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THE FREE PRESS.

VOL. I.] MONTREAL, THURSDAY 24th OCT. 1822. [No. 3.

*Quod magis ad nos
Pertinet, et noscitur malum est, agitamus.* HORACE.

What most behoves us to know, and what we ought not to be ignorant of, are the subjects of our discourse.

MR. MACCULLOH,

Permit me to propose a number of desultory and detached queries, which have arisen in my mind whilst perusing the various documents and observations that have lately appeared before the public on the subject of the projected union of the two provinces. They may serve as separate texts for your contributors to dilate upon, and many of them will probably be found of sufficient importance to deserve a distinct essay upon each. You will perceive they form no kind of series and few of them bear relation to those that immediately precede or follow them; yet I have numbered them; for the convenience of reference by such gentlemen as may be inclined to write upon the subjects they allude to. SOCRATICUS.

1. Has or has not the act of 31 Geo III. Cap. 31 which establishes the present constitution of both Lower and Upper Canada, the same power and effect as the royal charters formerly granted to the colonies?

2. If it has such power and effect; is it competent for the Imperial Parliament to annul, or repeal it, without some distinct act on the part of the provincial government incurring a forfeiture of the privileges there granted?

3. What act or acts would incur the forfeiture of a charter of privileges granted to any colony or province?

4. Have any such acts been committed by the province or inhabitants of either of the Canadas?

5. Is it competent for the Imperial Parliament to repeal or annul a part or parts of the constitutional act, at will?

6. If it be competent for the Imperial Parliament so to do, what part or parts of the constitutional act can be repealed or annulled, and what not?

7. If it be competent for the Imperial Parliament to repeal that part of the constitutional act which provides for separate legislatures, is it not equally within their competency to repeal the appointment of a provincial legislature altogether, and re-

duce both provinces to the state in which the province of Quebec previously existed; namely, governed by the executive power alone?

8. Did the proposed measure of the union originate in Canada, or in England?

9. Was it ever talked of, before the disputes arose between the Governor and the House of Assembly respecting the civil list?

10. Is it not considered by its advocates as a measure that will entirely crush all opposition to the claims made by the Executive, to have the entire management and appropriation of the monies voted for the civil list?

11. Do the French Canadians, the Anglo-Canadians, or the transitory visitors of our shores from the old country, occupy the places, and receive the emoluments, arising from the expenditure of the provincial revenues?

12. Who are most interested in having the controul of the public money, those who have to pay, or those who have to receive it?

13. We are told in the fourth section of the Quebec act, (certainly the highest authority that can be produced) that "the inhabitants of Canada amounted, at the conquest, to above 65,000 persons professing the religion of the church of Rome, and enjoying an established form of constitution, and system of laws, by which their persons and property had been protected governed, and ordered for a long series of years from the first establishment of the said province of Canada". Now, if the anxious wishes of 65,000 persons to preserve their laws, language and privileges, were deemed a sufficient motive for the British government to consult, not only their desires and wants, but also their habits and prejudices, ought not an increased population of 400,000 to be considered as still more strongly entitled to be heard, to be maintained in their rights, and even to be indulged in their whims?

14. Is the estimate that has been made of the present population of Lower Canada, say 400,000 French Canadians of the Roman Catholic persuasion, and 40,000 Scotch, Irish and Americans, (for I do not suppose that 400 English can be mustered in the whole province) and their descendants; correct, or not, or what is the true estimate?

15. Were the difficulties that have arisen in the adjustment of the respective proportions to be enjoyed by the two provinces in the revenue arising from the import-duties at the port of Quebec, the ground upon which the union was originally proposed in parliament, or have they been subsequently raised up as pretexts, and brought in aid of other objects?

16. Has any other, and what mode, been tried, for the amicable adjustment of those differences, than the

appointment of salaried commissioners, whose interest it is to prolong the discussion and widen the breach?

17. It has been stated that the French Canadians have their religion, their property, and their civil laws, secured to them by the highest authority on earth, and that they can not be taken from them without a breach of faith of which it would be next to treason to suspect the British government capable; but if the same breath gives and guarantees another right, (that of a separate legislature) along with those thus said to be unalienable, is it not equally a breach of faith to take away that other right?

18. If one chartered right be taken away, who shall guarantee that others will not equally be destroyed?

19. How do the people of Upper Canada feel on the subject of the union; and do they not suppose that the complete removal of the seat of government into Lower Canada will be prejudicial to their interests?

20. As population and settlement increase and travel westward, will it not be necessary, in another generation, to remove the seat of government, if the whole of the country is to be under one provincial government, still farther than even York?

21. Or would it be more convenient, and more consistent with true policy, to keep the present two provinces separate, and afterwards erect a third, or fourth, and place the whole, in conjunction with Nova-Scotia, New-Brunswick and Newfoundland, under a kind of federal congress, as the medium of communication with, and the organ for the exercise of, the imperial government of the mother-country over the whole of these territories?

22. Is it not true that the legislative assemblies of Upper Canada have, upon the whole, been found to be almost entirely subservient to ministerial influence; and will not therefore, the addition of so large a number of members, mostly devoted to the crown, operate to the perfect annihilation of every principle of independence in the united legislature?

23. Is it not seditious to attempt by inflammatory language to rouse one part of the king's subjects, in defiance of the royal authority to take arms against another, and do themselves right by physical force, and at the point of the sword, against those who they conceive are acting unjustly by them?

24. If so, are not Mr Stuart's expressions (as reported in the papers) at the late meeting of the Unionists, viz. 'In the mean time a progressive increase of population in the two provinces, conjoined with political circumstances, might urge them to terminate their differences by a resort to violent measures' and it was not too much to anticipate that, without a union, the growing causes of animosity between them, should render the exercise of the just and natural claims of Upper Cana-

"da dependent on a successful exertion of her physical force", inflammatory and seditious?"

25. What is the present population of Upper Canada, and what has been its progressive increase, since its establishment as a province?

26. Does not the St. Lawrence appear to be the natural channel for the commerce not only of Upper Canada, but likewise of the western parts of the States of New-York and Pennsylvania, and the whole of Ohio, Indiana and Michigan?

27. Has not a carrier, or transitu trade, always been productive of incalculable wealth, and advantage to those who have been so geographically situated as to command it?

28. Is it not policy therefore, to encourage and attract the trade from the States down the St. Lawrence, instead of loading it with duties and restrictions?

29. Does the Hon. John Richardson compose and write his own speeches, and letters; or are they composed and written for him by others?

(To be continued.)

"For in that deep doth wait what dangers may come,

puzzles the will,

And makes us rather bear those ills we have,

Than fly to others that we know not of." SHAKESPEARE

Quebec, St. John Street, 19 Sept.

MR. MACCULLON,

A few evenings ago, after perusing some *mercurial* trite observations respecting the union or rather division of the Canadas, (for there are two opinions on the subject,) I was induced to make some copious libations to Bacchus, in hopes by those means, of obtaining a double vision, or second sight, as it is called in the country, whence so many of my neighbours come, which I was told frequently occurred to persons after performing their devotions to the god of wine! for a single and straight-forward vision did not appear to me sufficient to embrace all the bearings and land-marks, rising through the ocean of doubt and uncertainty with which the subject has been endeavoured to be surrounded. But the consequence was that I fell into a profound slumber & dreamt I saw a Canadian ship, named the *Constitution* in great distress, endeavouring to make a port within sight. I could perceive the people on the decks of the port, yet they seemed to care very little about the vessel in distress. Her crew appeared to be very unskillful in their management of her, and not so much in a state of insubordination, as apparently without a captain or officers. Some were vociferating lustily in French, with such volubility, as to be scarcely intelligible; others were endeavouring to throw a rope on board another ship, which, by the bye, appeared to be very little better ma-

naged, having a long scope of cable out, and riding hard in a head sea, with a strong current to the southward. But she was very unwilling to clap more strain on her cable, (for she was at single anchor,) it being much fretted and worn in the wake of the hawse-hole; and most of her crew declared that if the distressed ship brought up alongside, and hung on her, they would both drift to leeward, and probably take the ground before assistance could be had; or if they escaped that danger, there was a piratical schooner lying between the shoals, manned with people from about five and twenty different countries, that had long been lying in wait for them, and if they fell into their hands they would infallibly be cut to pieces with big knives. What the result was, however, I could not learn, for whilst the crews of both ships were disputing about the measures to be pursued, the wind increased to such a pitch that it drowned all their voices and I heard no more till a loud clap of thunder, as I thought, awoke me; occasioned as I found, by my tom-cat getting into a frying-pan which projected over the edge of the stove, and licking the outside, they were both precipitated to the floor, and produced the concussion which resembled thunder, but turned out to be merely, a slip of the—
pan.

Your's &c.

MAC NAP.

Montreal, 30th Sept.

S R,

I have never before attempted to write for the public, feeling indeed my deficiency in that respect, for though I belong to one of the most respectable Canadian families, and had every advantage of education, I take shame to myself in saying that I neglected those advantages with the wildness of youth, and the folly of presumption, so that besides translating them, I am under the necessity of requesting you to put my communications into a better shape to fit them for the public eye. But I can not refrain from giving you my observations respecting the conduct of certain individuals in this place; and if you approve of them, I can furnish you with matter in abundance.

You enquired (*Scribbler No. 64*) whether the Hon. Tory Loverule has not interdicted Tommy Changeling from putting any thing into his gazette, without his approbation. I can assure you that it is a well authenticated fact, that he has; and it is pretty well known that, when Tommy ceased to employ as his editor, Mr. W. a most respectable man, and a man of talents and independence, it was because he refused to give utterance to the grossest abuse of the Canadians, who have invariably been objects of the honourable gentleman's aversion—His present editor has, however, no scruples in that respect, nor in any thing that may tend to shew his complete subservi-

ency, à l'Ecossoise to the great mon Let but an independent paper, however appear, and then—good night, both to Tommy, and to Uncle Toby

But, sir as a Canadian landholder, and one belonging to a family of some distinction, I can not suppress my indignation when I consider the presumption of those men, at the head of whom is Mr. Loverule, who have attempted to undermine the constitution and destroy the rights of the Canadians, by giving the most crude, and the falsest information to Mr. Ellice, who brought the union-bill forward in parliament, by which the latter was induced to say, (though perhaps he himself knew better that that odious measure was one desired by Canada, and to ground his assertion upon a petition signed by a dozen individuals, not even merchants, (for as you have formerly explained, *Scribbler, Supplement No 40*, there are properly speaking, none in Canada,) but retailers, pedlars, tradesmen, and mechanics; who thereby prayed the parliament to take away the rights and privileges of 400,000 Canadians, landholders and farmers, without giving them even a hearing* But the unanimity with which the Canadians are now roused to frustrate the designs of Messrs Loverule, Ellice and Co. is a thunder-bolt, they little expected to fall upon them.

You lately spoke of the Island of St. Heleae; but you are mistaken in representing Baron Grunt as a man of no sense, for he has had sense enough to sell the island to government for £20,000—when its value could only be reckoned at £5000†;

* *If I mistake not, the petition presented to parliament by Mr Ellice, was one got up for the occasion, and signed only by a few merchants, resident in London, connected with Canada, and not by a single individual residing permanently in this country Thus, though it does away with the reproach of my correspondent, only adds to the iniquity of the manœuvre, by which the voice of a few London merchants was represented as conveying the unanimous sentiments of the entire population of Canada*
L. L. M.

† *I believe these sums are not quite correct. but that is nothing to the purpose, for I conceive the proprietor of the island had not only a right to make the most of his property, but that, as the possessor of a most enchanting and desirable domain, on which his family mansion was erected, and for which he of course must have had the warmest predilection, he would have done great injustice to himself, not to have been indemnified both for the ideal value derived from taste and hereditary possession, and for the intrinsic value of the soil For my part, so much have I been delighted with the romantic situation, and almost unparalleled beauties of the spot, as the residence of a gentle-*

nor can I comprehend the object of the enormous sums of money that are now expending upon that island* on which I should wish to have some elucidation from you.

Your obedient servant,

VERI CE.

As an encouragement to a young beginner, I print the following letter. Amidst rather a profusion of verbiage, he has some sound views of the consequences that may be anticipated should the union-bill pass without opposition in the next session of parliament. It is, moreover, the first letter that has been addressed

TO THE EDITOR OF THE FREE PRESS.

Montreal, 12th October.

SIR,

Young, and unacquainted as I am with the intrigues of ministers and the disputes of politicians, otherwise than as unfolded in the pages of history, what I could say on the present ominous state of affairs, must, consequently, not be very interesting. Admitting, as all readily will, that coercive measures in the ad-

* It is undoubtedly a wise policy in every nation, in the midst of peace, to be prepared for war. The want of any strong hold in Canada, besides Quebec, was experimentally felt in the war of independence with America, when Arnold besieged Quebec; and it is with a meritorious regard to the future safety of Canada, that the British government have purchased the island of St. Helens, with the view of fortifying it, and making it a depot, and rallying point, on any future emergency; for which no spot could be better calculated. When fortified, it will be impregnable, and inaccessible to any hostile force, both summer and winter, and it is a commanding station both for defence and offence, for the protection of the country, and the controul of the navigation. Whether the expense both of the purchase and of the works carrying on, be not enormous, is another question. No doubt, as is the case in all government jobs, it is profuse and extravagant, but that is the affair of the ministry at home. We have nothing to do with that here. Nor need any fears be awakened that by erecting citadels and placing garrisons, through the country any idea is entertained of overawing or coercing the inhabitants in case they should be too bold in their opposition to the union bill. Matters are very far distant from such a crisis. or if they were not, what are citadels and garrisons? Every thing against a foreign enemy, nothing against a country itself.

L. L. M.

man, that had I been the proprietor, I would not have parted with it for twice £20,000.

L. L. M.

ministration of a civil government, whether republican or monarchical, have a ruinous and dangerous tendency, what shall we predict from the present dubious situation of the affairs of Canada? Can we remain blind as to the intentions of the British ministry, should an union be effected between the two provinces, under the regulations prescribed in the intended incorporation bill? Can any one be so ignorant as to suppose that, after the present struggle to accomplish their object of re-union, they will then rest satisfied? Surely that is impossible. It may with justice be regarded as a trifling prelude to some more important measures. Wisely concluding it would startle even the strongest advocate of the government-party in this country, to have stated at once all the new modifications and restrictions intended to be enforced upon the inhabitants, they have, it is true, been apparently satisfied with introducing the union-bill. But, let them gain one advantage, and it will prove nothing more than a step towards another. Let the provinces be united, and we shall then, if not sooner, have our eyes opened — It is true, in extenuation of what appears to be the system upon which ministry are prepared to act, that the people of this province have been wrongly represented to them. Hence, too why should we wonder that the Canadians should strive to correct those misrepresentations, and to retain their indisputable privilege of enjoying unmolested their present happy constitution?— Happy, I say, because they are contented; and happy because their un aspiring minds know not a wish unsatisfied. I will not for the present, further enlarge than merely to direct your attention for a moment, to a paragraph in the Canadian Courant of this day, relative to the "Anti-union party," which the pithy editor says "should be by no means forgotten." In that point, I perfectly coincide with the gentleman. But "the dreadful thing having struggled into birth," he adds and further hopes, "there will now be a return to rationality," I would simply ask, what that dreadful thing is? And whether he means that it is a dreadful thing to see a body of people contending for their rights? or whether he would have it understood that it was his illustrious paragraph that himself was struggling to give birth to. If the latter, truly,

Parturunt montes nascitur ridiculus mus.

If the former, I must add that "a fool multiplieth words without knowledge."

I am, &c.

PHINEAS