

# A CANADIAN POOH-BAH

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## I

ONE centenary we are not celebrating this year. That is the bi-centenary of the arrival of Thomas Dupuy as Intendant of New France, whose first winter in this country was that of 1726-7. From our school-books we remember Talon, Senator Chapais's "Great Intendant", but the intendency in Canada did not remain as Talon left it. He returned to France because Frontenac was coming, and we all know Frontenac, the glorious bully. Besides the first Intendant, some may also remember the last,—Bigot, a man much maligned and also much beloved. Few eighteenth-century rakes would have been so well-cared for in their days of penury and disgrace as Bigot was by his mistress. He was an effective administrator, a genial politician, indeed a bit corrupt, but with the pleasant as well as the unpleasant vices of *bonhomie*. Apart from Talon, greater in our history since he did not stay to measure himself against Frontenac, and Bigot, all the more ignoble because we have accepted the corrupt and biassed report of his ungrateful and sordid masters, what do we know of the rulers of New France? I do not mean the Governors, whose peculiar task—military glory and the French Empire—has been quite futile. I mean the Intendants, whose work was the building of a race, the development of agriculture, the establishment of industry, the internal discipline of a nation able to withstand New England: the one task of the old régime that did succeed. Few Canadians know even the names of these men: Duchesneau, who bearded Frontenac before Frontenac was great; Champigny, who controlled internal Canada in Frontenac's later days; Bégon, who raised Canada to her feet after the staggering losses of the Treaty of Utrecht; and Hocquart, who made Canada socially strong and vigorous, able to bear the strain of the Seven Years War under Bigot. These were the men who made it possible for the British Empire to take over in 1763 not a few acres of snow, but the germ of a nation. The work of all the Governors has either finished or failed; that of the Intendants remains with us, including even M. Taschereau's problem of natural resources, and Mr. Ferguson's control of the liquor trade.

In the midst of the succession of greater men, ruled Thomas Dupuy from 1726 to 1728. He failed so obviously that the Government at home had to state more clearly than ever before exactly what were the borders of the Intendant's power. His régime marks at the same time the lowest point in the dignity and unity of the Catholic Church in Canada. Dupuy's administration was the most notable collapse of civil government in time of peace that we have known. And it was exactly two hundred years ago.

## II

Before Dupuy, the last great fight between Governor and Intendant had been Frontenac's vendetta with Duchesneau. This struggle had brought the colony to the verge of collapse, and Frontenac was told that if he stayed much longer he would ruin it. Things changed in Frontenac's second régime, and our school-books remember him rather as the great man who undid the damage for which he was to some extent responsible. Frontenac was a soldier never before burdened with a civil authority dogging every movement; Duchesneau was a lawyer used to looking on Governors and soldiers as ornamental though useful executives of the civil arm. Further, Duchesneau had to establish new powers for the Intendant against the Governor. The intendency, itself a new office, was to take over functions which none but a Governor had exercised in Canada, and which Frontenac himself had enjoyed. More significantly still, Duchesneau and Frontenac were business rivals, and they never forgot this antipathy. It was no wonder that the Government had to put these two fighting cocks under the hatch-way and bring them home.

Forty-five years later, things were very different with M. Dupuy. The intendency had been well-established in the interval, and it was no new or unworthy office that he took over. Nor was de Beauharnois, the Governor, a bruiser of the Frontenac type. He was himself a sailor, and consequently with a sense of humour he was brother-in-law to the last Canadian Intendant who had recommended his appointment; he was kinsman of one of the war Intendants, and brother of the next Intendant of Rochefort. He was not unacquainted with the Intendant's office, nor prejudiced against it by the professional and class arrogance of Frontenac. De Beauharnois was of the inner circle of the "family compact" who held so many good appointments in the Department of Marine and Colonies; while Dupuy was a perfect sample of the diligent civil servant whom Louis XIV had left to bear the burdens of

French administration for two generations. Some of the older and more distinguished members of the Canadian community had recently died, and with them had been removed some of the cliques which usually attached themselves to Governor or Intendant. Nor were de Beauharnois and Dupuy business rivals. Everything pointed to possible harmony.

But Dupuy did manage to have a row. After months of petty bickering, he brought the intendency to a position of popular disrespect. He aggravated a Church dispute, and gave provocation for tumult in the streets leading to sacrilege. He gave an opportunity for the Governor to restore order by the illegal use of violence.

### III

The Intendant's work comprised most of the administration of the colony. General administration, that is, policy for the colony as a whole and its application in the form of Ordinances (mandatory legislation of authoritative individuals), was shared with the Governor. Land grants were made at that time by the two officers, as well as appointments to the Superior Council at Quebec. Permits to trade in the bush were visaed by the Intendant, though the matter was principally one for the Governor, who had exclusive charge of external and military affairs, from which the Indian trade could naturally not be separated. In all appointments the Governor and the Intendant were supposed, though not compelled, to consult each other. But all other administration was directly or indirectly the Intendant's.

He arranged the police regulations of the towns; he issued Ordinances for the rural police and administration which the militia captains—habitants on the concessions—executed. Most public works and all roads and bridges were executed under the supervision and authority of officers responsible to him; he organized the postal service and the ferry service. He supervised the suppression of the Indian liquor trade, and made and enforced Ordinances about cabarets for Whites and Indians alike. He saw to the collection of the King's dues, levies and Customs taxes when they were not farmed out. Even then he supervised them and watched for abuse. He paid all the King's bills, sent home an annual budget, and took an annual census. He protected the rights of the company, which usually had some sort of monopoly in the fur trade, and also looked after the markets, both internal and external, for Canadian producers and merchants. He sometimes indirectly controlled the price of wheat and issued seed grain after a bad harvest. He gave

technical advice on the growing of hemp, flax, and on fighting the tobacco worm; his experts instructed habitants how to prepare tar, resin, potash and turpentine. He attempted forest and fish conservation, exploited mines and sent out prospectors. He was also a judicial officer, responsible that all courts from the petty seignorial ones to the Superior Council itself executed good law. He could call cases to himself for settlement. Certain jurisdictions were exclusively his own. He saw that the seignorial system was properly administered in both its legal and its economic aspects. He enforced the collection of tithes, and funds for the building of churches and presbyteries, and enforced quiet on Sunday mornings. With the Bishop, he marked out the boundaries of parishes. He saw to it that nuns never became cloistered (and so of less utilitarian value), and that the teaching religious did their work. He issued medicinal stores to the hospitals. He made recommendations about the College at Quebec. He made contracts for supplying the King's stores not only in Canada but in La Rochelle as well. For many years he was responsible for supplying food to Cape Breton, and rations to the garrisons of the West Indies. He issued arms and munitions to the troops, and sold them to others; rations and pay for the troops went from his office to the company commanders. He or his representative was present at all reviews and every muster parade. The officer in charge of artillery reported inspections to him. He, with the Governor, authorized paper money, and he signed it.

In other words, he was Prime Minister, Minister of Agriculture, Minister of Lands, Forests and Mines, Minister of Finance and Customs, Minister of the Interior, Secretary of State, Minister of Public Works and President of the Council; as well as being Minister of Justice, a Judge of Appeals and of a Superior Court, and Chief Police Magistrate; he was advocate of the Church and Supervisor of Education; he was Quarter-Master General, Paymaster-General, and Master-General of Ordnance, as well as being Minister of Militia. If the Intendant was not a Pooh-Bah, no man outside of comic opera ever has been. Incidentally, the Intendant also supervised the "Master of the High Works"—the hangman—and kept the colony supplied with artisans of that craft as well as of all others.

This was the task which Dupuy assumed two hundred years ago this autumn. It just happened that at that time the Intendant's jurisdiction was confined to New France, from Gaspé and Labrador to Winnipeg, and south to Chicago. Cape Breton and the Gulf of Mexico were excluded.

## IV

What a bureaucrat he was! Before he ever arrived here, he had a sheaf of Ordinances, and in his first budget of letters home he asked for more authority! His title read "Intendant of administration, justice and finance", which was a fairly comprehensive summary of his functions. But Dupuy insisted on being "Intendant of Marine" as well, that he might have authority over the ships in the harbour. The Minister did not think much of this idea, especially in view of the fact that, as it was, Dupuy had kept the King's ship waiting dangerously late to clear the ice, to carry this very despatch!

He was above all a man of dignity, as only a petty man can be. His personality was not sufficiently strong to carry high personal respect in Canada, and perhaps it is typical that in his first Christmas in Canada we find him asking to have an escort, even in Church, of two yeomen with sloped carbines. Never in Canada have we had two military acolytes trotting along in front of our Prime Minister. De Beauharnois, already estimating his colleague unfavourably, was changing his attitude from tolerance to contempt. The Minister replied volubly. An Intendant had no position of honour in Canada peculiar to himself. The King's dignity resided in the Governor, the Intendant and the Superior Council. These officers ranked in that order, but the deference due the sovereign belonged to them in common. The King's authority was one, exercised by different high officers such as these, but one in honour and respect. Yet this triviality became one of Dupuy's most persistent grievances. These requests of his throw light on his character. He had a tendency to pettiness, he loved paper formalities, he was tactless with colleagues, and his lawyer-like Puy-de-Dôme provincialism made him peculiarly insensitive to Canadian conditions or Canadian psychology.

In his leisure hours (one wonders when he had any), Dupuy was an amateur physicist of limited fame, and had brought with him to Canada his stock of expensive instruments. On his recall these were left in the hands of his principal creditor who was quite unable to sell such stuff in Canada, and here they uselessly remained for years until they were sent back to France to be disposed of.

His amateur scientific temper was far too stiff to deal with the broad and sensitive office of Intendant. Meticulous exactness, pottering industry, disregard for others, and the restricted vision of a back-room laboratory, were new and, as it proved, disastrous qualities to bring to the Intendant's Palace at Quebec. Dupuy's

character made him an impossible administrator of Canada, but being a theorist and legalist he carried into all his controversies questions of law, of right, and of authority. It is undignified for a politician to make constitutional issues of his own gaucheries. It is the way of the pedant, not of the statesman.

## V

All Dupuy's early troubles were of this sort—his petty constitutional dignity pricking against a tolerant but at last an exasperated Governor, and his insinuation into powers which were usually reserved for the King's personal representative. De Beauharnois had at first given him a personal guard, with sentries at the Palace gate. This was the generous act of a colleague, but Dupuy came to demand this guard as of right. The Minister wrote; "As for the fear of theft and fire which has been the occasion of your demand, it seemed to me that an Intendant who is in control of the whole administration could easily put himself out of the reach of such accidents"; especially, added Maurepas mischievously, "when he treats the inhabitants with the justice which I am sure you administer." More amusing was the great constitutional issue of the Intendant's drum. The drum and escort by which proclamations were promulgated in the city of Quebec were usually provided by the Governor, but the relations of the two men had become so bad that henceforth the Intendant had to use drum and escort from his own jurisdiction, that is from the militia.

Indeed, within a year of his arrival Dupuy had refused to attend the Governor's Château on his order to discuss business. It had been the invariable custom for the Palace to go to the Château, not the Château to the Palace; but when Dupuy did arrive on this occasion, it was only to defy the Governor. The officer on guard duty at the Château threatened him with violence. Indeed politics were becoming lively in Quebec. Frontenac had once captured and incarcerated the Intendant's son. De Beauharnois missed the opportunity for a more than Frontenacian brutality, for Mlle Dupuy would have brought even an eighteenth century father to terms, if her picture does not do her more than justice.

The business at issue between them on this occasion was one of the Intendant's semi-military duties, the billeting of troops, into which Dupuy had brought a new procedure. De Beauharnois challenged the legality of the change, and with his officers disputed its wisdom. But Dupuy was correct in law if not right in policy.

The Governor had ordered the King's Lieutenant, (a judicial and not a military officer, and hence an Intendant's man), to obey his orders against Dupuy's. The Lieutenant refused boldly and even impudently. He was responsible only to the Intendant, he insisted. This was true, but he had shown less than respect to the Governor. He was not censured, however, for by this time Dupuy was being recalled. It was not sufficient for the Intendant to be correct. He had to be reasonable as well.

Dupuy continued meanwhile to appoint judges without consulting de Beauharnois, and de Beauharnois appointed officers to the upper posts without consulting Dupuy. One of the men appointed by the Governor was recalled and refused further employment after the Intendant had discovered and reported corruption, on which Dupuy, to do him justice, was severe. On the other hand, he was given the Toronto post to exploit, against the advice of all who knew the upper country. The post drew trade from Niagara, it was leased for a foolishly low sum, and Dupuy's agent turned out to be as corrupt as any. These matters did not make the Governor and Intendant more friendly.

## VI

Both the Governor and the Minister were losing confidence in Dupuy. In the routine of his intendantial duties, he had quite properly cancelled the land concessions of some habitants who had not fulfilled their homestead duties. De Beauharnois, no longer trusting his justice in the matter, illegally ordered the local curés to investigate.

In the towns Dupuy had instituted an amazingly difficult and modern régime in regard to chimneys, fire-prevention, windows, cabarets and other matters, quite unsuitable to the Quebec of two hundred years ago. De Beauharnois, who shared the universal antipathy to the new Ordinances, wished to challenge them before the Superior Council. Hitherto in quarrels between Governor and Intendant the Council had normally been on the Intendant's side, but this time the Governor's party was no mere military clique. It included old friends of his brother-in-law, the last Intendant, and other good Intendant's men. Here was an opportunity to align the Council with the Governor against the Intendant. The Minister wrote to the Governor: "In regard to the regulations and Ordinances which Dupuy has issued concerning police, he has been within his rights, because these ordinances concern only the three towns of the colony, and do not come under General Administration.

There should have been no question of condemning them before the Superior Council as the late *Sieur Collett*—late Attorney-General—“had undertaken to do (at your solicitation, it is claimed). The members of the Council acted very wisely in excusing themselves from entering upon an examination of these Ordinances.”

So far, Dupuy had won; but the distrust of the Minister now appears. If the Governor and the Intendant had no legal right to review such Ordinances, with so redeless an Intendant, they had a moral right. The Council was by no means to become a colonial legislature, but as an organ of Canadian opinion it was to influence the Intendant accordingly. Dupuy was not to issue such Ordinances in future without the King's permission or without acting along with the Council. The Minister continued: “You have regarded the towns of Canada as if they were Paris. Indeed, you would even establish a more severe administration. Nevertheless, the proper thing is to make innovations only little by little, and with complete knowledge.” The autocracy was wiser in Versailles than in Quebec.

## VII

The final disaster of Dupuy's régime arose out of the disgraceful incidents associated with the riot at Bishop St. Vallier's funeral. There is no need to repeat the narrative of that story. Perhaps Garneau has told it sufficiently, making literature out of the nervous and verbose contemporary reports.

Bishop St. Vallier, Laval's revered successor, died at Quebec in 1728. He left a strong but not entirely united diocese. The Cathedral Chapter of Quebec had been giving trouble; there had been no scandal, but ecclesiastical duties were being slackly carried out. Possibly the aggravating circumstance was the fact that the Chapter, being secular in composition, and Canadian in temper if not entirely so in membership, was finding the sterner French discipline of the Bishop irksome. The influence of the Canadian secular clergy in Church affairs could find concerted voice only in the one central body of their class, the Chapter. It had thereby become a party in Church politics, whose justice no layman need now discuss: but their position as such was a basic element in the trouble that ensued. On Bishop St. Vallier's death, the Chapter attempted to take charge of the diocese.

Now it happened that at the time of Mgr. St. Vallier's death his Coadjutor, who had the right of succession, was in France. He never came to Canada; but the Archdeacon, de Lotbinière, an amazing man in his way, only recently become a member of



the Chapter and not one of their inner circle, determined to take charge in the name of the new Bishop in France. (The Deanery, a royal appointment, was vacant). Here immediately was a clash of authorities. Both the Chapter and the Archdeacon sent out Vicars-General to establish and exercise episcopal jurisdiction.

This conflict in power was the immediate cause of the riot. Dupuy seems to have almost rushed towards the impending trouble. He issued an Ordinance against the Vicars-General of the Chapter, denying them jurisdiction, and ordering all concerned to obey only the Vicars-General appointed by the Archdeacon. In this he was perhaps canonically right, but he was certainly on the unpopular side. The Chapter defied his Ordinance, and he tried to get the Superior Council to prosecute them. Following a precedent of the past, the Chapter refused to recognize the jurisdiction of the Council over them. So Dupuy found himself in the midst of a Church and State controversy, dear to the eighteenth-century Erastianism of France, but a more delicate matter in Canada. Indeed, the Superior Council had by no means lent any enthusiasm to the cause of the Archdeacon and Dupuy. Only a few members could be found to discuss the question at all. One at least of these who signed the *arret* did so only on pressure from Dupuy and on his assurance that he, as President of the Council, along with two members, would be sufficient to make any *arret* valid. (An *arret* was a mandatory act of a council or parlement, analogous to the ordinance of an individual). Dupuy used his experience of French parlements and of French control of the Church to force the minority of the Canadian Council, admittedly naive in such matters, into a timid exercise of royal supremacy.

At this moment, with the Archdeacon, the Intendant, and the reluctant Council on one side, and with the Chapter and public opinion on the other, the Governor stepped in. He set free the people Dupuy had arrested; he ordered the Council to stop its proceedings against the Chapter; and he ordered into retirement two of Dupuy's active minority of the Superior Council. The Governor further took control of the Marshalsea police, and Dupuy issued an Ordinance forbidding them to obey the Governor in civil matters.

Now, this Marshalsea police was an exotic gendarmerie, consisting of a Provost and four "archers", with powers only over certain violent and treasonable offences. They were not particularly suited to Canada, where Intendants had wished their powers extended. They had been originally a military body, as their name suggests, but had long since ceased to be so in fact. In

France the Provosts of the Marshalsea took their oath from the Intendant, and Dupuy, who was more conversant with French than with Canadian practice, seemed safe in refusing the Governor power over them. But in Canada, where the Governor had always been much more than the figurehead he had become in France, the Provost of the Marshalsea took his oath from the Governor who installed him, and in local politics the Provost was often on the Governor's, not the Intendant's, side. The Canadian custom differed somewhat illogically, therefore, from that of France, but it gave de Beauharnois a pretext for his claimed authority.

When the test came, de Beauharnois, with his police and a handful of troops, won. Armed force, doubtfully legal where it had any excuse at all, brought peace without bloodshed. The issue of the Council's power over clergy was dropped; the control of the Marshalsea police became an academic question. In time the Vicars-General authorized by the new Bishop restored order in the Church; the new Coadjutor, Bishop Dosquet, arrived in the country, and in his own time purged the Chapter.

## VIII

Meanwhile de Beauharnois and Dupuy had to explain their escapades to the Minister. To put it briefly, Dupuy was summarily dismissed. Mme. Dupuy had sent Maurepas some fine Canadian furs, which won fine words for her husband but did not save his appointment. The Minister promised to do what he could for him on his return, for Maurepas was no friend to military encroachments on civil power, but he could no longer defend Dupuy. The tactful and official fiction by which the King, barely eighteen years of age, dismissed him covered the uncongenial task Maurepas had in recalling a devoted, meticulous, and foolish administrator.

As for de Beauharnois, he was criticised for his action in the Council and for his gaol-delivery, but these were condoned as useful *faits accomplis*. He was definitely reprimanded, however, for his violence in exiling the two councillors. Yet the two councillors were never to know of this, nor was the new Intendant to know of de Beauharnois's reprimand. In fact the new Intendant would himself reprimand the councillors for their indiscipline! A general spanking all round restored the authority of the King.

It took more to restore the dignity of the Governor. He was, of course, elated over Dupuy's recall. Almost impertinently he congratulated the Minister on it. "I know how only very imperfectly you express the important service you have rendered

the colony by your recall of M. Dupuy, my lord. You would have to be on the spot like the Count of Desgouttes" (the skipper taking Dupuy home) "and his ship's officers to be able to understand it. All of them say, too, that you would have had to see everything to believe it." But de Beauharnois was only happy, not satisfied. Dupuy had said evil things about him; had accused him of trying to set up a local kingdom in Canada; and in the preambles of Ordinances had falsely charged him with other offences. De Beauharnois claimed that on his part "he had used gentleness", (which was not quite the right word!) "but nothing could control Dupuy, and he has only attempted to destroy me by giving me out to the world as a man who listens only to the suggestions of violence and arrogance." De Beauharnois insisted that these Ordinances and reports should be recalled and denied. It was bad enough for an Intendant to destroy respect for law and order; it was tragic enough to expose the sores of the Church; but to attempt to soil the escutcheon of the de Beauharnois was something for history to regard. Perhaps history does regard the time our administrators were more careful of their personal honour than they have sometimes been.

## IX

Meanwhile Dupuy was sailing home to France, leaving Madame and her daughter to face his creditors, and we hope also the more gracious attentions of Quebec society. The pedantic civil administrator and the human Governor could not work together. It took humour then, as now, to govern Canada. In the family portrait of the Dupuys only Mademoiselle has a hint of it, and she is looking wistfully away from her family. We are not celebrating their bicentenary this winter.