Constitutional Association of Montreal.

At a meeting of the General Committee of this Association, held at the rooms of the Executive Committee, on the 4th day of May, 1836, for the purpose of receiving a Report of the Executive Committee, since the annual meeting of December last, and for other business connected with the general interest of Constitutionalists in this Province.

Present—The Hon. G. Moffatt, Chairman of the Executive Committee; and forty members of the General Committee.

Mr. Scott was requested to act as Secretary.

The Chairman addressed the meeting upon the subjects for which it had been assembled.

The Secretary read the following Report of the proceedings of the Executive Committee, since the 7th December last.

REPORT.

The Executive Committee of the Montreal Constitutional Association have deemed it expedient that a meeting of the General Committee should be convened, for the purpose of reviewing a Report of the proceedings of the Executive Committee, since the last annual meeting, and for other business connected with the general interest of Constitutionalists in the Province; and they now proceed to state what has been accomplished, or endeavoured by them, since the 7th of December last.

By one of the Resolutions adopted on that day, the Executive Committee were instructed to take measures for the assembling in Congress at some central point, of deputies from the various Constitutional Associations in the Provinces, and from the Sister Colonies, in order, if possible, to obtain an authentic public expression of opinion from the Provinces of British North America, and to ensure a greater efficiency of action.

Of the extent to which the Executive Committee have accomplished the wishes of the Association in this respect, the General Committee will be enabled to judge from the communications had with the Constitutional Association of Quebec, and from the determination finally adopted by that body in concurrence with this Association, to convene a general meeting of Delegates of the petitioners from the different Counties and Cities of the Province, to take into consideration the various objects expressed in the petitions to His Majesty and the two Houses of Parliament, and on the different Addresses and Resolutions of the Associations.

A communication was received by the Executive Committee, from T. Elliott, Esq., Secretary to the Royal Commission, in the month of December last, and replied to in due course. Copies of this correspondence were soon afterwards transmitted to the Quebec Association, accompanied by a letter explanatory of the views of this Committee, and requesting the co-operation of the Quebec Association, in the measure of assembling a Congress of Delegates.

The propriety of enlisting the sympathies of the inhabitants of the neighbouring Colonies, in favour of the loyal British population of the Province, and of correcting any misrepresentation of their views and demands, led the Committee, on the 19th of December, to confide to three of its members the task of preparing an Address to the inhabitants of British America, explaining to them the essence of the present unhappy dissensions, and inviting them to send Delegates to the proposed Congress.

Towards the close of December, the Committee were officially notified by letters from the Society of the Quebec Constitutional Association, of certain Resolutions proposed to be submitted at a general meeting of that body intended to be held in the following month.

The Committee about this time addressed a circular letter to the Merchants and others engaged in the lumber trade throughout the two Provinces, directing their attention to the efforts that were then being made by the Assembly of the Province, to injure that branch of our commerce, and more especially to the appointment of an Agent in England, paid out of the consolidated fund of the Assembly, known to be hostile to the commercial interests of the colony, and supporting the views of the Assembly by misrepresenting the wishes and interests of the British population in connection with that important branch of Colonial industry.

On the 13th of January an address to the inhabitants of British North America was published, and finally adopted by a majority of the Committee. To this address the necessary publicity has been given, and measures taken to secure its dispersion through the neighbouring Colonies; and on the same day the Committee, sensible of the importance of adopting as speedily as circumstances would admit, such measures as the present situation of the Colonies demand, resolved that a communication should be forthwith made to the Executive Committee of the Quebec Association, urging them to depute one or more of their members to meet an equal number from Montreal, in order to make arrangements for the assembling of a Congress from the British Provinces of North America.

The Committee on the 19th of January named Messrs. Walker, Penn, and James Holmes, as a Deputation to proceed to Quebec in accordance with a desire expressed by the Executive Committee of the Quebec Association, to confer with the latter body on the best means of furthering the purposes for which the Associations throughout the Provinces had been established, and convening a Congress, at the same time the co-operation of the Quebec Association on the objects set forth in the address recently issued by the Committee was requested, and they were entreated to unite with the Montreal Association in an humble Appeal to Parliament for redress by Imperial Enactments, in the event of adequate relief not being afforded by the Provincial Legislature in the then session.

Attention was drawn at an early period to two of the most important questions agitated by the Association—namely, the Registration of Mortgages and the Feudal holding of Land. And the Honourable Mr. Moffatt, the Chairman of the Association, and a member of the Legislative Council, was requested to introduce into that body a bill for the establishment of Registry offices, and another bill to relieve landed estate from the servitudes and exactions of feudal law; by securing to Canadians the right of descending a valuation of their property upon some principle to be established by Legislative enactment, and to enfranchise the land upon the payment of a commutation to the Seignior; nothing contained in the measure, however, to confirm the titles of any of the existing religious communities to the estates held by them, it being been intimated that the Commission of Enquiry would bestow its attention upon that subject with the view of effecting a final and satisfactory adjustment.

On the 28th of January the Committee were formally apprised of the proceedings taken at the general meeting of the Quebec Association held on the 21st. They noticed with satisfaction that the latter body concurred in the propriety of convening at an early day an assembly of delegates from the counties and cities of the Province, leaving it to the wisdom of the Convention, when assembled, to determine upon the assembling a Congress from the British North American Provinces generally, in accordance with the views of the Montreal Association.

The Committee have never lost sight of the necessity of investigating maturely the various topics of complaint which have been brought under the consideration of His Majesty's Government by the various Petitions and Addresses of the Associations representing the British population of the Province, for the purpose of affording information to the Royal Commissioners, and suggesting the appropriate remedies and means of redress, preparatory to the selection of persons whose duty it shall be to place themselves in communication with the Commissioners for the promotion of the objects which the Association are seeking to obtain.

The Provincial statute 4 Will. IV., cap. 28, intended to regulate contested Elections throughout the Province, which had passed the three branches of the Legislature, having been dissented from by His Majesty, unless amended in the manner suggested by His Excellency, The Governor-in-Chief, in a special message transmitted to the Assembly during the past Session, and certain amendments which were introduced in the Legislative Council, having for their object to confer upon co-proprietors the right of exercising the elective franchise having failed to obtain the concurrence of the Assembly, the Committee in the month of February transmitted a Petition to His Excellency the Governor-in Chief, praying him to exercise the royal prerogative in disallowing the original Act as trenching upon the rights of an important class of His Majesty's subjects, in what respected the elective franchise. A similar Petition was shortly afterwards transmitted to his Excellency for the purpose of being laid at the foot of the throne.

On the 27th of February a series of Resolutions, *thirteen* in number, recapitulating many of the objects of the Association, were adopted by the Committee upon a division, and given to the public.

The proceedings of the Agent deputed to England by the Association for the purpose of supporting the Petitions to His Majesty and the two Houses of Parliament, and enforcing the claims of the British population, were formally reported to the Committee in the month of March; and the Report, as drawn up by that gentleman, ordered to be published.

On the 5th of April the Committee initiated the necessary measures for assembling the Convention; and delegated to three of its members the duty of corresponding with the Executive Committee of the Quebec Association upon that point, and of providing for the representation of the Districts of Montreal and St. Francis.

These gentlemen promptly reported to the Committee upon the matters confided to them; and a series of Resolutions, eleven in number, prescribing the manner in which the Elections throughout the two Districts should be had—the places of Election—the number of Delegates—and the proportions to be returned by the counties and city respectively, were adopted.

Communication of these Resolutions was given to the Committee of the Quebec Association, accompanied by the expression of a desire, on the part of the Committee, that the elections throughout the Province should be had on an early day in May; and that the Delegates should assemble in Convention at Montreal fourteen days thereafter, so that in the event of their deliberations leading to any expression of opinion to be embodied in Petitions to His Majesty and the two Houses of Parliament, such Petitions might reach England in time to be presented during the present Session.

The Executive Committee of the Quebec Association, acting upon their knowledge of the proceedings of the Committee here, convened a meeting of that body, and the Resolutions of the 21st of January were so modified, as to admit of the elections taking place at any time not less than three weeks after public notice of the number of persons to be selected at the several places throughout the Province, and of the general meeting being held at any time not less than fourteen days after the day of selection.

In thus far acceding to the wishes of the Committee, the Executive Committee of the Quebec Association did not hesitate to express their doubts, of the expediency of fixing the General Meeting of the Delegates at a period so early as that proposed by this Committee.—They urged among other reasons, that it was improbable that any of the gentlemen selected from the District of Quebec, who might be engaged in trade or professional pursuits, would have it in their power to attend at Montreal, at the close of May and beginning of June, during a term of the Court of King's Bench, and the most busy period of the season. Moreover, that the District of Gaspé could not have an adequate notice of the time of selection and meeting.

Under these circumstances the Executive Committee of the Quebec Association offered it as their opinion, that the season between the haytime and harvest, when the Spring trade becomes slack—when no Courts are sitting—when sufficient notice and time for selection could be extended to all parts of the Province—say the beginning of August—would be the fittest time for the proposed General Meeting.

These suggestions of the Quebec Committee were carefully weighed; but in the opinion of this Committee the state of public feeling in the Districts of Montreal and St. Francis, required that periods much earlier than those mentioned by the Quebec Committee, should be appointed for the Elections and time of meeting. It was conferred, however, as far as practicable, to the wishes of the Quebec Committee, and fixed the Elections to the 30th of May—the time of meeting to the 23d of June—reserving to themselves in the event of its appearing that the attendance of the Delegates from the District of Quebec cannot then be obtained, the right of postponing the General Meeting to a subsequent day.

This Committee have reason to believe that the sittings of the Royal Commission will be speedily transferred to Montreal, and their attention for some time past has been devoted to the many questions of moment, which it will be their duty to bring under the notice of the Commissioners, and the views of the Association, with respect to which it will be necessary to support by evidence and otherwise.

Of these questions—the establishment of Offices for the Registration of Mortgages throughout the Province—the abrogation of laws hostile to public improvement and settlement—such amendments of the laws now in force as will lead to the total abolition of the Feudal Tenure, at no distant period—the adjustment of the points at issue between His Majesty's Government and the Seminary of Montreal, with respect to the right of property in the Seigniory of the Island of Montreal, asserted by the latter body, with a view to the reservation of that property by Government, and an extinguishment of the Feudal Tenure therein upon fair principles of commutation—the management of the Waste Lands of the Crown—the tenure of Landed Estate generally—the future incorporation of Land Companies—the representation of the British population in the Commons House of Assembly—the Judicature and the Constitution of the two Councils—may be claimed as the most important, and to the examination of these the Committee have hitherto bent their energies. They are now enabled to inform the General Committee, that, upon the subject of a new erection and division of Counties, with a view of imparting to the British population an equitable share in the representation of the Province—upon that of Registry Offices—and upon the important questions arising out of the possession of the Island and Seigniory of Montreal by the Ecclesiastics of the Seminary, and the influence of the tenure upon the prosperity of the City of Montreal, the enquiries and opinions of the Committee are nearly matured.

The Committee respectfully apprehend that every question upon which an entire unanimity of sentiment does not prevail amongst Constitutionalists may be brought under the notice of the Convention—and that the issue of its deliberations will harmonize with the general welfare.

For concluding the Report the Committee have to state, that their numbers have been lately diminished by the secession of five of the members—Messrs. Ferrie, Penn, J. Holmes, Cheney and Day.

Any opinions falling from those gentlemen have always possessed weight with their colleagues. Their efficiency and past labours deservedly claim an acknowledgment at the hands of the Committee—and the remaining members of the body have only to express their regret that so much valuable talent should have departed from them.

All which is respectfully submitted.

W. Walker, *Chairman Sub Com.*

Mr. Quinlan addressed the meeting, and proposed three Resolutions, seconded by Mr. Tobin.

Mr. B. Holmes, in amendment of these Resolutions, moved, seconded by Mr. W. Cunningham—

That it be an instruction from this meeting to the Executive Committee, to proceed diligently and efficiently to obtain the full objects of those measures of reform expressed in the Declaration of the 7th December last, and the Address to the Inhabitants of British and Irish origin in the North American Provinces, dated in January last—and to bring the same under the consideration of the Royal Commissioners, with the least possible delay, without meeting the point of the annexation of the Island of Montreal to Upper Canada, but urging a general legislative action as the most efficient means for the redress of our grievances.

The amendment was put, and after considerable discussion, was carried 19 to 16. Several members having retired.

Resolved, by a majority, on motion of the Hon. Mr. McGill, seconded by Mr. Ferrie—

That the system of Tithe established in this Province for the support of the Roman Catholic Clergy shall not be interfered with or attacked by the Executive Committee, in any representations to be made to the Royal Commissioners.

The motion was put and negatived by a majority.

Resolved, on motion of Mr. B. Holmes, seconded by Mr. Tobin—

That it be an instruction to the Executive Committee to solicit the concurrence of the Quebec Association, to the adoption of the Ballot system in the election of the Delegates to be chosen on the 30th May next, in lieu of nominating or choosing by show of hands.

Certified.

J. Guthrie Scott, *Secretary.*

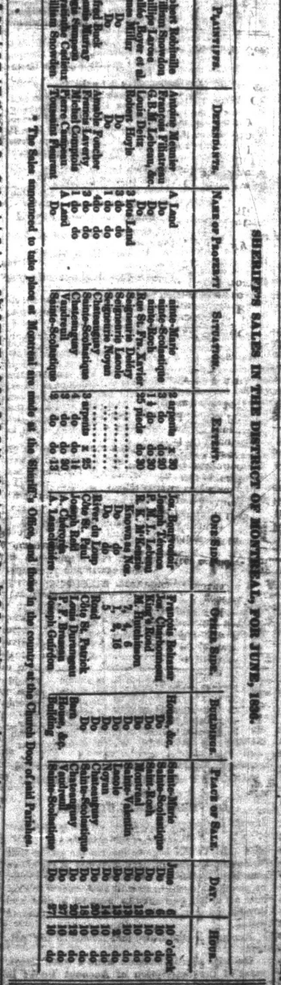
Extract from the Minutes of the Executive Committee, at a meeting held on the 14th May, 1836:—

"*Resolved*—That with a view to comply with the recommendation conveyed by the General Committee at the meeting held on the 4th instant, the Delegates for the City of Montreal be elected by Ballot; instead of by show of hands, as resolved by this Committee on the 5th day of April last.

"*Resolved*—That the proceedings of this General Committee at the meeting held on the 4th May last be published."

Certified.

J. Guthrie Scott, *Sec. Ex. Com.*


SHERIFF'S SALES IN THE DISTRICT OF MONTREAL, FOR JUNE, 1836.
Tuesday.
Wednesday.
Thursday.
Friday.
Saturday.
Monday