The Morning Courier.

FOR THE COUNTRY.

Optimus est Reipublicæ status, ubi nihil deest nisi licentia perendi.—SENECA.

VOL. II. MONTREAL, MONDAY MORNING, MAY 30, 1836. No. 8.

Morning Courier.

MONTREAL, FRIDAY, MAY 27, 1836.

The electors of the City of Toronto lately addressed His Excellency, Sir FRANCIS B. HEAD, on the subject of the distress occasioned by the stoppage of the Supplies; and among other matters intimated their belief that the present House of Assembly were not likely to change their line of conduct, and that there was one obvious remedy left, which was to dissolve them.

His Excellency made the subjoined reply. It is full of energy and feeling, and needs no comment. He hints that he is only waiting for a fuller expression of public opinion, before complying with their suggestion :—

HIS EXCELLENCY'S REPLY.

GENTLEMEN,—We can be more sensible than I am, that the stoppage of the supplies has caused a general stagnation of business, which will probably end in the ruin of many of the inhabitants of this city; and in proportion as the Metropolis of the Province is impoverished, the farmers' market must be lowered,—for how can he possibly receive money when those who should consume his produce are seen lying in all directions from a load from which industry has been publicly repelled?

But I am guiltless of the distress which Upper Canada must shortly most bitterly endure; for, in my Legislative capacity I have never lost an opportunity of entreating that I might be assisted in attresting into this Province, by tranquillity, the wealth and population of the Mother Country. In this simple, peaceful doctrine I have, however, been opposed by a fatal declaration, which emanated, I regret to say, from the Metropolitan Country, that "THE CONSTITUTION WAS IN DANGER!" !:—and that "*the grand object was to stop* THE SUPPLIES!"

Well, Gentlemen, this "grand object" has been gained for you, and what, I ask, has been the result?

The clerks and messengers of the Government Offices, who during a long Session have laboured unremittingly for the public service, are now surrounded by their families, perhaps penniless. Money, which would not only have improved your roads, but would have given profit and employment to thousands of deserving people, is now stagnant;—the sufferers in the late war have lost the remuneration, which was absolutely almost in their hands; Emigration has been arrested; and instead of the English yeoman's arriving with his capital in this free British country, his mechanics in groups are seen escaping from it in every direction, as if it were a land of pestilence and famine;—all just claims for assistance from the Mother Country has vanished;—every expectation of relief from internal industry is hourly diminishing.

In the flourishing Continent of North America, the Province of Upper Canada now stands like a healthy young tree that has been girdled, its drooping branches mournfully betraying that its natural nourishment has been deliberately cut off.

With feelings of deep melancholy I acknowledge myself to have been apparently defeated.

The object of my mission—my exertions—my opinions—my earnest recommendations, have been received by language to which I have no desire to allude, and the *grand object* of "stopping the Supplies" is now termed by its promoters the "Victory of Reform."

Gentlemen—I have no hesitation in saying, that another such victory would ruin this country.

But this opinion is hourly gaining ground; the good sense of the country has been aroused; the yeoman has caught a glimpse of his real enemy; the farmer begins to see who is his best friend; in short, people of all denominations, of all religions, and of different politics, rallying round the *British Flag*, are now loudly calling upon me to grant them constitutional redress.

When the verdict of the country shall have been sufficiently declared, I will promptly communicate my decision.

The inhabitants of the County of Laprairie were early in the field. Mr. JAMES MACDONALD has been chosen Delegate to represent them in the Convention, at a meeting held on the 12th instant. A series of Resolutions will be found below, that were passed on the occasion, and are creditable to the good sense and feeling of the meeting.

At a meeting to notice given, a meeting of those persons friendly to the Constitutional Association was held at Laprairie this 13th day of April, 1836.

Mr. James Thomson, Sen. was called to the Chair; and Mr. Thomas Smart was solicited to act as Secretary.

It was then unanimously agreed that the following persons be appointed for the different parishes to obtain Signatures to the Declaration set forth by the Montreal Constitutional Association :—

Messrs. William Macdonald and Etienne St. Didier for St. Pierre and Remis; Messrs. Frederick Singer and Beerks for St. Phillips; Messrs. Prince Macdonald and James Lang for Chateauguay; Messrs. James Thomson, Sen. and A. T. Alexander for Laprairie.

And that the said foregoing persons are requested to notify those whose signatures they may obtain, that the General Meeting for selecting a Delegate for the County, shall be held at the house of Mr. Hotchkiss, in the village of Laprairie de Magdelene, on the 12th day of May next, at eleven o'clock, A. M.

(Signed)

JAMES THOMSON, *Chairman.*
THOS. SMART, *Secretary.*

According to public notice generally circulated throughout the County of Laprairie, a unanimous meeting of the friends of the Constitutional Association, was held this 12th day of May, 1836, at Mr. A. Hotchkiss's Hotel, for the purpose of taking into consideration the present alarming state of political affairs in this Province, and for the selection of a Delegate for the County.

Mr. James Thompson having been called to the Chair, and Mr. Thomas Smart appointed Secretary, the Chairman, in an appropriate address, pointed out the object of the meeting; after which, the following Resolutions were submitted, and unanimously adopted :—

Resolved, That while we express our opinions with that freedom which belongs to British subjects, and firmly assert our Constitutional rights, we will not be wanting in due respect and obedience to our Sovereign, and those placed in lawful authority under him.

Resolved, That owing to the position in which our liberties at present appear to be placed, and with the view of maintaining them against all encroachments, we offer ourselves as an auxiliary to the Montreal Constitutional Association.

Resolved, That we do approve of an assembly of delegates from all parts of the Canadas, and that Mr. James Macdonald be appointed Constitutional Representative for the County of Laprairie, to meet the other delegates at such time and place as may be agreed upon by the Constitutional Committee of the Province.

Resolved, That the undermentioned persons be appointed to act as office bearers for the present year, viz :—

Mr. James Thomson, Sen., *President.*
" Thomas Smart, *Secretary.*
Dr. A. T. Alexander,
Mr. William M'Donell,
" Alexis Hotchkiss,
" James Thomson, Jun.,
" Etienne St. Didier,
} *Committee.*

Three of which to form a quorum.

Resolved, That a Copy of the proceedings of this meeting be forwarded to the Montreal Constitutional Committee; and also to Proprietors of newspapers for publication.

Mr. Thomson having vacated the Chair, and Dr. A. T. Alexander having been called to preside, the thanks of the meeting were then voted to Mr. James Thomson and Mr. Thos. Smart, for their attention to the interest of the Constitutional cause.

By order,
THOMAS SMART, *Secretary.*

The New York *Albion* furnishes dates from Kingston, Jamaica, to the 30th ultimo. The news is not of much importance. As to the conflicting accounts of the operation of the Apprenticeship system, neither its advocates nor assailants can safely be believed.

The Editor of the *Albion* has the following remarks on the current rumour of the retirement of the Marquess of SLIGO from the Government of the Island :—

JAMAICA.—We have received files of Kingston papers to the 30th ultimo. Their contents are not generally important, except the report and general belief that the Marquess of Sligo was about to retire from the Governorship of the island and return to England. This report we believe, from the tenor of our private advices, to be correct; indeed it seems impossible that the Noble Marquess can again meet the present House of Assembly, and whose his Excellency receives instruction or permission from home to dissolve the House, and try the effects of a new election, his departure from the Colony must be near at hand. Lord Altamont the eldest, and two other sons of the Marquess arrived at New York in the previous packet, and are now making the tour of the country; and the Marquess himself, we are informed, with his Noble Marchioness—who is a sister of the Marquess of Clanricarde, son-in-law of the late Mr. Canning —will visit the United States prior to their final return to England.

STEAM NAVIGATION TO JAMAICA.—Extract of a letter from a gentleman in London, connected with Jamaica, dated the 15th of March, 1836 :—

"I think there is no doubt now, that a Steamer will be established for Jamaica. Most people that I have consulted here, interested in the Island, agree that they will greatly benefit the colony. The shares will be fixed at £200 each, 10 to 15 to entitle the holders to vote: 15 to 25, two votes; 25 to 35, 3 votes; 35 to 50 shares and upwards, 4 votes; £5 payable on application; £5 payable in three months, and the remainder as may be called for and required. The capital proposed is £60,000: This is to be disposed of, £2,000 for British subscribers, £10000 for Jamaica."

The PACKETS.—Instructions have been issued by the Board of Admiralty, that the Packets taking the Mails of the 1st and 15th of every month, are for the present to wait at St. Thomas, for the arrival there of the corresponding branch Packets from Jamaica, with the return Mails for Europe. It is, however, a regulation made to ascertain whether it may be beneficial or not.

The New York *Sunday Morning News* contains the following postscript, confirming the news previously received, of the great victory gained by the Texans :—

"The transportation line steamboat *Santa*, arrived at half past eleven last night. She brought Philadelphia papers of last evening. Passengers by the boat state that previous to their leaving Philadelphia, the southern mail had arrived, bringing New Orleans papers of the 7th, which contained accounts of a later arrival from Galveston Bay, by which the report of the glorious victory of the Texans, and the defeat and capture of Santa Anna was fully confirmed. A great excitement prevailed in Philadelphia."

From the New York Commercial Advertiser.

Confirmation of the Capture of Santa Anna.

Santa Anna a Prisoner of War—his Army surrendered at discretion—Independence of Texas, &c. &c.

The important intelligence from Texas, which created so great a sensation in this city in the early part of last week—so joyously received by some—so doubtingly by others—and by others still so entirely discredited as simply confirmed by no doubt reports of the Santa Anna has been captured, and the advance of his army entirely overthrown. The annals of war furnished not a more brilliant exploit than that of General Houston in this affair. Its consequences will be decisive to the independence of Texas, and probably the entire overthrow of Santa Anna's power in Mexico—an event which we should certainly not deplore, since we have not forgotten his treachery to us, and his sanguinary usurpation on the fall of that chieftain.

The intelligence was brought to new Orleans by Col. A. Houston, and is contained in the New Orleans papers of the 8th instant. It was received in Washington on Monday night, and communicated to the President after midnight, by the Texan Commissioners at Washington.

From the Louisiana Advertiser.

IMPORTANT FROM TEXAS.—NEW ORLEANS, May 9.—By the arrival of the Steamer *Swiss Boy* yesterday, we received the annexed, for which we are indebted to the kindness of Captain Walker, who came passenger in the above boat. It was written by Col. Hockley of the Texas army, to a friend in Natchitoches :—

SIR,—I have but a moment to give you an account of our victory. Our spies having taken a courier and officer on the 19th, who informed us that Gen. Santa Anna and his army were encamped on the San Jacinto, at this point, we immediately took up our line of march and reached that place on the morning of the 20th; the day was passed in reconnoitering the enemy. Some few shots during the time having been exchanged between the artillery without much effect on either side. On the morning of the 21st, the enemy commenced manœuvering, and we expected to be attacked in our camp, as they had received a reinforcement of 500 men, which made them 1300 strong; but they settled down and continued throwing up a breast work, that they commenced at the first news of our approach. We, on the other hand, continued to receive reinforcements of men, so that we were full as strong as the enemy. We then sent our artillery, consisting of two ordinary 6 pounders. The enemy returned our fire with a long 18 inch nine pounder.

Our first fire having carried away their powder box caused their loud shouting to cease. We marched up within 172 yards, limbered out pieces and gave them the grape and canister, while our brave riflemen poured in their deadly fire. In fifteen minutes the enemy were flying in every direction, and were hotly pursued by us. They left 500 of their slain behind them. Never was there a victory more complete. Gen. Cos was taken and killed by a pistol ball from one of our men, who instantly recognized him. Gen. Santa Anna was taken next day about ten miles from the place of action, by one of our spies, who, on being brought forward, immediately requested to see Gen. Houston. I happened to be passing at the time he was conveyed to General Houston, who was laying on a bed in his tent, having been wounded in the action, and heard them say, "We surrender into your hands Gen. Santa Anna, Governor of the Republic of Mexico." He was ordered to call in his aides, who were nearly all taken, among whom was Allmonte. There were then propositions made, of which you will have the details by express.

Houston was wounded in the ancle by a musket ball in the early part of the engagement; but remained on his horse until it terminated. There is a list of the names of the Mexican prisoners, which shall be transmitted you by express. They amount to nearly six hundred, among whom are six women.

FURTHER PARTICULARS.

By the arrival of the steamer *Caspian*, last night, we have received further confirmation of the defeat and capture of Santa Anna and his army, the particulars of which will be seen elsewhere. Colonel Houston, who came passenger in the *Caspian*, also states that it was reported Santa Anna had made the following propositions to general Houston for his release, viz :—That he will pay all the indemnity for the war—recognise Texas as an independent state—and order the remaining part of his troops at present stationed in different parts of Texas, to assemble immediately, and lay down their arms; and that Houston's reply was, that Santa Anna, his officers, and the remaining part of his forces, should be shot as soon as the latter should make their appearance.

From the True American, May 9.

PARTICULARS OF THE CAPTURE OF SANTA ANNA.

During the night of the 20th ult., after the skirmish between the Mexican and Texan forces, General Houston made a movement with 600 men and all his artillery, and at day break met the Mexican force, 1100 or 1200 strong also in movement; gained a position within rifle distance of the army, before they were aware of his presence. Two discharges of small arms and cannon loaded with musket ball, settled the affair. The Mexican soldiers then threw down their arms, most of them without firing; and begged for quarters, 600 or 700 killed. The officers broke, and endeavoured to escape. The mounted riflemen, however, soon overtook all but one, who distanced the rest; him they ran 15 miles, when his horse bogged down in the prairie near the Brazos timber; he then made for the timber on foot. His pursuers, in the eagerness of the chase, dashed into the same bog, and continued the pursuit on foot, following the trail of the fugitive, which was very plain owing to the recent rains, until they reached the timber, where it was lost. The pursuers then spread themselves, and searched the woods for a long time in vain, when it occurred to Arnold Hunter, that the chase might, like a hard pressed bear, have taken a tree. The tree tops were then examined, when lo, the game was discovered comfortably ensconced in the forks of a large live-oak. The captors did not know who the prisoner was, until they reached the camp, when the Mexican soldiers exclaimed, "El General, El General, Santa Anna!"

The following *Address* was delivered by the Rev. J. BETHUNE, at the meeting of the Medical faculty of M'GILL College, on Wednesday last.

Before we proceed to the special business of this meeting, it may not be unacceptable to the public to be informed of the present state of the external affairs of M'Gill College. It is, I believe, pretty generally known that so long ago as the year 1829, the Royal Institution for the advancement of learning, had put into legal possession of the landed estate bequeathed by the late Mr. M'Gill. It was then hoped that as the same principle must determine the validity of the claim of the Royal Institution to the remaining part of Mr. M'Gill's bequest, further opposition would be made; but this reasonable expectation has been grievously disappointed—every possible opposition has been thrown into the way, for no other purpose than that of creating delay, and it is only since the last public meeting of the medical faculty, on this day twelvemonth, that a decision has been obtained establishing the legality of the claim of this Institution to the money (principal and interest) bequeathed by Mr. Gill, and amounting now to something more than £32,000. Under these circumstances it may be asked, and very reasonably too, why do we not see one or more of any second class of our professors added to the foundation on a permanent foundation, it must be destitute of that moral power and greatness which knowledge alone can confer. Let it not then be regarded as an extravagant hope, that we have authentically struck from this favourable opportunity of putting forth our best exertions for securing the object of paramount importance to the future prosperity and glory of our native or adopted country.—*Montreal Herald.*

It will be learned with great satisfaction by our readers, that Sir JOHN COLBORNE has been appointed Commander-in-Chief of His Majesty's Forces in the Canadas, and other British Dependencies in North America, with the rank of Lieutenant General. Despatches, conveying this intelligence, met Sir JOHN in New York, from which he was about sailing for England in the packet ship *Sheffield*, on the 24th instant. The journal from which we take this account, remarks :—"This appointment has been conferred upon Sir JOHN, as a special mark of His Majesty's favour."

The Indians in Florida, were routed in a general engagement by the American troops, on the 27th April, with about 300 killed and wounded, while the loss on the American side was very trifling.

Mr. STEVENSON, United States Minister to England, is to leave New York in the Packet Ship *Montreal*, which sails on the 1st of June.

We observe from a correspondence that has been published between T. A. STAYNER, Esq. D. P. M. and several of the inhabitants of *Sherbrooke*, that there is a prospect of a mail being established three times a week between Quebec and Montreal, and the Townships, instead of twice as at present.

The prevailing high winds up the river for the last few days have caused the water to rise more than two feet. The wharf leading to the Island is covered to the depth of eighteen inches.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—I regret to perceive that the Executive Committee of the Montreal Constitutional Association have resolved that the selection of the six Delegates to be returned by the City of Montreal, to the proposed Convention, shall be determined by *ballot* instead of a show of hands.

If the Committee, after mature deliberation, have come to the conclusion that *secret* is preferable to open suffrage, the principle ought not to be limited in its application to the City of Montreal—it ought to be introduced at every election to be held within the Districts of Montreal and St. Francis—and the propriety of its adoption, generally, suggested to the Committee of the Quebec Association.

Much has been said and written about the difficulties attending the exercise of the elective franchise in the rural districts, with a view to popular representation, might be collected; and the particulars, in England and in this Province, of bribery, intimidation, and corruption at elections, would be collected; and the particulars, in England and in this Province, of bribery, intimidation, and corruption at elections, would be sufficient to shock the sufferings of human nature at once, with a thousand times the force of any description that could be given of the sufferings of the Negro Slave of the West Indies.

Secret voting at popular elections is unmanly; and one of the most plausible reasons offered in its defence, is, that, in a state of society where the people are corrupt enough to sell their votes, it is necessary that they should be given in a secret manner, in order to defeat the expectation of the purchaser, and give to the knave an opportunity of being true to his country, without losing the advantage of betraying it, while it indirectly sanctions the breach of a corrupt engagement in a way far from creditable to the honesty or morality of the party by whom it is infringed, will never, I trust and believe, apply to the principles and bearing of the Constitutional party in the City of Montreal.

Secret voting is utterly irreconcilable with the free and animated discussion of public topics. Why should the electors be ashamed to avow their choice? It was in part to the substitution of the *ballot* for open suffrage, that the great Roman orator and patriot ascribed the final ruin of the Republic. The question was incidentally discussed in the last session of the Imperial Parliament. The ministerial proposition of the Reform party in England, with a few exceptions, have rounded their disapprobation of the principle; and it can derive no weight from the assertion of the most who rendered its philanthropy in the case of oppressed Greece, subservient to his own unreasonary views; of the Indian Journalist, who built up a claim upon the justice of the nation, founded upon his own contemptible disregard of the regulations of a Colony, to which he had voluntarily committed his interests; and of the retainer of one branch of the Legislature of a British Province, the welfare and superfluous of which are ascribable to a course of policy which the individual last alluded to, has been hired to denounce. Your's, &c.

May 25. E. F. G.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—Having read your remarks of yesterday on the subject of Prison Discipline, &c. so much to the point as you, and the public, through the medium of the *Courier*, that a plan for reforming the evils which have necessarily arisen in our prisons from the want of funds, and from the want of sufficient security and space, is under actual consideration; and will be carried into practice at the earliest period, and to the utmost extent which circumstances will permit.

The period at which it will be practicable to amend the defective system, will depend upon the completion of the new Jail; in the building at present in use, I unhesitatingly pronounce it impossible: the practicability which has recently issued upon this subject will therefore be the first

and one circumstance unfavourable to improvement is, the want of *separate yards*. It is useless to class the prisoners in the interior, if they are liable to be thrown together daily *in one and the same yard*; an evil which can only be avoided at present by keeping the prisoners within doors; which would be attempting the improvement of their morals at the certain sacrifice of their health and comfort. An estimate of the expense to make separate yards was before the Assembly during the Session of 1834, but unfortunately, was left unnoticed.

I shall not trespass further on your time at present —my object being answered by shewing, as I think I have done, that a correct system of prison discipline has by no means escaped the notice, and the anxious wishes, of those who are most immediately concerned therein: I am, Sir, your very obedient servant,

JOHN WELLS.

Montreal, May 25, 1836.

Lower Canada.

Office of the Secretary of the Province, Quebec, May 19, 1836.

His Excellency the Governor-in-Chief has been pleased to make the following appointments, viz :—

Pierre J. Hervieux, Antoine Gadiaux, dit St. Louis, and Antoine Le Sieur dits Aubiers, Esqrs., to be Commissioners for the Summary trial of Small Causes in the parish of Ste. Anne d'Yamaschiche, in the County of Saint Maurice in the district of Three Rivers, under 6th Wm. IV. cap 17.

Charles Harrower, Pierre Damas, and G. W. Fraser, Esquires, to be ditto, ditto, ditto, for the seigniory of Port Joli, in the county of Pislet.

Amable Dionne, Francois Gauvreau, and Philippe Beaulieu, Esquires, to be ditto, ditto, ditto, for the seigniory of Kamouraska, in the county of Kamouraska.

Amable Archambault, and Joseph Bistodeau, Esquires, to be ditto, ditto, ditto, for the parish of Saint Hyacinthe, in the county of Saint Hyacinthe.

Frederick E. Gibbenski, and Charles Lambert Dumont, Esquires, to be ditto, ditto, ditto, for the parish of Saint Eustache, in the county of Two Mountains.

Pierre Bonesfant, Abraham Fellettier, and Benjamin Dionne, Esquires, to be ditto, ditto, ditto, for the seigniory of Riviere du Loup, in the county of Rimouski.

P. C. Lizotte, and J. C. Leclerc, Esquires to be ditto, ditto, ditto, for the seigniory of Lavaltrie, in the county of Berthier.

Leonard Brown, Stephens Baker, and John Gilbert, Esquires, to be ditto, ditto, ditto, for the township of Dunham, in the county of Missisquoi.

Adolphus Mordecai Hart, Esquire, to be Barrister, Advocate, Attorney, Solicitor and Proctor, in all His Majesty's Courts of Justice within this Province.

The poor defunct Common Council, are they gasped their last, directed their Treasurer to publish in the *Mirror* and *Vindicator*, his accounts for the year 1835. The receipts from various sources were as follows :—

Road fund	£2655	3	11½
Watch fund	2719	6	4½
	£5374	10	4

The expenditure is of course of a very miscellaneous description, and it is unnecessary to give in detail. The amounts, as stated under the two principal heads of expenditure in the account are :—

For streets, roads, &c.	£3810	5	8½
For watching and lighting the city	3654	10	3
	£9464	15	11½

Leaving a balance in hand at the close of the year of £109 14 4½

Among some of the items of expenditure, we would particularly notice the following :—

The Mayor's salary	£100	0	0
The Road Surveyor, the servant of the Mayor, who is "his own sole self"	200	0	0
Richard Dillon, as Clerk of the Market, for duties he never performed, the appointment being illegal	70	16	8
Lawyers' fees	71	7	2
A judgment rendered against Jas. Flaherty, for obeying the Corporation, in an order declared subsequently to be illegal	2	19	6
Lawyers' fees, for cases of assaults and batteries, on or by the watch. —*Montreal Gazette.*	19	10	0

The hired surveying schooner *Gulnare*, Commander Bayfield, R. N., is not likely to leave the port before the 1st June. She will visit the South Shore, Gaspé, and Bay Chaleurs, and after, complete the survey of the Magdalen Islands. This great undertaking, at the expense of the Home Government, will be of immense public utility when completed.—*Quebec Gazette.*

About seventy square-rigged have got into port since Friday night last, that is in two days and a half.—*Ib.*

The *British America* arrived to-day about noon, with from forty to fifty cabin passengers and an unusually large freight. Among the cabin passengers were the Rev. Mr. Strong (who is to act as Chaplain to the Forces in the absence of the Rev. Mr. Hudson), Mr. J. S. Campbell and lady, Mr. William Atkinson and lady, Col Herbst, Messrs. J. Wurtele, J. P. Robinson, G. Dempster, Jean Tourangeau, W. Parker, Charles Montizambert and G Hann.—*Ib.*

There are at present fourteen patients in the Marine Hospital, consisting with one exception of sailors, suffering from severe accidents. There have been fifteen individuals admitted since the 19th instant, the period of the first admission this season, and one discharged, cured.—*Ib.*

Lt. Colonel Nichols of the Royal Engineers takes the command of the garrison, on Colonel Nicol resuming the command of the Forces.—*Ib.*

We understand that a meeting is to be called in a few days by the freeholders of Stanstead, to consider the propriety of paying their representatives for their late services in the Provincial Legislature. As soon as the meeting takes place, the county members are earnestly requested to attend and give an account of their constituents of all the salutary measures which they have been instrumental in bringing forward during their eighth last Session at the capital.—*Cornwall Observer.*

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