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THE FREE PRESS.

VOL. I] MONTREAL, TUESDAY, 1st JULY, 1823. [No. 37.]

Qui dit docteur, ne dit pas toujours un homme docté, mais un homme qui devroit être docté. ST. REAL.

I publish this week two numbers, being the first time I have been able to prepare an extra quantity of copy towards supplying the chasm occasioned by the suspension that took place in this work between Nos 13 and 14. No. 32, will appear dated Thursday the 3d July. L. L. M.

EXTRACT FROM THE LONDON COURIER, concluded.*

"In my humble opinion, if a wise and conciliatory conduct is used towards this country, the day is not far distant when it will become a most valuable appendage to the British crown. The present state of the country imperiously calls for some change. This is manifest; the prosperity of the country depends, in a great measure, on checking the present overbearing

* The following note was omitted in last number, page 284, when it was intended to have been inserted to that passage (line 4,) relative to "Canada falling into the hands of the Americans."

This, as before said, I consider as next to an impossibility, as long as the *Canadian name and nation* exists in this province; but if you make any attempt at depriving them of their liberties, their laws, their religion, and their language, the consequences may not be contemplated without shuddering, not for their ultimate triumphant retention of them, which would be one of the circumstances of moral certainty I should calculate on in the course of human events, but for the misery, the blood, and desolation that would precede that triumph. I can not refrain from adducing from the same page of the Courier, whence the letter is taken, on which I am now remarking, a pregnant instance exemplifying the magnanimity of England's monarchs, and the sound sense of the nation, in the case of the islands of Guernsey and Jersey: where, notwithstanding their close vicinity to the French coast, and the facility with which they could, on numerous occasions, have thrown themselves into the arms of France, a danger, of which with respect to Canada, the apprehension is one of the most chimerical and absurd that ever entered into the head of a quidnunc, the French language, and laws, criminal as well as civil, prevail, and are administered, in

weight of Canadian influence. But this ought not to be done by a rough and careless hand. The tree ought to be pruned in a way to secure its growth, and to yield more fruit. The governor, by erecting new townships, where English interest is pre-

their own forms, to the present day. It is a case of aggravated forgery, extracted from the Jersey British Press of 14 January last. "The grand enquete," it says, "assembled that day to decide on the guilt or innocence of Thomas Dumaresq, and Peter Coutarcaux: Their accusation stated that since they had entered into partnership with Messrs. Joshua Lerrier, and John Wm. Dupré in October 1820, they had been guilty of the crimes of forgery, robbery, swindling, and breach of confidence, having drawn, in fictitious names, several bills of exchange, for considerable sums, and discounted them at the bank of Lerrier, Dumaresq, & Co. The prisoners, persisting in their innocence, the depositions of the witnesses and other documents were read, from which it appeared that Dumaresq and Coutarcaux had written letters to which they forged the signature of Mr. John Poingdestre; with the view of deceiving Messrs. Lerrier and Dupré, and that they had made alterations in others, with the same view. That they had counterfeited, under fictitious names, bills of exchange, to a large amount, which they had discounted at the bank of Lerrier, Dumaresq & Co. that many bills entered on the books of the said bank, as having been drawn on Mr. Poingdestre of London for £40, £45—and £ 60 sterling each, had been changed by Dumaresq into £400, £450, and £600. and that, in forging the signatures of Ph. Duval, and Jean Coutanche, they had further defrauded the said bank of £2000, sterling. The Lieutenant-bailiff, M. Marett, having, after hearing the evidence, recapitulated in a precise and luminous manner the whole of the proceedings, the enquete were about to retire, when it was further stated that other frauds, not mentioned in the accusation, were attributed to the prisoners, and that the total loss sustained amounted to £18,000. sterling. At a quarter past ten the enquete retired, and after twenty minutes consultation, returned into court, when the prisoners were declared to be "more guilty than innocent of the crimes laid to their charge." The court then proceeded to pass sentence, which was to be pilloried two successive Saturdays for one hour, and on the second Saturday flogged by the public executioner in the customary manner, and then banished for ever from the island." Here, according to the French island laws, there was no jury, the evidence produced was written, and not oral, and the punishment for repeated forgeries was pillory, whipping, and banishment. Yet this island is part of the British empire as much as Canada is; and notwithstanding all this is wholly repugnant to the British system of laws, and particularly so to

dominant, might add great weight to that side. Gradual changes in the political world, may almost proceed to any extent; when by a sudden development of the same measures, discontent might kindle into a flame. Thus my dear sir, I

the all engulfing spirit of commercial preponderancy that prevails at home, yet the omnipotence of the British parliament, has never yet thought of forcing other laws upon the inhabitants of those islands, not because the English law is not in itself preferable, but because the national faith is pledged, and the islanders are left to enjoy under that pledge, their own constitution, laws, and language, which, if they themselves choose to change they may, but are not to have any change thrust down their throats, as the Scotch intriguers aim to do here.

* Altho' the writer of this letter, in a subsequent paragraph, disclaims having any predilections, either commercial, or anti-commercial, it is evident that he has fallen into the error so general amongst the unionists, that commerce is an object of the highest and most paramount consideration, whereas it is here one of only secondary and minor importance. The exaltation of the commercial over the lauded interest is so avowed an object amongst the partisans of the union, that, considering the Canadian influence, as that which will maintain and adhere to the intrinsic and internal interest and prosperity of the country, set in opposition to the foreign, external, and adventitious advantages of trade, they deem it necessary, on all occasions, to declare that that influence ought to be diminished, nay entirely annihilated. For this purpose they wanted an accession of members from Upper Canada in the house of Assembly; and, failing in this, they want an accession of members from the townships. Now, it certainly is nothing but fair that as population and improvement increase, and are extended, those new districts should have a proportionate share in the representation; this the house of assembly are sensible of, and are willing and wishful that it should be so, as all their proceedings on that score evince, but they have been checked and obstructed in them by the legislative council, as has before been shewn. But although it is, and can not but be, right, that the townships should be represented in the assembly; it can never be right that they should acquire such a preponderance there, as would overrule the Canadian influence; for what would that virtually be, but to take away the exclusive privileges granted to the French Canadians by the capitulation and the constitutional act? To reconcile these interests, I can not, upon mature and long consideration, see any thing better, or more to be desired, than what I have before recommended, particularly in No. 7, namely, that a constitutional provision should be made, that as soon as the

have given you an honest exposition of my sentiments, on a subject which *here* is of the first importance. I have no predilections, with respect to party, either commercial or anti-commercial; my wish is, that the subject may undergo that calm and deliberate investigation at home, that the results may be productive of prosperity and happiness to the colonies."

"In consequence of the late duties laid by the British parliament, upon American goods coming into Canada, the Americans have held a public meeting at Ogdensburg, and agreed to petition Congress, to lay a duty, (a transit-duty,) upon all goods passing between the English provinces. The commissioners who have lately engaged to settle the boundary-line, have in a particular part of the river St. Lawrence, given all the navigable part of the channel to the States. It is here they propose laying transit-duties on goods coming to either of the provinces. Should congress listen to this, the issue will be unpleasant."

In the affair of the boundaries, John Bull has, as usual, been outwitted by Jonathan. However much we must lament that, through the simplicity or inattention of the British commissioners, such improper concessions have been made to the Americans, along almost the whole line, from St. Regis to Lake Superior, yet, with that national good faith which is the pride and boast of our country, we must submit without even attempting

population of any part of the townships should amount to a certain aggregate, a new and separate province should be elected, with a separate assembly, council, and governor. Let them, till that time, be represented in the Canadian house, and altho' they would probably be generally in the minority, the people of the townships would have the advantage of able and intelligent men, (at least we will suppose their representatives to be such) at the seat of government, to represent, remonstrate and argue, all they might wish to be brought in question, the minds of all men would be imbued with the principles of inquiry and consideration respecting the local, as well as the general & remote, interests of all parts of the country things would, by degrees, be ameliorated; and, at last, when they attained their proper numerical strength, then, by the withdrawal of their representatives from the Canadian house, and the constitutional erection of a house of their own, they would, like a youth who has served his regular apprenticeship, step at once, when they came of age, into the enjoyment of their birthright liberty, independence, and a proper rank amongst the communities of mankind; with experienced men to form a legislature, friends and neighbours in the Canadians, instead of rivals, and adversaries, and the stamina of every species of prosperity within themselves.

to remedy them, as, undoubtedly the decision of the commissioners is according to the treaty, final, and binding upon both parties. The uncertain state in which the intercourse between the States and the Canadas is now left, by the clashing provisions and operations of the multiplied impolitic laws that have been made on the subject, deserves deeper reflection and research than I can now bestow upon the subject; therefore, what further occurs to me on the substance of the last paragraph in the letter I have just reprinted, must be deferred, till I take up the Canada-trade act, and consider it in its various bearings, which, I promise myself to do ere long; if not superseded by some newer, more restrictive, and more ill advised, measure, tending, as almost all commercial regulations respecting this country, do, that emanate from England, still more to embroil and entangle, what is already almost inextricably confused.

L. L. M.

FOR THE FREE PRESS.
Fiat justitia, ruat cælum.

MR. EDITOR,

I had occasion, some time since, to send for insertion in your useful paper, a few brief reflections with regard to the very strange, not to say unwise nomination of the medical men of the Montreal general Hospital, as *sole examiners* for the district, of candidates, for the medical profession.

It would appear that those hasty remarks of mine, caused much ferment among the learned and experienced Esculapians of the hospital, and was likely to have made *atrabularians* of them all. That it operated, in some degree, this way, is evident from the powerful doses of calomel, which several of them thought proper to take, to purge off a redundant secretion of bile; whether caused by anger, or any of the equally amiable passions, is *uncertain*; though the fact, as to the physic, is well established.

One of the learned gentlemen, in particular, who stands foremost in the groupe, was incensed to such a degree, as to cause him alternately to *falter*, and to be very *sonorous* in his speech. He indulged himself, it is said, in some very gentlemanly observations; to answer which, would be as much beneath the design of my present subject, as derogatory to my character. This demonstration of *scientific ire*, (if I may use the expression,) was rather *misapplied*, as the doctor had been too unreserved in saying what *he* would do, *now that he was an examiner!* To add to the natural perspicuity of his speech, I believe, I shall put a gag into his mouth; at all events, I challenge him to rebut the following assertions, among the many other things he has said on the subject, if untrue.

Did not you, sir, learned and liberal as you are, tell a certain *curé*, not an hundred miles from Montreal, that, being one of

the examiners, you would only let such individuals pass the medical board as might please you? Did you not also say, that to accomplish this plan the more effectually, (doubtless to save appearances,) you would examine such candidates as you thought proper, (such, peradventure, as had not studied at the hospital) in *Latin*, knowing how few there are who are sufficiently versed in that language to be capable of readily answering the interrogatories put to them? Did not you say, that there were too many "*docteurs*," and that, in future, the number licensed should be very small?

I call upon you, sir, to deny these assertions. I shall wait for your answer, and may then start a few more knotty points, for your solution.

Another of these gentlemen promised a certain *octogenarian* colonel of militia, that he would, in consideration of his being the medical attendant of the colonel's family, "pass" his son-in-law, a certain half-pay captain, after he had studied at the hospital *two whole years*, and had attended his lectures! Is this *justice*, most *worshipful* doctor?

I ask, are such conduct and professions what ought to be expected from men, who, with equal truth and modesty, have publicly asserted, that they were, by their labours, to stamp a new era on the medical history of this country?

Your silence, gentlemen, will convince the world of the truth of these allegations. But, if not entirely guilty of what is here advanced, you owe it to yourselves and to the public, to prove what is false. However, let me caution you, as you respect your own consequence, and the impressions you would wish to make on the world, to be very guarded in what you reply, lest I should, in a rejoinder, inform the public of things which you fondly hope none but your fraternity are acquainted with.

I have thrown the gauntlet, gentlemen, and you are quite at liberty to take it up.

PLAIN TRUTH.

L. L. MACCULLOR, Esq

Sir,—In consequence of the very irregular manner in which I receive the Free Press, I was ignorant that any answer had been made to my communication relative to the medical officers of the Montreal general hospital, till this morning,* when

* My correspondent states that he is one of my subscribers; if so, the irregularity he mentions in receiving the Free Press, can only arise from his not having given a proper address, as I direct them all myself, and send by post, such as are not to be delivered in Montreal. He also has not dated any of his letters, which I regret, and beg to say, generally, to my contributors, that it will oblige me, if they will always put a date to their communications.

L. L. M.

several odd numbers were put into my hands ; and among them No. 33, in which I find that a writer, under the signature of PHINEAS, has taken up the gauntlet in defence of the hospital gentlemen ; and also, it would appear, in a preceding number, which I can not procure. Had I known this earlier, the communication which I took the liberty of addressing to you a few days ago, should have been sent you under another form. However, as it is, I hope you will have the goodness to publish it, as well as the present letter, and thus confer a new obligation on one who admires the impartiality, and independence with which you conduct your weekly papers.

I am, sir, Your's &c.

AMICUS.

To PHINEAS,

" Je n'arme contre lui que le fruit de son crime.

CREBILLON.

It was unwise in you, Phineas, to attempt the justification of the medical boards of the province ; and you must pardon me if I say, I perceive, through the whole of your lucubrations, a disposition manifested, such as it was my wish to deprecate and expose. You have, very thoughtlessly, divulged the tenor of your intentions, (for I identify you with the hospital, though, with more prudence than, I believe, truth, you would disclaim all acquaintance with those gentlemen,) when you said, that if a person was qualified to *answer* the interrogatories put to him on his examination, it was of no consequence how short the period of his studies had been, (that is, if he got his lesson off by rote, parrot-like, it was enough,) and that he *must* be admitted to the practice of the profession. Now, sir, this tallies exactly with what I have predicted would take place, in a communication which I sent to the Free Press a few days ago, without any knowledge of this rejoinder of yours : namely, that friends and favourites would pass your board, though they had not studied for any number of years, nay, scarcely months ; much less five years, which is the period required by law ; and not less than which, I maintain, will suffice, even under your good and able care, to initiate any person thoroughly in the various branches of the profession. You wrong truth, sir, and you wrong me, in saying I "slander" you and your coadjutors.* If to expose your faults and to adhere to facts is slander, then indeed,

* I think a *Friend to truth*, is too positive in identifying PHINEAS with the members of the medical board : in fact, I have reason to believe, both from intrinsic and other evidence, that he does not belong to them, but is a volunteer in their behalf.

L. L. M.

you are slandered, but the crime is yours, and not mine. In addition to what I have already advanced, I will inform you of another circumstance, which will prove how well your Quebec friends deserve the encomiums you bestow upon them. The former medical board of Montreal refused, with great propriety, to pass a young man, who had, in reality, studied, (if even it could be called study,) but a few months. This youth, arrogant as ignorant, immediately embarked for Quebec, where, through the influence of a *relative well veiled in the secrets of the province*, he was passed, and obtained his license! Pray, most judicious Phineas, how does the honour and fair reputation of these much injured Quebecers now stand?

It is as singular as unfortunate that the only person who should have been expelled from the Montreal medical board, for partiality, was the only one retained, and placed withal, at the head of the new board. Have the goodness, Phineas, to ask this gentleman, whether he did not pass a young man, (a half pay officer,) who had neither contract nor agreement to shew that he had served a regular apprenticeship to the profession; but in the stead of those very necessary documents, he was the bearer of three or four letters of recommendation, by whose magical effect, he passed, after a very cursory examination; and this same examiner employs all his talents in torturing those candidates to whom he is averse. It may be well also to remark by the way, that the only question put to him, when hurried off to join the army on the continent was "*how he would cure the measles.*"

To give you, Phineas, what you are pleased to call "something more in proof than mere assertion," would be to expose and injure the persons to whom I alluded;* one of whom, I can bear testimony, is now practising in the several branches of the profession with credit and success; the result, however, of great subsequent study and attention; while the major part, I am sorry to say, disgrace alike their calling and the governor's commission. With regard to the "drunken Hibernian," ask a certain *chief surgeon* if he did not go round among his medical acquaintance for signatures to a species of petition, requesting the medical boards to pass him; alleging as an important and sufficient reason, that this would be the best way of ridding himself, and his countrymen, from the incessant importunities of this vagrant for assistance, &c. ? You will find that this, as well as all that I have brought forward, is "assertion" indeed, but true and substantial assertion.

* I beg to repeat in this place, what I have said before, that A FRIEND TO TRUTH has given me names, dates, and circumstances, as to all he advances.

L. L. M.

(To be continued.)