

***Manners, Morals & Mayhem: A Look at the First 200 Years of Law and Society in New Brunswick, Fredericton: Public Legal Information Services, 1985. Pp. viii, 105. \$6.95 (softcover)***

A popular writer of recent prominence, Barry Grant, author of *Six for the Hangman*<sup>1</sup> and *When Rum Was King*<sup>2</sup>, pointedly asked me whether I had read *Manners, Morals and Mayhem*<sup>3</sup>. When I said I had not, he enthusiastically admonished me to do so. I did. He was right. The book is a collection of well written, interesting short stories by authors with different writing styles and skills.

It recounts how the Loyalists arriving in New Brunswick 200 years ago prompted the creation of the Province and had a profound influence on its future development, from business to university education. One would have thought that the Crown of England would have learned a costly lesson from the recent loss of the 13 colonies. Instead, Governor Thomas Carleton imposed a class society on the Loyalists which in the long term was doomed to failure. The book recites some of the oppression suffered by New Brunswickers who tried to be loyal to their consciences as well as to the Crown.

There are captivating stories about slavery in New Brunswick, paupers being sold to the lowest, yes the *lowest*, bidder. All the subjects that make reading popular — religion, the family, society, dissent, honour, education and the law, elections, crime and punishment — are colourfully sketched.

There is an appropriate sprinkling of pictures and reproductions throughout the book. The date of the Court of Appeal picture on page 2, however, should be changed to indicate that it depicts the Court of Appeal Chamber as it was until 1892 (not 1975). When the Legislative Council was dissolved, the Court of Appeal was moved to the second floor of the Legislative Building. The scenes are very much alike; but the clues which expose the truth are the two columns in front of the inner bar and the door in the left wall. The inner and outer bars for Queen's Counsel and other barristers are still in use in the New Brunswick Court of Appeal in its new location since 1975 in the Justice Building, Fredericton.

Having encouraged your reading of this collection of historical to modern vignettes, I now add a moment where two of them entwine. The fascinating stories of duels in Fredericton, particularly among members of the legal profession, describe the death of George Wetmore by the gun of George Street.<sup>4</sup> Keep this story in mind as I refer to Lowell McLean, the last person in New

<sup>1</sup>Fredericton: Fiddlehead, 1983.

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<sup>3</sup>Fredericton: Public Legal Information Services, 1985.

<sup>4</sup>The cased set of saw-handled flintlock duelling pistols used by the two lawyers bent on killing each other in preservation of the hierarchical system of Governor Thomas Carleton are on display at the York-Sunbury Historical Society, Fredericton. They were made in London in 1810 by H.W. Mortimer & Son and T. Mortimer and were converted to percussion in 1830.

Brunswick who was ordered to be imprisoned and whipped. The New Brunswick Court of Appeal refused to vary the sentence with respect to the lash. New Brunswick's newspapers editorially supported corporal punishment. I was McLean's counsel. As I anguished over the personal cost to take the case to the Supreme Court of Canada in those pre-legal aid days, I called the Secretary of the National Parole Board in the desperate hope of finding an alternative to an appeal. The Board's views were rapidly solidifying against the uncivilized continuation of corporal punishment. These views were not then public knowledge. On the initiative of the Secretary, the Board met and exercised its powers by circumventing implementation of the lash. The Secretary whom I contacted in Ottawa was George Street, a lineal descendent of the last duelist in New Brunswick. Parliament shortly thereafter followed the lead of the National Parole Board. Did this help McLean? Chapter 6 provides the answer and exemplifies that "life" is truly stranger than fiction.

Reading the book at one sitting will take less than two hours. But it is also perfect for the reader on the run. Each chapter is redolently complete and only a few pages in length. An added attraction is about half an hour of pleasant, or even exciting, flashbacks in each chapter as you let your mind wander back in time and enjoy your own imaginative glances at history. When authors or reading subjects can lead you into such pleasant daydreaming, then the authors' skills or the subject matters, or both, are worth the effort to read and enjoy. It will be truly disappointing if the authors, or their successors, do not publish a sequel(s).

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