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THE FREE PRESS.

VOL. I.] MONTREAL, THURSDAY, 30th JAN. 1823. [No. 15.

Totidem nobis animaque manusque. VIRGIL.

Now with united hands and hearts we stand;
And stand or fall together.

Burlington, 27th Jan.

I have most warmly to congratulate my readers, and all the real well-wishers of both the provinces of Lower and Upper Canada, upon the result of the deliberations of the Legislative Council, and of the House of Assembly, on the subject of the union. The triumphant majority with which the address against that odious measure, was carried in the House of Assembly, 32 to 3, was to be expected from their well-tryed patriotism, their known firmness, and enlightened discrimination; but it is a most exhilarating surprise, a matter of unexpected exultation to the Canadians, and their friends, and at the same time, a deathblow to the hopes and machinations of their enemies, to find that good sense, sound judgement and the love of country, have, in this instance, got the better in the Upper House, of the spirit of intrigue, and prejudice, and have drawn from their bosoms all vile ambition of place and profit, and that noxious desire of power and influence which has too often before obscured their better judgements, silenced their consciences, smothered their virtuous feelings, and driven them into the arms of the Executive, the sub-ervient ministers to cast shackles upon the freedom of their country. Once aroused to so noble an exertion, I trust they will continue on in their career of true patriotism, and deserve well of their country, by going heart and hand with the Commons house, and by sturdily maintaining the people's undoubted privileges to grant their own money, for what, to whom and for what period, they think proper, consult the true interests of both the monarch and the subject. That so large a majority as 15 to 5, (I speak of the resolutions of the Legislative Council, passed in a Committee of the whole house, on the 22d instaut, for the proceedings of the 23d when the address was to be proposed, and no doubt was entertained of its meeting with a large majority, have not yet reached me) should have appeared in the council, against the projected union, is truly exhilarating to reflect on. It is indeed an absolute majority, for though the council consists of 30 members, four are in England, and 14, therefore, form an absolute majority.

Had Mr. James Stuart remained a few days longer in Canada, he might have been spared the journey, and his union-petitions, with their ten thousand signatures of *educated and well informed* persons of *British origin or descent*, (Yaukees, boys, and all) might have been cut up into taylor's measures, or used to stiffen bonnets. The Scotch faction must now bury all their hopes in silence, and swallow down all their ominous anticipations of success. It will be a hard gulp; but there is nothing else they can do; for they will not surely have the faculty to suppose that the Imperial parliament, or His Majesty's enlightened ministers, would for one moment entertain a thought of pressing forward a measure, condemned and petitioned against, not only by an immense majority of the numerical population of both provinces, by a still greater proportionate majority of the education, learning, and talents that exists in them, (for really it is most laughable to hear these ignorant shopboys, these upstart pedlars, porters, and counterjumpers, babble about education and learning, as if *they could know what even the meaning of those words are,*) but likewise by *both the houses constituting our provincial parliament.*

Having again touched on the comparative degrees of education which exist between the Canadian gentry, and the Scotch adventurers by whom they are vilified; I have likewise to congratulate the country in general, but particularly our *educated and well informed* brethren of *British origin or descent*, on the prospect that now exists for the establishment of the McGill university, at Montreal. *When that is established, and not till then, can we hope to see any thing like learning, or intelligence (beyond the science of arithmetic, and the cunning of trade) amongst the British part of the community in Canada. Perfectly do I coincide with the sentiments expressed by a recently established paper, which, though avowedly espousing the cause of the educated and well informed persons of British origin or descent, who are advocates for the union. most unfortunately for the credit of their education and information, lets the cat out of the bag in the following paragraph.*

"The hope which this decision" (the judgement given in the court of King's Bench in favour of the heirs of McGill,) "holds out, that ere many years, we shall enjoy the benefit of a seminary of learning, in which our youth may be educated, without the trouble, expense, and anxiety, which parents must suffer, in sending them abroad, is truly flattering, and must give satisfaction to those who have any interest in the country, or who look upon this land as their permanent home. Perhaps nothing has been more prejudicial to the interests of the country, than the entire want of some similar institution to that which the generous and discerning person contemplated in his patriotic bequest" (of land to build, and money to endow, a college;) "nor can

there be any doubt that such a deficiency has deprived many a man of talents, of that education which would have been bestowed upon him by his parents, had circumstances admitted it."

'True, and hence the general miserable deficiency of education to be found in the British Canadian youth, which this writer has thus inadvertently acknowledged.

The union may now be considered as defunct, and we may therefore, attend to those things which press upon us of a *subordinate nature; and which will probably form objects of discussion* during the present session of our legislature.

One, will be the consideration of that act of parliament, by which the pecuniary differences between the two provinces are endeavoured to be adjusted, by supreme authority.

Much may be said on this subject, but as a preliminary, towards entering more at large upon it, I consider the republication of a letter which appeared in April last, immediately after the report of the commissioners for adjusting those differences had been made public, a fit introduction; as the cogent and close reasoning of the writer of that letter, will afford a theme for saying almost all that it may be now requisite to say on the matter.

It is as follows:

"The publication of the report of the Commissioners of Lower Canada, relative to the financial differences between the two provinces, has thrown considerable light on a subject, until now enveloped in mystery, and which has for some time been, in Upper Canada, the theme of abuse against this province.

"From the perusal of the correspondence it appears to have been conducted with much temper, but with a determined adherence to principles so opposite in their nature as to leave no hope of a speedy adjustment of those differences.

"Has or has not Upper Canada a right of transit through Lower Canada? The answer is obvious, and it is not denied by the Commissioners; nay, had it not been formally recognized by a resolution of the Assembly of Lower Canada, we question if it would have been very honourable to have quibbled on that point. But has Upper Canada a right to insist on Lower Canada taxing herself, for the purpose of raising a revenue for that province? the answer is equally obvious. Then the question is at issue. Let each province raise its own revenue in the manner best suited to the means of its inhabitants, and all will go well. But we are told that this is impracticable; that the line of division between the provinces is too extensive; and that the collection of a revenue upon such a line would entail an expense much beyond the means of Upper Canada to defray. We know only of two highways to Upper Canada, the St.

Lawrence and the Ottawa, and it is not a matter of such difficulty to establish a customhouse at the confluence of those rivers. Besides, the line of communication between Upper Canada and the United States, is much more extensive, and yet that province has not found it impracticable to make regulations for the collection of a revenue on goods imported from that country. No, let Lower Canada have the odium of taxing the inhabitants of Upper Canada, because it is too expensive to establish and maintain customhouses there, and because we wish to have only the most agreeable and pleasant part of legislation to perform. This is perhaps, the true reason, otherwise we do not see the insurmountable obstacles in the way. Every disposition seems to have been evinced on the part of the Commissioners of Lower Canada to allow to Upper Canada its fair proportion of the revenue of the Lower province, founded upon the actual consumption of dutiable commodities which have passed into the Upper province; and, although their powers were only prospective, yet, in order to ascertain what were the arrearages due to Upper Canada, they were willing to "give their most assiduous application and assistance." Was this proposal met with the same disposition on the part of the Commissioners of Upper Canada? A fruitless attempt was made to ascertain from the merchants of Montreal what proportion their outfits of 1820 and 1821 bore to those of 1818 and 1819, but this was by no means satisfactory. Nothing but an aliquot part would do, founded on the relative population of the two provinces, a population not known to the Commissioners, and a population totally dissimilar in their habits. Let us now examine the claims of Upper Canada, and see if they are of such a nature as to leave no impression on our minds unfavourable to a spirit of conciliation. The first item, viz: arrearages of drawbacks between 1813 and 1817, amounting to £10845. 15.7. we are willing to consider as an error, because it was paid and satisfied by the Executive of Lower Canada, some years ago. But that which appears to us as a claim of an extraordinary nature, is that for duties collected in this province, under old acts of the British parliament, and which we paid into His Majesty's exchequer in England, "to be there entered separate and apart from all monies, to be reserved, to be, from time to time, disposed of by parliament, towards defraying the necessary expenses of defending, protecting, and securing the British colonies and plantations in America." Surely Upper Canada does not mean seriously to urge claims of this nature. We doubt the legality of raising money in this province for the purpose of being remitted into His Majesty's exchequer, for the public uses of England, especially after the declaratory statute of the 18th of His late Majesty, and our constitutional-act; but let Upper Canada join us in endeavours to attain that money for the pub-

*licuses of the two provinces, and we shall not disagree about its application. Let them not invidiously call us their "oppressors and tyrants," but let us labour together for our common good, and for the procurement of those colonial advantages which the monopoly of our trade by the mother-country, entitles us to. Another claim equally unfounded is for a proportion of the duties levied in the province under the act of the 14th of His late Majesty, cap. 83. That act was passed to "establish a fund towards further defraying the charges of the administration of justice, and support of the civil government, within the province of Quebec, in America;" and in lieu of duties imposed by His most Christian Majesty previous to the conquest This fund, no doubt, was applied to the purpose for which it was destined until 1792, when a division of the province took place, in virtue of the act of the Imperial parliament, which gave us our present constitution. When it became necessary for the two provinces to have separate funds, Lord Dorchester, in a message to the Assembly of Lower Canada, in 1794, submitting the public accounts to their consideration, indicates that fund as applicable to the administration of justice, and support of its civil government, and calls it the *provincial revenue of the crown*. As a compensation to the province of Upper Canada, for being thus deprived of her share of revenue under that act, separate courts of justice, and a separate and distinct government having been established, the Imperial parliament did, and does now annually, vote to that province upwards of eight thousand pounds sterling, when the whole amount of duties under that act in 1795 in Lower Canada, was only about three thousand pounds sterling. Thus we see that Upper Canada has no right or pretext whatever, to a participation of the duties levied under this act, and it appears to us, rather invidious to have made such claims the subject of public clamour. We are much surprised also to find that such pretensions should have been countenanced by the speech of the governor of that colony, at the opening of a session of its legislature. We will not stop here to inquire why so large a sum was at once given to Upper Canada, but will proceed to notice one more claim preferred by that province, and one fully as objectionable as any of the rest it is for a *proportion of our casual and territorial revenue*. Such claims can not proceed from a disposition to a good understanding, but may, perhaps, be meant to promote latent views, which it is considered not very politic immediately to disclose.*

Do these views tend to the union of the provinces? Be it so. We shall then no longer, perhaps, be made the subject of political experiments. We may then have the so much desired parochial schools; we may then have the incorporation of our cities, of our public institutions; and may then enjoy other ad-

vantages which have as constantly been refused as they have been applied for.

A COMMONER.

April 14, 1822.

The act of parliament by which the financial differences between Upper and Lower Canada, are to be left to the decision of arbitrators, appears indeed to divest some of these subjects of their interest; but it is wrong to consider them as set at rest by that act; for, in the first place, should its provisions be found incompatible either with constitutional principles, with the interests of the parties concerned, or with practicability; it is by *no means* such an irrevocable statute as can not, upon due representation and remonstrance, be repealed, and in the next, the arbitrators are not yet appointed, and if they were, it can not but be serviceable to them in their deliberations, to become familiar with the ideas and arguments of other enlightened men, and with the public opinion, upon the subjects that are to be brought under their consideration. Hence the discussion of these matters, which I shall resume, as opportunity may serve, will, I trust, prove both useful and interesting.

A NEW SONG

By a candidate for the prize advertised by the spirited author of the Free Press.

[*Tunc. Goody Buntin's Ale, or The Maid of Lodi.*]

1.

Preserve to us, ye powers,
Our constitution free;
Whenever faction lours,
Our kind protectors be.
Ne'er let madbrain'd ambition
Affright this happy land,
With threat of slave's condition
Beneath a tyrant-band.

2

Great George our freedom gave,
Who's blest above the skies;
Let no insidious knave
Bear off the glorious prize.
Richer by far than gold,
Is cheering liberty;
Let all then, young and old,
Its firm defenders be.

3

For ever let us cherish
Great George's hallow'd boon;

Who would not, may he perish !
 Give up his life as soon.
 He is not fit to live,
 Who 'd ever fear to die,
 Or hesitate to give
 His all for Liberty.

4

Some, loyalty who ape,
 Swear they will melt us down,
 And mould us into shape
 And substance of their own.
 For calvesheads, or for jolts,
 They take us, without doubt,
 Or pretty leaden dolts,
 Or filthy rabble rout.

5

Canadians above all
 Are most supremely blest,
 If wrong'd, they've but to call
 On George, and they're redress'd.
 Wherefore they who'd alter
 Their enviable lot,
 Deserve a hempen halter :
 Or else, may I be shot.

6

This Union's all a trick
 Sure any man might swear,
 Contrived by Old Nick,
 Of whom let us beware ;
 If not by Nick, his imps ;
 Good folks pray have a care ;
 The Devil, and his imps,
 Preach Union to ensnare.

A PATRIOTIC BALLAD ON THE UNION.

O, for a Pindar's muse to sing
 The cause of *Anti-union*.
 To shout aloud **GOD SAVE THE KING,**
 God save us from this Union.

From factious men, men of deceit,
 To all but interest blind,
 Who would all other power defeat,
 Whom honour's ties don't bind.

'Tis thus they talk ; of their descent,
 They boast, and British birth ;

Suspicious spread, and lies invent;
They—vilest race on earth!

“Destroy these French, this conquer’d race,
“That would destroy the throne;
“From House and Senate them displace,”
They cry with haughty tone.

“Their cursed jabbering we despise,
“Their customs and their laws,
“What can be good in Scotchmen’s eyes,
“Save bagpipes, itch, and brose.”

“Such true born Englishmen as we ;”
(Yet that sounds like a bull,)
“We never will contented be
“Till we the French can rule.”

But true to country and to king
Canadians will resist
Their knave’s tricks, which will ruin bring
So let them all be hiss’d,

Now to an end my song I bring,
Huzza for Anti-union !
Let’s shout aloud, GOD SAVE THE KING
God save us from this Umon.

MENIPPUS.

The authors of these pieces will please to give me the addresses to which I may forward the Scribbler and Free Press to the first, and the Free Press to the last, in pursuance of my promise in No. 10. I am sorry there have been no other competitors, and that circumstances prevented an earlier insertion of these.

L. L. M.

The FREE PRESS is published every Thursday, in Montreal, price 6 d per no. or 5 s. 6 d. per quarter, or 22 s per annum, payable quarterly *in advance*. Subscribers who do not reside in Montreal, will have to pay an additional price, adequate to the expense of conveyance.

A title-page, preface, and index, will be given with each volume

ALBANICUS is now out of date ; I shall be gratified, however, if he will exercise his pen again. CONSISTENCY I hope will not forget his promises.

L. L. M.

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