginning because it meant the rejection of his own nominee, Sir John Johnson, and he further resented the fact that his military authority over Simcoe did not extend to civil affairs. When Dorchester tried to give him directions, Simcoe replied that he had a

higher sanction for what he was doing. Before sailing for Canada he had consulted Dundas and had secured the Secretary of State's approval for his plans. Dorchester was impotent except as Commander-in-Chief, and in that capacity he did not hesitate to embarrass his inferior. The unedifying details need not be recounted here, for the correspondence between the two men has been published. One little illustration of the great man's spite shows how petty he could be. For some months he continued to address Simcoe as Colonel though he knew that he had been raised to the rank of Major General.

When Chief Justice William Osgoode was promoted down to Quebec, he too felt the petty vindictiveness of the Governor, perhaps because he had been Simcoe's warm friend and trusted adviser, and perhaps because he owed his appointment to Dundas. At first Dorchester merely kept him at a distance, withholding the confidence that he expected and others took for granted as already given. For several months Osgoode did not know how he really stood with Dorchester, and then the revelation came suddenly. One evening the Governor commended him for defeating legislation to admit three broken shopkeepers as barristers, and the next morning one of the trio was presented to him as the Chief Clerk of his Court. It was a mad appointment, and heaven only knows how litigants suffered from it. Osgoode never forgot the insult and the duplicity behind it. On explaining the incident to the Under-Secretary of State in London, he wrote: "I go cooing no longer in his court yard." Years afterward he remarked, "when there was a coolness subsisting the attention and civilities of Lord and Lady D were redoubled".<sup>2</sup>

Though Dorchester did not repeat the past by dismissing Simcoe and Osgoode, he admitted that he would have liked to do so. Another reminder of the bitter days of old is the way Germain's place was taken by Henry Dundas in the mind of the Governor. For this Secretary of State, said Osgoode, "he has the same affection that the devil has for holy water". The apparent origin of this new hate was characteristic. On February 10, 1794, Dorchester said a terrible thing in addressing an Indian delegation, and he did it deliberately, for he had his words written down and circulated among the red men. He told them: "I shall not be surprised if we are at war with them [the United States] in the course of the present year." In Canada as well as in the neighbouring republic, it was commonly believed that he would not have dared utter such an inflammatory speech unless the home government had put it in his mouth. The startling news reached London on the eve of the negotiations that led to Jay's Treaty, and moved the Secretary of State to administer a mild but well-deserved rebuke. Instead of admitting and regretting his fault, the Governor peevishly tendered his resignation.<sup>3</sup> Though addressed to Dundas, it was delivered to his successor, the Duke of Portland, who politely put Dorchester in his place, telling him that he was not called upon to resign but rather to display a proper spirit in receiving just criticism from his superior. Meanwhile, such was the Governor's bitterness, the story of the Cabinet shift involving Dundas was wonderfully distorted in the capital of Lower Canada. The change in the ministry was simply to accommodate the leader

<sup>2</sup>Public Archives of Canada, *C.O. 42*, vol. 22, pp. 5-12, 108. Other letters in this volume give further details of the incident.

<sup>3</sup>Public Archives of Canada, *Series Q*, vol. 67, p. 175; *ibid.*, vol. 69-1, p. 176.

of the Portland Whigs, who then joined Pitt, but it was complicated by a misunderstanding of the new position Dundas was to hold. He took offence and insisted on leaving the government until persuaded to remain by a personal letter from the King, who wrote it at Pitt's request. In Quebec, it was noised abroad that Dundas had been removed to induce Dorchester to stay at his post, and that the flattering message from the royal hand had been addressed to the Castle of St. Louis to appease the offended Governor.<sup>4</sup>

Dorchester's final retirement in 1796 can be traced directly to the above mild rebuke, which he insisted on interpreting as an unjust censure and a warning that he was to be recalled to explain his conduct.<sup>5</sup> Portland's continued politeness could not shake his determination to retire, for which he found new justification. Referring to the close limitation of his civil authority, he accused the home government of tying his hands, and to indicate where he thought the blame lay he raked up an innocent remark of Dundas in a letter of nearly a year old and twisted its meaning out of all recognition. He pressed for a successor who could be trusted with the power he had once hoped to wield in consolidating the scattered remnants of the Empire in America.<sup>6</sup> The Governor sorely missed the satisfaction of writing to Dundas as he had formerly written to Germain, if one may judge from the querulous tone of his letters to Portland.

Turning from this unpleasant side of his character to view the whole career of Carleton in this country, we must admit that no one but a superman could have mastered all the difficulties which he was obliged to face. In 1766, he came to rule a colony from which his predecessor had been driven by the explosion of internal strife. Happily for him, he was given three advantages that had been denied to Murray—the command of the army, competent law officers for his government, and the confidence of the authorities at home—or he too might have been wrecked. But the responsibility which he had to assume was much more than mere administration. He had to grapple with one of the greatest problems in British history. That was how to fit this utterly strange colony into the British Empire, a problem that was complicated by the presence of a troublesome though small English-speaking minority and by the juxtaposition of the old colonies where revolutionary clouds were already beginning to gather. Then, just as he was about to inaugurate the new constitution designed to solve this problem, the storm in the South broke, forcing him to make momentous decisions upon which, he realized, the future of Canada and of the whole Empire in America might turn. When the independence of the United States was recognized and he was sent back to Quebec, he bore a mighty weight upon his shoulders. Again he had to wrestle with the problem of government in Canada, for time had undone the solution of 1774 and had added new complications. In addition, the ministry thrust upon him the entire responsibility for handling the exasperating situation in the interior. There, in violation of the recent treaty with the United States, British garrisons still held the keys of the West; and the red men, half deserted and half supported by the British, were continuing the war

<sup>4</sup>*C.O.* 42, vol. 22, pp. 14, 16.

<sup>5</sup>*Q.* vol. 70, p. 116.

<sup>6</sup>*Ibid.*, vol. 77A, p. 129; *ibid.*, vol. 71, p. 450; E. A. Cruikshank (ed.), *The Correspondence of Lieut. Governor John Graves Simcoe*, vol. III, pp. 306-7, 347-8.

on their own account. No one could tell whether the outcome would be the collapse of the Empire or its indefinite extension over the heart of the continent. Truly the inventory of his various tasks is appalling. In this respect, no other British Governor in America can be compared with him.

Carleton was at his best during the first years he spent in the country, and then he appears great. Boldly approaching the whole problem of government, he quickly concluded that the foundation of British policy for Canada had been false and dangerous. With a few strokes of his pen he tore away the assumption of 1763 that Canada could be treated like any other British colony of that day. "This country must, to the end of time, be peopled by the Canadian race, who have already taken such firm root, and got to so great a height, that any new stock transplanted will be totally hid and imperceptible amongst them, except in the towns of Quebec and Montreal." The intervening years have vindicated this prophetic judgment, for he was speaking of what is now the Province of Quebec. Laying down this new foundation, that Canada was bound to remain French in character, he proceeded to explain how it could remain British in allegiance, and again he was a bold seer. There was only one way to prevent the colony's character from being a strain upon its allegiance, and that was to win its people. Since they could not be squeezed into the standard British mould, the government of this country should be specially made to fit them. Though they were Roman Catholics and British laws forbade the public employment of all who professed that faith, their leaders should be offered posts under the government and given commissions in the army; they should be protected in their religion beyond a peradventure; their civil laws and customs, to which they were much attached and upon which all their property rested, should be carefully preserved, and every just grievance of which they complained should be swept away. Then the Canadians, though they would never become English, would grow into loyal British subjects. All this meant a radical departure from the traditional British colonial policy and reveals Carleton as a great pioneer and one of the outstanding statesmen in the history of the Empire.

In the practical application of this new policy, to which he converted the home government, Carleton made two fundamental errors which operated to defeat its purpose. One was his misconception of the nature of Canadian society. Although on various occasions he pointed out that the broad conditions of life in America made for democracy, he failed to see how these very conditions had produced in New France a society fundamentally different from that of old France. The spirit of independence which he could not avoid observing in the Canadian people, he interpreted as a recent product of lax British rule. He fondly imagined that the *habitants* had been hewers of wood and drawers of water for the clergy and the seigniors, and he sought to restore what had never existed, a well-ordered society controlled through these leaders. His mistake was natural. Had he remained in the country during the military régime, instead of departing immediately after the fall of Quebec in 1759, he might have seen that the *habitants* who served as militia captains had become real leaders of the people. Moreover, his outlook was coloured by his aristocratic background and his autocratic disposition, and, of course, the upper clergy and the *noblesse* with whom he came in contact fostered

the illusion. The rejoicing of the seigniors, whom he would place in the saddle where they had never sat, stirred uneasy feelings among the *habitants*.

His other error affected the small English-speaking mercantile minority. According to the plans worked out in London, they were to be protected against the injustice which an unqualified restoration of the old civil laws would impose upon them. The Governor was instructed to advise the new Legislative Council, who ought to have been best able to do it, to preserve the minority's native legal rights—*habeas corpus*, jury trials for civil causes, and the commercial laws applied in England. He ignored the instruction and thereby let these Britons believe that the home government had betrayed them. So far as is known, he never explained his silence on this question; but there is ground for believing that he feared that these concessions to the English-speaking merchants would offend Canadian susceptibilities and thus impair the main value of the new constitution.

The consequence of these two errors was tragic. Carleton had convinced the home government that the new constitution would spread contentment on the shores of the St. Lawrence and consolidate Canada into a pillar of Empire. He was sure that if the American troubles came to a head the Canadians would rush to the colours and provide a strong force to uphold British authority on this continent. Therefore, in September, 1774, when he received an appeal from the nervous Gage in Boston, he did not hesitate to ship off two of his four regiments. But he was living in a fool's paradise, and the awakening was at hand. The British mercantile minority, exasperated by their betrayal, welcomed the revolutionary agents from the South and helped them to get in touch with the *habitants*; and the *habitants*, neglected by Carleton and distrustful of his aristocratic policy, lent credulous ears to the propaganda that was poured into them. It was not long before the rush of events turned the Governor's world upside down. Instead of Canada supporting the Empire in the hour of crisis, the Empire had to support Canada. Carleton had innocently deceived both himself and the home government.

The part Carleton played in the Revolutionary War has been commonly misconceived. Attention has been too much focused upon the Siege of Quebec, and he has been improperly credited with keeping Canada British by holding Quebec. From first to last, the odds were so much in favour of the besieged that he would have deserved to be court-martialled had he lost the place; and even if by some mischance it had fallen, the Americans could not have withstood the assault of the powerful British force that came out in the spring. Carleton, however, deserves lasting honour for his flat refusal to let Colonel Guy Johnson loose savage hordes against the backs of the old colonies when they first rose in revolt. He should also be praised for something else. Of all who were entrusted with the conduct of affairs on this continent, he stands out in the very beginning for his masterly insight into the military situation. The invasion of Canada might never have occurred and the American Revolution might have been nipped in the bud, had the authorities accepted and acted upon the simple but penetrating advice he tendered as early as February, 1767. He then urged the erection of two great strongholds, one at New York and the other at Quebec, and the secure linking of these two by the

restoration of the crumbling walls of Crown Point, Ticonderoga, and Fort George. He would have given British military power a stranglehold on America. When hostilities commenced and the Americans advanced to batter in the back door of Canada, he again pressed his plan of cutting the old colonies in two. In September, 1775, he wrote home saying that there was no better base of operations than the St. Lawrence, and a completely equipped army of ten or twelve thousand men sent out in the spring "might greatly change the face of things on this continent". This appeal, being followed in a few weeks by news that Saint John had surrendered and that the Americans, overrunning the country, had closed in on Quebec, stirred the home government to do as Carleton wished. The army was despatched early in 1776, and it embodied Britain's main military effort for that year in America.

For a few weeks in the early summer of 1776, Carleton held the fate of the Empire in his hands. Though the Americans scuttled away from Quebec, they had no idea that a mighty armament from Britain was sailing up the river. Recovering from their panic, they halted their retreat at Sorel and advanced on Three Rivers, only to run into a snare which caught some and from which none could have escaped, had not Carleton strangely opened the way for them by recalling the contingent that hemmed them in on the south-west. Even then he had all the Americans in the country at his mercy, for, still ignorant of his overwhelming strength, they were reluctant to abandon Sorel. He ordered Burgoyne to follow but not to press them up the Richelieu while he himself conducted the main body up the St. Lawrence to Longueuil and then cut across to Saint John to catch them in the rear. He was at Varennes, just below Montreal, on the afternoon of Saturday, June 15, and he could have reached his objective on Sunday while the enemy were still many miles below. But he sat still while they scrambled on. Late Monday evening they tumbled into Saint John. On Tuesday, their boats having just come up from the south, they rowed away. On Wednesday Carleton arrived. Had he sprung his trap according to plan, he could have done much more than capture the whole body of the invaders. He could have seized their shipping. That would have given him the command of Lake Champlain and the immediate means of moving his army over it. Then he could have struck straight down the Hudson to New York, according to his original idea, for the conditions that were to entangle Burgoyne in the following year had not yet developed. This cut right down the middle of the colonies, coming on top of the loss of their northern army, might easily have destroyed the Revolution before it had gathered headway. His fatal delay in 1776 led to the fiasco of 1777; that precipitated France into the war; and French sea power tipped the scales against Britain. There should be a public monument to Carleton in Washington.

There is something puzzling in this General who refrained from applying his own commanding strategy when, at his own request, he was fully equipped to carry it out. The only probable explanation yet discovered is that the statesman in him had suddenly risen to overrule the soldier. This is suggested by his generous treatment of the prisoners he had taken, and by various passages in his own letters of the time. In common with many other prominent Britons, he pitied the rebels as "deluded subjects" led astray by designing congressional leaders. He wanted to prove,



as he said, that "the way of mercy is not yet shut", and to give "such testimonies . . . of the humanity and forbearance with which His Majesty's just resentment towards his revolted subjects is tempered as may serve effectually to counteract the dangerous designs of those desperate people whose fatal ascendancy over them has already conducted them to the brink of ruin". As the Declaration of Independence was still in the future, he may well have imagined that in letting them all go he was holding his hand from pushing them over the brink. He may also have thought that the blow which he ought to have struck then could be just as effectively delivered at a later date should his humanitarian calculations prove vain. Neither he nor anyone else could at that time see that the military opportunity he was throwing away was being forever lost. Thus again, after displaying a remarkable vision, he had innocently deceived both himself and the home government.

During the two years that elapsed before his retirement from the country in 1778, Carleton pursued a policy of government that was to leave a wretched heritage and, incidentally, must have contributed to his own embarrassment in days to come. This policy was simply a continuation and a development of his mistaken ideas when he first approached the application of the Quebec Act. His rude awakening to the fact that the *habitants* would not march behind their seigniors in response to his piping, and the apparent confirmation of his suspicion that the English-speaking merchants were American rebels more or less in disguise, hardened his heart and closed his mind. He could not see that he had shut himself up in a vicious circle. Of all the people in the country, apart from the clergy, there was only one small group that he could trust. It was composed of the seigniors and the little knot of English-born officials led by Adam Mabane whose outlook was thoroughly assimilated to that of the *noblesse*. To this group, which soon came to be known as the French or King's party, he gave full rein in 1777 when, the interruption of the invasion being over, the new Legislative Council at last began to function.

In the grist of legislation turned out that session, three measures stand out in the language of the day as objectionable ordinances. The least objectionable was that which denied the towns any modicum of self-government. It placed the local administrations of Quebec and Montreal in the hands of magistrates appointed by the Governor. More heartburning was occasioned by the militia ordinance, a severe measure bristling with penalties. It was obviously framed to chastise the *habitants* for their behaviour in the recent crisis and to press them down into a state of useful subjection. Its practical effect was to alienate them. The ordinance regulating the procedure in the civil Courts, and inferentially the law they were to apply, encountered the hottest opposition in the Council, for it turned thumbs down on the British-born merchants and they were not without representatives at the Board. These members, reinforced by others who sympathized with them, nearly carried the day, since death and other vicissitudes had reduced the French party's large majority to a possible minority. Then a crack of the Governor's whip decided the issue. The Council accepted as final what the home government had intended to be only a foundation, the unreformed<sup>7</sup> civil law of New France. The failure to provide for the right of *habeas corpus* was natural and perhaps proper

<sup>7</sup>Except for the admission of the English law of evidence.

in war time, but there was no justification for the refusal of jury trials for civil suits and the denial of the commercial laws applied in England. These omissions invested the judges with a highly arbitrary power over their political foes, the merchants, when they brought their disputes into Court; and this totally un-British power was increased in the following year by the dismissal of Livius, who had threatened to undermine the control of the French party.

Perhaps the happiest period of Carleton's public life opened in 1782, when he was appointed Commander-in-Chief and Commissioner to liquidate the war in America. For the rôle he then assumed and proudly sustained, his memory is still cherished. He was the father of the many thousands of Loyalists already huddled together in New York and still crowding in under the protection of his army. Entering into correspondence with Governor Parr in Halifax, his military subordinate, Carleton prepared a place for them in Nova Scotia, and thither he began to send them as fast as he could even before the peace was signed. Then, when Britain undertook to evacuate her troops "with all convenient speed", George Washington and Congress tried to insist on the letter of the bond which would have exacted more than a pound of flesh. They maintained that the treaty required the immediate embarkation of the army. But the British Commander-in-Chief would not sully the honour of his country by a betrayal of the remaining Loyalists to their vengeful foes. He would not budge until the last of the miserable refugees had been shipped away. He told the Americans that they were themselves to blame for his delay, because their continued ill-treatment of Loyalists was driving still more to seek shelter with him. When all were gone and he sailed home to lay down his command, he did not cast off the paternal rôle he had played in New York. As the patron of the new Loyalist settlements and the pro-consul with the broadest knowledge of what was left of the Empire on this side of the water, he was consulted on various matters of colonial trade and government. An official memorandum which the Secretary of State prepared for the Prime Minister in August, 1785, says that the Maritime Province governments had "been officered pretty generally by his recommendation".<sup>8</sup>

During these years, also, Carleton was borne up by a new and a grand vision caught in New York. There he had fallen in with that remarkable man, Chief Justice William Smith, from whom he learned how his frustrated ambition to be the saviour of the Empire might at last attain fulfilment. The consolidation of the remaining colonies under one government might not only salvage what was left of the American wreck but might even exert such an attractive force as to recover some of what had been lost. When, on his return to England, the ministry sought the advice of the soldier, he had the lawyer at his elbow to formulate this plan of Imperial regeneration, and we have documents in Smith's own handwriting that show how he laboured over it. The crowning point of Carleton's career came in August, 1785, when the Cabinet decided to adopt the policy of colonial union and to send him out as Governor-General with extensive powers over all British possessions in America, "excluding only the West India Islands". Then this happy period of his life began to fade away.

<sup>8</sup>C.O. 42, vol. 18, p. 147.

Before he took ship in the summer of 1786, disappointment had set in. He was made Commander-in-Chief, but, instead of becoming Governor-General with full authority over all the colonies, he was given a series of lesser commissions under which he could be Governor of only one colony at a time, that in which he was present in person. Then geography began to fight silently against him. Being unable to visit the Maritime Provinces, he found his commissions to rule over them were an empty honour. Still, with the optimistic Smith at his side, he clung to the hope that some day he would preside over a united British North America, and the time seemed ripe when the Canada or Constitutional Act was being prepared. But the Cabinet in London sided with geography. The two friends in Quebec were obviously disappointed to find that the original draft contained no provision for colonial consolidation. Thereupon Smith drew up his well-known clauses to achieve that end, and Dorchester sent them home with a recommendation for their inclusion in the Bill; but the proffered addition was brushed aside, as was a later proposal of the Governor for reconsideration after the Act had been passed. This double refusal was a terrible blow. Instead of rising to be the lord of America, Dorchester sank to be merely Governor of Lower Canada, for the division of the country allowed Upper Canada to follow in the wake of the Maritime Provinces.

As the home government disappointed him, so also did he disappoint the home government. The conclusion of the war had loosed an angry storm in the old Province of Quebec. It centred around the constitution, and it blew across the Atlantic huge petitions for and against change. The ministry did not know what to make of the situation and turned to him for light and leading. He had once solved the problem of government and was expected to do it again. This was the chief task with which he was entrusted in 1786. It baffled him, and he had to admit it. That was perhaps the only time he ever made an open confession of failure. Meanwhile his helplessness embarrassed the British government. The opposition at Westminster, inspired by the advocates of change, pressed for the repeal of the Quebec Act, and on more than one occasion the ministry had to beg for a year's grace on the plea that they were expecting full information from Dorchester at any time. As that never arrived, the impatient William Grenville, on taking charge of colonial affairs in the summer of 1789, shut himself up with all the pertinent papers he could gather, and worked out the problem for himself. He was the author of the new constitution of 1791, to which the Governor, though aided by the Chief Justice, contributed nothing of importance except the clauses on land tenure. Dorchester's fumbling undoubtedly undermined the confidence that London had reposed in him, and therefore Nepean's remark to Haldimand in July, 1790, is not surprising. The Under-Secretary of State then said that the Governor, who was expected home in the following spring, would probably never return to Quebec.

In one important matter quite apart from the government of Quebec, Dorchester did not disappoint those in authority at home, and this may have been at least partly responsible for his coming out once more in spite of Nepean's prognostication. It had to do with the ugly legacy of the war in the interior of America. Dorchester suggested that Britain could get rid of it by negotiating a new treaty with the United States, to which the

red men would also be a party. The object was to erect a neutral barrier of exclusively Indian territory south of the line drawn in 1783, and to preserve the inviolability of this territory by the joint guarantee of Britain and the United States. Such an arrangement would cover the withdrawal of the garrisons from the Western Posts. In the spring of 1792, when he was back in England on leave, the Cabinet decided to act on his proposal.<sup>9</sup> Though the Americans would have none of it, the British government might have continued to press the point had not the French Revolution given rise to European developments that forced its abandonment in 1794. Then Dorchester, having meanwhile returned to Quebec, delivered that fiery speech which threatened war at the very time when Britain was turning to seek peace.

This jarring note might never have been struck had another man been still alive and well. Ever since they had been thrown together in New York, the Chief Justice had possessed a remarkable ascendancy over the mind of his friend, and it is a noteworthy fact that Dorchester's treacherous temper slumbered while Smith was by his side and awoke almost as soon as Smith was dead. Indeed the influence of this astute man was so great that, as was generally observed soon after his arrival with Dorchester in 1786, the Chief Justice ruled while the Governor only reigned. Then the French party were dismayed to find that Smith's policy was clean contrary to that which Carleton had followed. With all the desperation of men who felt they were betrayed, Mabane and his clique fought to preserve their reactionary régime. They were well entrenched in the Council and in the Courts, but he put bombs under them. He first blew up the old laws, and then the old judges. He captured the control of the Council, thereby winning for the western Loyalist settlements the right to have their own law Courts. Even greater reforms were undertaken by this bold man, and he impelled the Council to support them. Two generations before the feudal system was overthrown, he nearly succeeded in undermining it, and he launched a most ambitious educational scheme. In addition to public schools for all the children in the land, it would have provided Quebec with a bi-lingual university to attract, by its unique advantages, students from beyond the confines of British North America. The necessary funds were to come largely from the Jesuit estates. In short, Canada was no longer to be governed as if it belonged wholly to the clergy and the *noblesse*. The newcomer was wrecking the system that Carleton had riveted upon the country, and he was doing it with Dorchester's approval.

There is much in these years to suggest that the Governor had changed more than his name. It seems as if the strength had gone out of him and he had lost his bearings. The weight of advancing years, and the heavy burden of responsibility he had assumed, were bearing him down at a time when the earthquake of the American Revolution had upset the whole political landscape. Gone was his firm belief that the country could and should be controlled through the church and the seigniors, and so also was his implacable hostility to the mercantile minority. There may have been a certain inward confession that he had been wrong, but he would never reveal it and he did not need to. Unforeseen events had pulled out the corner-stone from under his old policy. As the staunch champion of the Loyalists, he was bound to do all he could for them. Moreover their very

<sup>9</sup>*Q*, vol. 58, pp. 59-62.

settlement had altered the character of the country by giving it a dual nationality, and that shrewd man Smith saw the present possibility of an even greater shift in the country's foundations. Untold numbers of Britain's prodigal sons, Americans like himself, would abandon the new republic in disgust and move north to live once more under the old flag, if only a welcoming door were opened wide. Then, he predicted, the French on the St. Lawrence might be gradually submerged as were the Dutch and other Europeans in the lost colonies to the south. It was a bewildering world in which the aged Governor found himself. But the Chief Justice, who had a much more active mind and a much greater knowledge of America, seemed to know the road along which to drive, and Dorchester naturally handed over the reins to him. When Smith died in December, 1793, the Governor was lost, and it would have been better for all concerned if he had not been obliged to tarry in Quebec until 1796.