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DR. DANIEL TRACEY, A PIONEER WORKER FOR RESPONSIBLE GOVERNMENT IN CANADA

BY EMMET J. MULLALLY, M.D.

In July, 1932, I published a short article about Dr. Daniel Tracey who was born in Ireland and died at a comparatively early age in Montreal on July 18, 1832. My interest in Tracey was aroused some years ago when, in the course of a Sunday's stroll with some of my children, I came across a large monument erected to his memory in Côte des Neiges cemetery, which told some incidents in his career – such as his professional education in Dublin; the founding of a newspaper by him in Montreal in 1828; his imprisonment by order of the Legislative Council at Quebec for an allegedly libellous article in his paper, The Vindicator; his election to the Legislative Assembly of Lower Canada, followed very shortly after by his untimely death from Asiatic Cholera. When I copied down the long inscription (my two young daughters were with me, spelling out the words), I intended finding out more about this man who had come from Ireland, and who, like many notable Irishmen, after his time, had been distinguished by consignment to a jail as an introduction to a seat in Parliament. Other work prevented me from learning more about Tracey until the spring of 1932, when, in the course of another Sunday stroll through the cemetery, I visited the Thomas D'Arcy McGee Tomb, and, a short distance from it, I again came to the Tracey monument. In reading the inscription my interest was revived, particularly on realizing that in a few months from then the first centenary of Tracey's death would be completed. The thought went through my mind I must get somebody qualified by a much greater knowledge of history than I possess to write a centenary notice about him; failing to interest others I attempted it myself. Since July of 1932, when my slight tribute to Tracey's memory appeared in the Press, I have looked up, at odd times, old newspaper files and a few parliamentary reports of a century ago; I have written letters to descendants of the family to which Dr. Tracey belonged. Some of the meagre results of this work are presented to you today in a form far from complete, for there are gaps in my knowledge of the subject which have not as yet been bridged.

As a physician I would have been interested in trying to learn something of the professional training my colleague of a hundred years ago had received; how he had fared in the practice of medicine in Ireland and Canada; his experiences during the terrible Asiatic Cholera epidemic which first came to Montreal in 1832. Had I been able to secure any information on those points

and other professional matters they would have been of interest to physicians but not to others; but because this Irish physician had founded a newspaper one hundred years ago in Montreal; had been put in jail for expressing his political views; had been given a public reception on his return to Montreal; had been presented with a medal by his fellow citizens, and thereafter elected to parliament; had died suddenly when attempting to help victims of the plague;– each and all of those historical facts claim the interest of many people.

In order to understand something about the situation in Canada one hundred years ago, it is necessary to outline briefly some events in Canadian history prior to the rebellion of 1837 in Upper and Lower Canada.

The Treaty of Paris of 1763 concluded what historians call the "Seven Years War;" the European and Asiatic parts of the Treaty need not concern us. Canada was conquered from the French; the ten minutes battle on Abraham Martin's fields close to the Quebec fortress on September 13th, 1759, with the British Navy commanding the St. Lawrence River, resulted in the ultimate transfer of half the North American continent from one European power to another.

The thirteen New England Colonies were now safe from invading French armies from Canada. George III and the majority of the English Parliament (Edmund Burke a notable exception) did not foresee that in taxing the New England Colonies, to help pay for the recently concluded Seven Years War, they were planting the seeds of the future United States of America; to help pay for part of the cost of winning almost one half of a continent, England lost the other half.

Quebec, including a great part of what is now Ontario, was called Canada; the treaty of Paris permitted those of the 60,000 French, then inhabiting Canada, who wished to return to France, to go; a number, particularly the well to do and the nobility, who could go, went back.

By the Treaty of Paris, Cape Breton and Prince Edward Island were added to Acadia (Nova Scotia, New Brunswick). In 1769 Prince Edward Island was made a separate province and parceled out into 67 lots or townships of 20,000 acres each for the benefit mostly of English military officers - absentee landlords for the most part. In 1784 New Brunswick was made a separate province, and shortly after had a House of Assembly. Since the Treaty of Utrecht in 1713, Nova Scotia belonged to the British and had a House of Assembly from 1758.

From 1763 to the Quebec Act of 1774 that large territory including part of the present provinces of Quebec and Ontario was administered by a Governor and Council, appointed by the Imperial Government. The first Governor was General Murray, a Scotchman, and he was succeeded by an Irishman, Sir Guy Carleton. English was the official language; the laws of

England prevailed, including some of the Penal laws, which prevented Catholics in England, Ireland and Scotland as well as Canada and most of the New England States from exercising rights of citizens.

Nova Scotia had a House of Assembly in 1758, New Brunswick in 1784. Why was it that until 1791, when the Constitutional Act was passed, what was then called Quebec had no form of parliamentary representation? Because up to the passing of the Act of 1774, if an assembly had been called, Catholics would have been excluded, as English law precluded them, from voting or holding office; neither could Catholics be appointed Judges or Magistrates.

In 1772-73 rumbles of discontent from the New England colonists, on being taxed to pay part of the cost of the Seven Years' War, began to be regarded seriously by English statesmen. At the insistence of Sir Guy Carleton, the Quebec Act was passed by England in 1774, the Magna Charta of French Canada. This act extended Quebec, which included Ontario, to Labrador; and on the south all of that immense tract of land now represented by the States of Ohio, Michigan, Wisconsin, Illinois and Indiana became part of Quebec. But much worse, in the eyes of the New Englanders, than this attempt at preventing those five future States of the future United States from falling into the hands of the revolting colonists, were the privileges accorded to Catholics of Quebec. By the act of 1774 they were allowed to practice their religion openly, without legal disabilities as in England and Ireland; Catholic clergy were allowed to collect tithes; the French Civil Code was restored; English Criminal law was retained; a Legislative Council was provided of not less than 17 nor more than 23 members, to be appointed by the Crown for life. England reserved the right to levy duties on imported or exported articles; every ordinance had to be submitted to England for approval; no semblance of representative Government, such as a House of Assembly, was permitted. The passage of the Quebec Act was resented by the English in Lower Canada; King George's statue in Montreal was defaced. In 1791 the Constitutional Act passed in the Imperial Parliament; what had been called Quebec was divided into two Provinces, Lower and Upper Canada, the Ottawa River being the boundary line for the most part. The division was made because of the influx into Canada of large numbers of United Empire Loyalists from the United States after the War of Independence. In addition to a Governor for each colony there was an Executive Council and a Legislative Council appointed by the Crown for life; a House of Assembly elected by the people was permitted; but with the ascendancy of the Legislative Council, the veto of the Governor, and the powers of the Imperial Government over all, there was little chance of any measure of popular appeal becoming law which did not have the approval of the Governor, the Executive Council and the Legislative Council; in each Province one-seventh of the

public lands was set aside for support of Protestant clergy. As the Governor was all powerful there was soon established in each colony of Upper and Lower Canada a group of his favorites who held office in the Executive and in the Legislative Council. The Family Compact had been in evidence in the New England States before the war of revolt and its importation into Upper and Lower Canada did not take long. The Governor and the Council fixed their own salaries. Judges held appointments in the Legislative Council and on the Bench at the same time. Public lands were granted to friends of the Government at prices below those asked of others. Judges could be removed from the Bench at the pleasure of the Governor. The House of Assembly in each Province did not have the powerful weapon its model in London possessed, it could not stop supplies of money; the Government had a revenue of its own from the sale of public lands, and from the sale of timber, and from grants from the Imperial Government. No accounting of the public funds could be obtained by the House of Assembly. The Family Compact members gave grants of public lands to themselves of 5,000 acres and 1,200 acres for each child of their families. When grievances were sent to the Colonial office in London by the House of Assembly, scant attention was paid to them. The Family Compact controlled the banks; every office of trust and honor was in their hands; the newspapers with a few notable exceptions were controlled by them. The Family Compact represented to England that they and their friends were loyal and those who were voicing grievances, disloyal. The Compact likewise represented to England that if a measure of Responsible Government was granted, each colony would soon declare its independence and become lost to England.

Such in brief were some of the conditions against which reformers in Upper and Lower Canada (and in what are now called the Maritime Provinces) protested; protests were made from the time abuses in governing bodies were realised by the people until the rebellion of 1837; it was then the English Government realised there was much wrong with the way British North America was administered. The question arises: why did not rebellion break out before 1837? why were these abuses tolerated from 1791 to 1837, a period of 46 years? Among the outstanding causes which retarded a rising on the part of the more daring of the people against the autocracy which controlled the colonies of Upper and Lower Canada were: delayed means of communication among the people; a well organised oligarchy controlling the Government, the press and positions of trust, and playing upon the loyalty of the people; the war of 1812-1814, when armies from the United States invaded the Colonies and both Upper and Lower Canada united to repel the common enemy. The out-break of a devastating plague in 1832 was an important delaying factor. Perhaps more important than other causes was the fact that the people of both

colonies were striving to make homes for their families and forms of government had not a compelling interest for them.

Among the leaders against the corrupt administration in Upper Canada were: Dr. William Warren Baldwin and his son, Robert Baldwin, William Lyon McKenzie, Dr. Rolph; in Lower Canada, Louis Joseph Papineau, Ludger Duvernay, Dr. Wolfred Nelson, Dr. Chenier, Louis Hippolyte Lafontaine, Jocquelin Waller, Dr. Daniel Tracey, Dr. Edmund Bailey O'Callaghan. Waller, Tracey and O'Callaghan came from Ireland. Waller edited in Montreal a newspaper called *The Spectator,* and was imprisoned for alleged libel against the Government; he died shortly after his release, mourned by the reformers, in particular by Ludger Duvernay, the editor of *La Minerve.* After Waller's untimely death (he is called the immortal Waller by Duvernay in *La Minerve)* Dr. Daniel Tracey succeeded him in the journalistic field.

The materials for a sketch of Tracey are scanty; only meagre outlines of his career have been found in different places, principally old newspaper files. Dr. J. F. Kenney of the Public Archives, Ottawa, had copied for me from *The Vindicator* of Feb. 26, 1833, the following information, which, in turn, had been taken from what I presume to be a newspaper published in Ireland, called *The Irish Republican Shield.* The journalistic style is not that of our times; it reads as follows:

> "Dr. Daniel Tracey was born in the opulent and patriotic town of Roscrea, county of Tipperary, Ireland, in May 1795, of parents respectable in their conduct, affluence and descent; his father the late Michael Tracey, Esq., was an extensive merchant in Roscrea and characterized for his honor, wealth and probity "on change." His mother, a lady in every acceptation of the term, was the daughter of Mr. Mainfold, a gentleman of family and fortune, residing in Erescourt, in the vicinity of Birr in Kings County. That accomplished lady who gave a bent and bias to the young ideas of her son, the subject of our memoir, died in the space of a year after the demise of her husband, while Daniel was in his childhood. Becoming thus an orphan, the sole care of him, as well as of his brother and sister, devolved upon his paternal uncle, from whose kind, assiduous and affectionate attention, he and they, continued to experience most of the benefits of parental superintendance; and whom he never ceased to regard with the warmest sentiments of gratitude, and a tenderness approaching to filial veneration. At the age often he was removed from a seminary in his native town to one of the most respectable schools in Clonmel, where in the period of a year, he made such a rapid proficiency as indicated the dawn of brilliant talents. In that school he generally stood at the head of all the classes and won the admiration of the different masters, by the remarkable quickness of his conception and retentiveness of memory –

those flowers of the incipient mind which are usually the earliest to germinate, expand and blossom on the intellectual branch of juvenile emulation. A study of four years in Clonmel sufficiently qualified him for the University of Dublin, which he entered as a gentleman commoner in 1790. [Here the present transcriber (Dr. E.J.M.) wishes to point out the inaccuracy of the date 1790; if we accept 1795 as the year of Tracey's birth, the age of ten years for his entrance to the school at Clonmel where he remained four years, we arrive at the conclusion that it was the year 1809 when he went to Dublin at the age of 14 years; an early age to enter College. Let us continue, however in the language of the sketch above referred to.]

"At Trinity College his capacity speedily developed its powers. Here he diligently and successfully applied himself to a critical and rigid study of the classics, as well as the elements of natural philosophy. In the first, he gained the prizes awarded to superiority, in depth of research and elegance of taste; and in the second, he evinced profound acquaintance with science, and an acuteness of understanding that elicited the praise and encouragement of the professors who examined him. After graduating in the University, he entered the Royal College of Surgeons, in Stephen's Green, Dublin, where he devoted two years close application to the study of physics and surgery. Leaving this institution with honorable diplomas and flattering attestations of his capabilities of shining in the profession which he intended to pursue, he commenced to practice in Dublin, and by the ingenuity and skill of his operations, as well as the affability of his conciliatory manners, soon acquired professional eminence. But the democratic spirit had taken too deep a root in his sensibilities to suffer him to remain even in his beloved native land, while she was yet the victim of religious exclusion, and the martyr of English despotism."

Here the sketch stops with a "to be continued" mark at the bottom, but the continuation I have been unable to find.

In the year 1825 Dr. Daniel Tracey, his brother John and sister Anne left Ireland; I have not been able to find out why they came to Montreal. We know that in the years of depression following the close of the Napoleonic wars, which terminated at Waterloo in 1815, there was a great deal of migration to North American from Ireland. A considerable number by the St. Lawrence route. Among other reasons which may be thought of as to why the St. Lawrence route was chosen in those days, over one hundred years ago, mention might be made of the fact that this way to North America from Ireland was at least one hundred miles shorter than the voyage to Boston or New York. In a sailing vessel, where the Atlantic crossing was a month or more, depending on the weather, this was a consideration not to be

overlooked, particularly as the possibilities of land shelter were greater from Newfoundland, across the Gulf, and along the River St. Lawrence, than the longer route to the Atlantic sea board towns of New England. Emigrants to the United States from Ireland frequently came up the St. Lawrence and went across country to Portland, Providence and Boston. In 1842, when Thomas D'Arcy McGee left Ireland for the first time, it is claimed he came up the St. Lawrence and across to Providence, Rhode Island. Other reasons which might be advanced are: that the British sailing vessels were better organized for handling emigrants; possibly in Quebec and Montreal were acquaintances and friends from Ireland; then again, Lower Canada was a Catholic colony and most of the New England States were not.

In 1825 when Dr. Tracey, his brother and sister came to Montreal the city was garrisoned by British regiments; the old walls were in place; the city was close to the river and its population was about thirty thousand. In 1825 the Lachine Canal was completed in its original size. It was not until 1833 that the first steamer crossed the Atlantic under a combination of steam and sail; this was the Royal William, built in Quebec and engined in Montreal.

Dr. Tracey began the practise of his profession in Montreal in 1825; he lived either on St. James Street or in the then St. Antoine Suburbs. In 1828 he established a newspaper, *The Vindicator*. His friend and medical colleague, Dr. Edmund Bailey O'Callaghan, was assistant editor; it is known that during the month of Tracey's imprisonment in Quebec for alleged libel of the Government, in January and February, 1832, O'Callaghan was editor. It was he who continued the editorial management after Tracey's death in July, 1832, until the mob destroyed the printing plant on November 6th, 1837. The photostatic copy I had made of the last issue of *The Vindicator* has this title: "The Vindicator and Canadian Advertiser," and the following motto: "Justice to all classes; monopolies and exclusive privileges to none." It is dated Montreal, Tuesday evening, November 7, 1837. The front page has an article inviting attention to the Address of the "Sons of Liberty," an association of the young men of Montreal, to their brethren of the North American Colonies: the address, in the words of the article, "contains a masterly exhibition of principles which cannot be impugned and which must be acquiesced in, as forming the basis of the rights of man; it also exhibits in a clear and cogent manner, a brief history of the immediate causes that have led to the present unhappy crisis and difficulties between this colony and the mother country which would seem to render it highly proper and expedient that the physical strength of the country should be arranged and placed in an attitude of preparation to protect our social rights and liberties against the repeated aggressions of the Government of the mother country and particularly against the principles promulgated in Lord John Russel's eighth resolution." An inner page of the paper, which was partly set up on the street, after *The Vindicator*

office had been looted, on November 6th, describes the destruction of the office by the Tory mob "determined to crush the only semi-weekly newspaper printed in this city [Montreal] supporting Liberal principles." The article describes the breaking of windows of Louis Joseph Papineau's house and then the attack and partial destruction of *The Vindicator's* office on St. Therese St., throwing cases of type into the roadway. The uprising of the people in Lower Canada against abuses of the Autocracy known as the Government may be said to date from the destruction *of The Vindicator's* printing plant on November 6th, 1837. We are, however, ahead of our story; we are concerned with Dr. Tracey and his share in molding public opinion through the medium of his newspaper *The Vindicator,* from its foundation in 1828 until his death in 1832.

The offices of the paper were on St. Therese Street in the North West Bldg.; it was published on Tuesday and Friday of each week. "Justice to all classes; monopolies and exclusive privileges to none" was the motto of *The Vindicator*. Dr. Tracey came from Ireland, where his Catholic fellow country-men were still suffering deprivation from every office of trust and honor. Daniel O'Connell was making history in daring to contest the constituency of Clare as a member of parliament – a preliminary to the enfranchisement of Catholics in Ireland, England, Scotland and Wales. Dr. Tracey in pointing out in his paper the abuses from which the people of Lower Canada suffered, under a group composed of the Governor, the Executive Council and the majority of the Legislative Council – the Family Compact of Lower Canada – did not want for examples in his native country, Ireland. The Government of Lower Canada was very sensitive to criticism. Jocquelin Waller, the Irish editor of *The Canadian Spectator,* a predecessor of *The Vindicator,* had been put in jail for using the word *nuisance* in connection with the Legislative Council; the Government was waiting to do the same service to Tracey. On January 3rd of 1832 an editorial was printed in *The Vindicator* which, to newspaper readers of our time, appears very mild, drawing attention to the way public affairs were administered by the Legislative Council. From the Journals of the Legislative Council for Lower Canada for 1831-1832 the following abstract was taken, reporting the sitting of that body for Thursday, January 12th, 1832. The members present were: The Honorable Chief-Justice Sewell, speaker; the Hon. Messrs. Hale, Sir John Caldwell, Ryland, Cuthbert, Grant, Coffin, McKenzie, DeLery, Gugy, Felton, Bell, Stewart, Hatt, Moffatt. The House resolved itself into a Committee of the whole on a question of Privilege, the following resolution was drawn up and read on the following day, Friday, January 13th, 1832: "Resolved that the article headed "Legislative Council" in the first column of the third page of the newspaper called The Vindicator of Tuesday evening the third instant Vol. 4. No. 53, published in Montreal, contains a gross libel

against this House and is a direct breach of its privileges." After an affidavit was read which had been drawn up in the name of a writing clerk of the Legislative Council to the effect that he had received copies of The Vindicator for two year, and had read the article complained of in the issue of January 3rd, which affidavit was sworn to before Chief-Justice Sewell on Friday, January 13th, it was moved in the Legislative. Council, "that the Sergeant-at-arms do forthwith attach the body of Dr. Daniel Tracey of the City of Montreal and bring him in safe custody to the Bar of this House, to answer for this offense and this shall be a sufficient warrant in that behalf."

A similar proceeding was adopted for the arrest of Ludger Duvernay, editor of *La Minerve,* Montreal, because he had printed an alleged libel in his newspaper.

On Tuesday, January 17th, 1832, the two editors were brought to the Bar of the Legislative Council; they acknowledged authorship of the articles printed in their respective newspapers; a resolution was moved and adopted "that they be committed to prison in the common jail of the district of Quebec, for, and during the present session of the Provincial Parliament." This was the first time the Legislative Council of Lower Canada had taken an action of this kind; the imprisonment of Waller for alleged libel in his newspaper *The Canadian Spectator* had probably been decided upon by authority of a Court of Justice. An interesting entry was found in the Appendix to the Records of the Legislative Council for 1831-32; it states that £54. 11s. 10d. was paid to the Sergeant-at-Arms for apprehending Messrs. Tracey and Duvernay; and £35 was paid to the jailer for boarding the two editors at the rate of 10s. per day; they were in jail from January 17 to February 20, 1832, thirty-five days in all. When in jail, Tracey addressed a petition to the Provincial Parliament; he states in it, that having made application, through counsel, to be brought before the Court of King's Bench by Habeas Corpus, he was produced before a court composed among others, of Chief Justice Sewell, who was the Speaker of the Legislative Council, which had condemned him to prison; although Sewell absented himself from the sitting of the court which returned Tracey to prison, it was an opportunity which the petitioner did not overlook, of protesting in his letter to parliament against the injustice of a law, which permitted the Chief Justice of the colony having a seat in parliament or to fill any position incompatible with the due and complete administration of Justice.

It was at this session of the Provincial Parliament that a bill was introduced by the Legislative Assembly seeking to abolish the anomalous position of judges occupying seats in the parliament of Lower Canada. At this session also it was decided to make of Grosse Isle, an island in the St. Lawrence River, below Quebec, a quarantine station.

A great reception was given the two editors, Tracey and Duvernay, when they arrived in Montreal after their imprisonment in Quebec for 35 days during the sitting of the Legislative Council. A medal was struck in their honor; – Duvernay's medal may be seen in the Chateau de Ramesay. I have been unable to trace where Tracey's has gone.

Montreal in 1832 was represented in the Legislative Assembly by three members; the districts they represented were called: the East, Centre, and West Wards. In April of 1832 a vacancy occurred in the West ward, where lived more friends and adherents of the Family Compact Government than in the other constituencies of the city. Mr. Stanley Bagg was nominated as the Government Candidate; little doubt was felt that he would be returned by acclamation. It was daring to put up in opposition to a friend of the Government, an Irish Catholic; up to the year 1829, when the Catholic Emancipation Bill became law, Catholics of the British Isles could not vote or hold offices of trust, or become justices of the Peace or members of Parliament; here in the west ward of Montreal, where adherents of the Family Compact Government of the British Colony of Lower Canada predominated in 1832, was placed in nomination for a seat in parliament a member of a race only recently emancipated in Ireland by his fellow countryman, Daniel O'Connell. The election gave promise of being bitterly contested; the Irish Celt and the French against, for the most part, the Anglo-Celtic English. Some of the elements of centuries of warfare were present and some of the features of warfare were not wanting in the election, as we shall soon see. Tracey's candidacy was advocated by his former fellow-prisoner, Duvernay, editor of *La Minerve;* his private life, his independent views, his talents, in establishing *The Vindicator* as the successor of *The Canadian Spectator,* his intimacy with Waller, these facts were cited by *La Minerve* in April of 1832 as reasons why the French of Montreal should stand behind Tracey in the approaching struggle, because, as *La Minerve* stated, "the Irish had always supported the French in times of crisis."

The election contest began on April 28th and lasted until May 22nd, a period of 25 days; the poll was on Place d'Armes Square. When McGee won his first election in Montreal in 1857 in the same constituency which Tracey had contested twenty-five years earlier, the election lasted only three days; *La Minerve,* commenting on the election ten days after the contest had begun, stated that the City Magistrates held a special meeting to devise means of repressing disorders which may supervene during the election. Special constables were named. Tracey's majority on the 9th day of voting was 51. *The Vindicator,* about this time, in a news item, states "that William Lyon McKenzie, County of York, Upper Canada has left with his wife for London by the packet Ontario, which sailed from New York on May 1st 1832; he was carrying petitions to the Throne against the Provincial Government of Upper

Canada; The Colonial Advocate will be edited during Mr. McKenzie's absence by Mr. Wixs." *La Minerve* of May 10th, 1832, stated "that during the last few days the returning officer has been obliged, on request of Dr. Tracey and his friends, to announce that should no voter supporting Mr. Bagg appear within an hour, he should be compelled to declare Tracey duly elected; a protest was served on the returning officer to the effect that he had changed the place of voting and he had failed to publish the customary proclamation when more than one hour had passed without anyone appearing to vote. Constables have been occupying the church grounds not far away from the polls; public feeling has died down considerably and the political struggle drags slowly on." *The Vindicator* and *La Minerve* report that groups of Tracey's voters have been beaten and maltreated by Bagg's supporters.

On Monday, May 21st, Dr. Tracey had 690 votes and Mr. Bagg 687. a majority of three for Tracey. The newspapers of that time describe the firing on the large crowd which was accompanying Tracey to his home at the close of the poll at 5 o'clock in the afternoon. There had been a row near the poll about 2 p.m., and the militia were called out to the number of sixty soldiers from the 15th regiment of infantry. They stationed themselves in and about the portico of the church. As Tracey was walking along St. James Street to his home in St. Antoine suburbs at the close of the poll at 5 p.m. he was acclaimed by his accompanying friends; partisans of Bagg began throwing stones at Tracey and his supporters; stone throwing was returned by the Tracey group and as some of them must have come from a county in Ireland where stone throwing is an art, St. James Street must have presented a lively appearance. *La Minerve* and *The Vindicator* both state that reinforcements to the troops having arrived from le Champ de Mars, the Tracey faction was followed along the street by Bagg's supporters and the soldiers. In the exchange of missiles from one faction to the other, some of the soldiers were struck, and they, on command of their officers, fired into the Tracey followers, killing three men and wounding about twenty others. Mr. C. E. Rodier, Mr. L. H. Lafontaine, John Donegani, John McDonnell and other respectable citizens received slight injuries. When the soldiers fired, they were ordered to retire to a position before the polls, where they remained into the night; several pieces of cannon were mounted on Place d'Armes Square; sentinels held guard in the principle streets of Montreal, and rations of rum were served to the troops.

On the following day, Tuesday May 22nd, the polls opened at 8 a.m. Dr. Tracey received one vote and as Mr. Bagg received none for over an hour, the poll clerk Mr. Guy, in the absence of the returning officer, declared Dr. Tracey elected; the final count being Tracey 691 votes to Bagg 687, a majority of four for Tracey.

The newspapers for weeks following the conclusion of the election contained accounts of the Coroner's inquest and the funeral of the three men who had been killed; the procession, a very large one, moved along "the street of blood," a name used by *La Minerve* for the scene of the tragedy (St. James Street), to the Catholic cemetery, – which is now known as Dominion Square, beside the Windsor Hotel. The Colonel of the regiment and the Captain of the Company which fired on the people were arrested. *The Vindicator* in its issue shortly after the election riot said: "We are unable to view the melancholic happening of this terrible and tragic business without recalling to the minds of our citizens the nature and motives of that furious faction which unopposed shall rule this country by blood and murder. We have frequently expressed in our columns the horrors taking place in Ireland and the wholesale slaughter of the people. We can assure the public that there is little difference between those who precipitated the recent happenings in this city and those whose crimes are of a public nature; and unless opposition be legally had to this terrible state of affairs, it will be little time before we too are exposed to a similar fate. It is true we have all confidence in the intentions and pacific policy of our present Governor Lord Alymer. We should lay our case before him at the earliest possible moment. It has come to a pass where we must know for certain whether the militia associated with a minority of egoists and partialists who have been hostile to the country and who have been courted as much possibly with a view to sinister motives as to others, shall in violation of the rights of citizens, become the murderers of the people, trample underfoot our privileges and blacken, by the low and unworthy act of shooting down innocent persons, the distinguished calling of the soldier."

Indignation meetings were held in Montreal and in other parts of the Colony; the feelings of the people were aroused and it is not unlikely that further scenes of violence would have taken place had not the attention of the Colony as a whole been directed to a new and greater menace than an autocratic, irresponsible Government, presented. Death was in the air; unseen, noiseless messengers of death had reached Canadian ports from Europe by means of trading and emigrant vessels.

Within the past one hundred years there have been sporadic outbreaks of some of the great plagues of mankind in Canada. Most of us are familiar, to our sorrow, with the Influenza epidemic of 1918-19, which if it follows its past history, will likely re-visit us in deadly epidemic form in another thirty or thirty-five years from its last visitation. Ship-fever, known in medical circles as typhus, came to North America from Ireland in the famine years of 1847-48, destroying its thousands and changing the course of international history between the British Isles, Canada, United States, Australia and New Zealand. In 1831 the English Government warned her colonies that the Asiatic Cholera was causing many deaths in Europe and Asia; in the session

of the Provincial Parliament of Lower Canada lasting into February of 1832, during which Dr. Daniel Tracey and Mr. Ludger Duvernay had been imprisoned by order of the Legislative Council, a quarantine act was passed. The English Government made Grosse Isle a quarantine station and placed troops in command; batteries were placed facing, incoming vessels and sheds were erected for hospitals. In the year 1832, 51,700 emigrants from England and Ireland arrived at the port of Quebec. In April and May of 1832 vessels from Ireland to Quebec reported deaths at sea from Cholera; a brig named the Carrick, which arrived on June 3rd at Quebec from Ireland with 145 passengers, had 45 deaths during the voyage. The sick on board the stricken vessels were removed at Grosse Isle, the vessels afterwards proceeding up the river without being detained to see if further cases developed. Cholera appeared in Quebec City in June and in one week 259 cases were put in hospitals, of which 161 died. Terror sized the people and many fled from the city; from June to September, 1832, 4,000 deaths from cholera took place in Montreal and nearby towns. Montreal's population in 1832 was 27,297; so that about one seventh of the town and nearby population died of the plague. These facts and figures about this plague in Canada in 1832 are taken from Vol. I of Dr. J. J. Heagerty's splendid volumes entitled: "Four Centuries of Medical History in Canada."

The Bureau of Health, Montreal, announced that in 24 hours, from June 16th to the 17th, there were 475 new cases of cholera with 102 deaths; most of the burials took place in the plains of St. Anne. Youville Square is now part of what used to be called St. Anne's plains; there were so many burials that only a few inches of earth covered the bodies; fears were expressed that the heat would cause offensive odors and possible contagion; it was advised to cart earth from other places to cover exposed bodies of the plague's victims.

Dr. Tracey, the editor of *The Vindicator,* the recently elected representative to the Legislative Assembly, helping in the medical care of the stricken, succumbed after twenty-four hours illness and died at 5 a.m., July 18th, aged 38 years. A monument was erected to his memory by personal friends, including Louis Hippolyte Lafontaine, Doctor Vallee, and Ovide Perrault. When the Côte des Neiges Cemetery was opened in 1855 his body was reinterred there, and in 1866 his brother John Tracey, who had left Montreal about the time of the outbreak of the rebellion of 1837 and settled in Albany, New York, erected a large monument over the grave which contains the following inscription in English and French:

> "Here repose the remains of the late Daniel Tracey, M.D., who died of cholera, 19th July, 1832. He was a native of Roscrea County, Tipperary, Ireland, and a graduate of Trinity College, Dublin. His career in Canada was distinguished by devotion to the liberties of the country which he ably and

fearlessly advocated in The Vindicator newspaper, established by him in 1828 and of which journal he continued editor to the time of his death. By order of the Legislative Council he was imprisoned ten days in Quebec for alleged disrespect to that body, contained in an editorial article. On his liberation he was received in triumph by the people of Montreal on the 5th of March, and they further testified their gratitude by electing him member of parliament for the West ward of the city the 21st May following 1832. As a public journalist and devoted patriot his memory will ever be venerated by his fellow citizens, three of whom sealed with their blood on the eve of his election the trust reposed in his integrity.

This monument was erected to Dr. Tracey A.D. 1866 by his brother John Tracey of Albany, New York, to replace one erected in 1832 by his personal friends Sir Louis H. Lafontaine, Doctor Vallee and Ovide Perrault."

There are a few inaccuracies, in the inscription; Dr. Tracey died on July 18th, according to the newspaper accounts of the time, not on the 19th as stated on the monument; he was imprisoned thirty-five days – this is proved by the expense account furnished by the Sergeant-at-arms to the Legislative Council and printed among the records of the session of 1831-32, abstracts of which I have quoted. The monument states 10 days was the length of his imprisonment. The article which caused offense to the Legislative Council appeared in *The Vindicator* on January 3rd, 1832; he was indicted at the sitting of the Council, Friday, January 13th, brought before the Bar of the House on January 17th, and imprisoned the same day; he petitioned Parliament on February 10th protesting against the injustice of having judges sitting in parliament, as well as on the Bench; when the session of Parliament concluded on February 20th he was liberated along with his fellow prisoner, the editor of *La Minerve,* Ludger Duvernay. Another slight inaccuracy on the monument concerns the final day of the prolonged election; the killing of three men and wounding of many others by the militia took place after 5 p.m. Monday, May 21st, 1832; but the poll reopened the following day at 8 a.m. and Tracey was declared elected by the representative of the returning officer on Tuesday, May 22nd; it is probably true that the Government candidate, Mr. Stanley Bagg, conceded Dr. Tracey's election on the close of the poll on May 21st; possibly, disappointed feelings on the part of the supporters of the government were vented in the lawless scenes which resulted in the killing of three citizens and the wounding of many others by the military.

In this paper brief references are made to the history of political events in Canada, prior to the rebellion of 1837. There were abuses in the Family Compact Government, chief of which was, that those who governed were not responsible to the people but to cliques in British North America and England, It was difficult to secure good government in the colonies when

there were many irregularities in the government of England at that time. Ideas of liberty, equality, fraternity were not unknown among the Colonies, from what had taken place in the New England States from 1776 and later on in France by reason of the French Revolution.

Dr. Daniel Tracey and his co-worker, Dr. Edmund Bailey O'Callaghan, had more reason than the other leaders in British North America to know about British misrule at that period, because up to the time they left Ireland in 1825 they were not considered citizens of their native land, Catholics having no political rights. *The Vindicator* newspaper was the medium by which these two men made their views known to the English-speaking people of the British North American Colonies; it is significant that Tracey, the first editor, was imprisoned for the views expressed in the paper, and that the second and last editor, O'Callaghan, had to flee the country to escape mob violence, while the destruction of the plant of the newspaper itself ushered in the rebellion of 1837.

The histories of Canada and England ascribe the gaining of Responsible Government in Canada, to England, following the report made by Lord Durham, who was sent to Canada with the powers of a Dictator and who landed in Quebec with a ship-load of retainers and baggage on May 28, 1838. In reality, Responsible Government in Canada was won through the sacrifice of the lives of many Canadian patriots by shooting and hanging; and the banishment of many others; by the destruction of much property, and by the self-sacrificing labors of the leaders; and among the pioneer leaders was the physician, editor and patriot Dr. Daniel Tracey.