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THE FREE PRESS.

VOL. I.] MONTREAL, THURSDAY, 23d JAN. 1823. [No. 14.

Non deficit alter.

VIRGIL.

Another and another still succeeds. SHAKESPEARE.

During the temporary suspension which the Free Press has experienced, having a little more leisure than usually falls to my lot, I indulged in an afternoon's nap, in the course of which a dream of no ordinary kind presented itself to my imagination. I had been reading the account of the opening of our provincial parliament at Quebec, and had just finished the speech of his Excellency on the occasion, when the paper dropped from my hand.

I soon seemed to be transported to the scene of that impressive ceremony, and found myself in the Legislative Council-chamber. The council, and the members of the lower house, were all assembled, but the throne was vacant, and a buzz was heard amongst the crowd, as if they were in expectation of the arrival of some great personage. Suddenly the doors opened, and every whisper subsided into the most profound silence, when a majestic female figure, followed by several attendants of the same sex, entered, and proceeded to the throne, which she ascended, and prepared to address the assembly.

She appeared to be about thirty years of age, and in the full bloom of womanhood and beauty; her "bright black sparkling eye" and tresses of the darkest raven's hue, bespoke her of Canadian birth. Her brow was crowned with a wreath of lilies, intermingled with roses, shamrocks, and thistles, and she wore upon her breast a brilliant diamond cross. A cerulean scarf gracefully thrown over her white and finely moulded shoulders, inscribed with golden characters LOWER CANADA, proclaimed her the guardian genius of that province. She was led to the throne by her nearest and dearest sister, who displayed a sash inscribed UPPER CANADA; and was followed by the attendant ladies, whose characteristic devices denoted they came as representatives from NOVA SCOTIA, NEW-BRUNSWICK, NEWFOUNDLAND, and PRINCE EDWARDS ISLAND, to do honour to their sister, their neighbour, and their friend.

Her Excellency then opened the third session of our eleventh provincial parliament, and was pleased to deliver the following speech.

*Gentlemen of the Legislative Council, and
Gentlemen of the House of Assembly,*

In this great crisis of the fate of our country, that country which is mine, and to which every one who hears me, as well as myself, may emphatically add, *that country which is me*, I have deemed it right to meet you in person, in order to strengthen your patriotism, shed unanimity over your councils, inspire you with wisdom and firmness, as well as with moderation and temper, and to increase your zeal, enthusiasm, and affection, for your country; she who stands before you, in the conscious pride of beauty, and excellence, and knows she has only to shew herself to be beloved and desired by all.

Since you last met under this roof, two acts of the Imperial parliament of Great Britain, (to whom I, and my sister provinces around me, owe due homage, and pay unfeigned respect,) have been passed, which materially affect the trade of this province by sea: together with another regulating our trade with the United States, of America, and our intercourse with my beloved sister province, on my right hand, Upper-Canada. Copies of these acts, are laid before you; and it will be part of your duty to consider their effects and tendency, on the trade, agriculture, and morals of the country, and in case you find them in any wise likely to be prejudicial, then you will humbly, and respectfully, make such representations and remonstrances, as in your wisdom you may see fit.

You have been informed that His Majesty's ministers proposed to parliament, certain alterations in the Act 31 Geo. III. Cap. 31. principally (as has been stated from this throne) with a view to unite into one, the two legislatures of Upper and Lower Canada, but that this measure was withdrawn and postponed to the next session, in order to afford an opportunity of ascertaining the sentiments of the people of these provinces upon it.

Whilst I bow with gratitude for the consideration, & with admiration of the wisdom & magnanimity, displayed by parliament, in refusing to legislate for a populous province, without knowing the sentiments of its inhabitants, I must not omit to tell you that, tho' the legislative union of the two provinces, is certainly in one sense the principal view of that proposed alteration, yet that was only the means for effecting the ultimate views of its projectors. Those views were

1st and foremost; To obtain from all the British dependencies that have legislatures, permanent grants for life to the king, of all their revenues, to be disposed of solely at the pleasure of the ministers of the crown.

2d. To make the political experiment with this province first, as being the first in rank, extent, and importance, of all the present British transmarine possessions; so that if it succeeds here, it may serve as a precedent for all the rest.

3d For that purpose, to subdue the spirit of opposition to encroachment, and to unconstitutional requisitions, which has manifested itself in the population of this country, thro' their representatives; by overwhelming them with an accession of members, possessing different opinions, having different interests, and generally of different languages and religions.

4th. To gratify the ambition, pride, prejudices and avarice of a very small, and, excepting in point of wealth, a very insignificant, set of men, who have come amongst us; who are strangers to our soil, manners, language and religion; but who having obtained a commercial preponderance, and maintained a constant intercourse with the ministerial government of England, have deceived that government, as much as they have conspired against the well-being of both these provinces, which they seek by this means, to become masters of.

Gentlemen, you have not officially before you the bill so proposed to be brought into parliament; but, since the Executive in this province, thro' its organ, the Quebec Gazette, has been pleased to intimate, (in the case of the non-transmission to you, last session, of the notice from Upper-Canada, relative to their having appointed an agent to proceed to England, on the subject of the disputes that existed between me and my sister on my right hand,) that you do, and ought to, act upon notorious report, and newspaper authority, without official documents, which it would take up *too much precious* time to copy, being laid before you; so you will please to consider that proposed bill, as printed and circulated in this country, in the same light as if it had been communicated to you from the Castle.

I will therefore leave to you, gentlemen, to discuss the merits and purposes of all the clauses of that bill; which, as you are informed from the highest authority, is *only postponed*, and will therefore probably be again brought forward "with all its imperfections on its head;" convinced that you will give the whole the most impartial consideration, and that, on the one hand, your respect for the Imperial parliament, and deference for the wisdom of his Majesty's councils, will not deaden or weaken your zeal, energy, and firmness, in behalf of yourselves, your posterity, of me your country, these my sisters, your neighbouring provinces, and all other British colonies, (for all are involved in the consequences;) and on the other, that your patriotism and enthusiasm will not blind you as to what is just, honourable, and equitable, nor tarnish the lustre of your ostentatious loyalty to your king, and devotion to your metropolitan state.

Gentlemen of the Legislative Council!

I can not avoid departing from general parliamentary usage addressing myself specially to you, as a branch of the legislature, from which much good was to be expected, and by which

little has been done. On the contrary, it is with great regret I have perceived that you have devoted yourselves more to thwart and controul the patriotic and beneficent measures of the lower house, and to gratify the unconstitutional demands of the Executive, than to weigh the true interests of the community, which can only be maintained by a due equipoise between the power and prerogatives of the crown, and the privileges and liberties of the people. You, gentlemen, are placed in the situation of the House of Peers, in the illustrious prototype of our constitution, to which we look up with veneration, that of Great Britain; the guardians, mediators, and judges, between the sovereign, and the Commons House. Unfortunately for this country, you are not the hereditary counsellors of the crown, the hereditary advocates of the people, as the nobles of England are; were it so, and had his late Majesty availed of that provision in our constitutional charter, which enables him to create hereditary titles of dignity in Canada, with hereditary seats among you, (and my gratified eye perceives around me the representatives of many illustrious families, the ancient nobility of this land, amply deserving of so signal a mark of their monarch's approbation,) you, gentlemen of the Legislative Council, would have presented a different aspect; you would have been a firm bulwark of the people's rights, a discreet support of the dignity of the sovereign; instead of, alas! that I must say it, a subservient branch of the Executive government alone, degraded from your high estate, into ministerial tools, placemen and courtiers. I see amongst you both the judge's ermine, & the bishop's lawn, pillars and supporters of the State, when erected upon independence, and buttressed by integrity. But free, O, free yourselves, from the paltry ambition of wealth, and place, and power; rather devote yourselves to a nobler ambition, of being the people's friends, and being so, you will also prove yourselves the truest friends of the monarch. I have been induced to address you thus, as a body, chiefly from the consideration of the intemperate, and unparliamentary resolutions you entered into on the 6th of March 1821; which I earnestly recommend to your reconsideration; and unequivocally declare that you will, as a body, wholly forfeit my confidence, and be looked upon as the betrayers of one co-ordinate branch of the legislature, into the toils that another has set for it, and between whom you ought to have been the point of conciliation, union, protection and support; unless you wholly rescind them.

I will not detain you on that head, further than to declare, that those resolutions form altogether, an unparalleled assumption of the power of dictating, both to his Majesty, and to his Commons; an assumption which is, in the words of some of you who were dissentient on the occasion, "without precedent in any of the colonies and dependencies of Great Britain," and such as

"restricts in effect, both the crown and the assembly, in the exercise of the undoubted prerogatives of the one, and the peculiar rights of the other."

Gentlemen of the House of Assembly,

To you, exhortation is not wanted, eloquence is needless.— In former sessions you have shewn yourselves my true friends, the true friends of your country, of yourselves, & of the British empire; the constitutional guards, and firm supporters, of those liberties, which the generous nation, under whom I live, and move, and have my being, has granted and guaranteed to me and you.

I recommend you to take into your immediate consideration, the difficulties and embarrassments which the Executive has laboured under, in consequence of no bill of appropriation having passed last session to meet the expenses of the civil government, for which the country has to thank those arbitrary resolutions of the Legislative Council, and which they will have to rescind, or my name shall no more be Canada. I entreat of you to do all in your power, to give facility to the wheels of government; but let not the inconveniences, and sufferings of individuals, of the country, or of the public service, although endeavoured to be forced upon your consideration as motives, or as menaces, for your departing from your rights, weigh with you to sacrifice one iota of those rights, so dear to you, to me, and to all our fellow-subjects, throughout the wide extent of the British empire. A full statement of the last years expenditure is laid before you, and you are called upon to provide for the estimate also of the current year, upon the principles stated in the Governor's message of the 8th February last. Provide for them liberally, with due regard to the exigencies of the public service, and to the resources of the country; but beware the snake in the grass, and resolutely resist those principles alluded to, which will lead you to the baseful and unconstitutional grant of monies, for the king's life. Be neither intimidated nor cajoled into any compromise of your and my inestimable rights; it is my money that you grant; you hold the purse-strings, and of right hold them; and to you I trust with the full confidence of a grateful heart, ever to hold them. For my part, I am prepared to say that I am willing to suffer any extremity or distress, rather than give up this essential right. No people, no nation, can submit to more privation and hardship, when need be, and the trial comes, than my Canadians. Let us be spared the trial by your patriotism, and firmness; but should it come, we will abide by you, suffer with you, and TRIUMPH WITH YOU.

If you are permitted sufficient time, and are not cut short in your deliberations, by a passionate prorogation, pay attention to the financial accounts submitted to you, and bring them, if possible, to a clear and final arrangement.

The settlement of the differences between me and my sister of Upper Canada of a pecuniary nature, is now provided for by an act of the Imperial Parliament, which lies on your table.— That act you will take into your consideration, and if, as I am apt to believe you will find to be the case, you find any thing trenching upon your and my constitutional rights, you will, with all humility and respect, make remonstrances to the supreme power, which governs, directs, and harmonizes, the whole of the British empire, and which will, when affairs are represented in their true light, never allow of justice being done to one part, at the expense of injustice to another.

As you have been accused of opposing yourselves to the internal amelioration of the country; I conceive it is essential you should revise the acts passed by you and your predecessors relative to that subject, and strictly inquire into the mode, in which the monies formerly so liberally voted for that purpose have been applied. Consider, above all other things of this nature, I beseech you, the means of improving the condition of the townships. The conciliation of the sentiments of the inhabitants of those extensive districts ceded in free and common socage, is an object of importance both to you and them; and on the general policy of which, I will presently say more; whilst in this place I wish to call your attention to the appropriation of any surplus money you may have at your command, to the making of roads, canals, and other local improvements, and the establishment of courts, and other essentials, for their accommodation.

Another object of a financial nature, which I recommend to your attention, is the subject of the post-office revenue, derived from this country. A large sum is annually remitted to the post-office department at home, from the surplus arising in that department here, and which is, in fact, a tax, derived not simply from commercial men, but from the body of the people, to which friendship, love, science, literature, curiosity, almost every object that interests the human heart or head, contributes equally or more than trade. And this tax is levied upon your constituents, in virtue of certain old acts of parliament, which, if in force here, which I very much doubt, ought to be abrogated, and other regulations substituted, by which this anomalous *impertum in imperio*, may be destroyed. The produce of this internal tax upon Canada, goes into the post-office revenue at home, which is applied in pensions, and other expenditures, wholly foreign to the interests of Canada; and the present system consequently operates in direct contravention to the spirit of the act of 31 Geo. III. cap. 31. by which the British parliament disclaimed for ever the imposition of any taxes upon the colonies, save such duties as might be expedient for the regulation of trade, and guaranteed that even those, should be exclusively applied to the use of the province, where levied.

But an odious feature which accompanies this anomaly, is the assumption, which we have seen practised, on the part of the deputy-post-master-general, the servant of the king's servants, of the right or power, to interdict printed papers from going through the post-office, ~~in~~ his arbitrary option. This, inasmuch as it strikes at the freedom of the press, and at the freedom of individual opinion, strikes also at the fundamental principles of liberty; and the subject is therefore, independent of its financial bearing, one worthy of the deliberation of a body of enlightened freemen.

Gentlemen of the Legislative Council, and

Gentlemen of the House of Assembly.

I am convinced that every member of this legislature must regret that the progress of the public interest, for some years past, has been so materially interrupted; and happy are that part of you, I mean the gentlemen of the House of Assembly, who can acquit their own consciences of having been otherwise instrumental to that interruption, than the strict and severe sense of their duty prescribed to them. Hoping therefore, that you will now all concur to the same end, and that the Executive will see the folly, as well as the unconstitutionality, of attempting to coerce those, who, having the power of the purse wisely placed in their hands, can not be coerced, as long as they remain true to themselves and their country, I will not dwell upon past events; the remedy lies in your hands, for by perseverance and constancy, you can not fail to obtain all your legitimate ends, and to you I leave it, with the earnest recommendation that you will seriously consider the incalculable injuries, which the slightest departure from the principles of constitutional liberty, which the commons of Lower Canada have so honourably, gloriously, and I trust, victoriously, acted upon, would occasion to your individual prosperity, to the general welfare of the British empire, and to the cause of rational freedom throughout the world.

Many subjects of the greatest moment demand your consideration, on which I shall endeavour to communicate with you in detail; but I can not leave you without pressing upon you the essential policy of unanimity, not only in your own councils, but unanimity with your surrounding friends, my own surrounding sisters; cultivating their friendship, attending to their interests, and soothing even their foibles. Your brethren of the Eastern townships also, specially demand your attention; they will be a tower of strength in your favour, or a piercing goad in your side, according as you use them; and perhaps, at such a crisis as this, more concession and consideration is necessary, than either justice or propriety would, at any other time, warrant. Notwithstanding the ostensible rallying cry of *Union, Union!* the political maxim of your enemies is, *divide et impe-*

ra; they want to bring two families under one roof, by which they will inevitably create disputes which existed not before, and foment any little previous quarrel; instead of letting them remain separate establishments, but near neighbours; independent citizens, but close allies; unconnected each upon his lot and performing his settlement-duties, but mutual aids, fraternal associates in the hours of danger and of need. Such is the difference between separate adjoining provinces, with separate governments; and provinces forced into an unnatural and undesired union.

Before I conclude, allow me just to hint whether any steps can with propriety be taken towards soliciting the sanction of the parent state, and the Imperial parliament, for a General Council for the British North American Colonies, in order to consolidate their general interests, and be a more ready, dignified, and correct, medium of communication with the supreme government at home.

I now leave you, relying upon a full and faithful discharge of your duties, to your sovereign, yourselves, your country, and posterity.

The loud applauses, which, maugre all parliamentary etiquette, followed this speech, awoke me, and I immediately committed what remained on my memory to paper, hoping it may have the same vivifying effect upon the members of the Canadian parliament, as it had upon

L. L. M.

In resuming the FREE PRESS, after a lapse of a fortnight, the Editor begs to apprise his subscribers and patrons, that he means to make up the quantity of letter-press, in the course of the present quarter, either in separate numbers, or by doubling the quantity of two of them, as occasion may serve, so that 104 pages will be delivered each thirteen weeks, as originally projected. He begs to solicit the continuance of the favours of his correspondents and informs them, that they may be addressed (post paid) either to Lewis Luke Macculloch, Post-Office, Montreal, or to S. H. Wilcocke, Burlington, Vermont; or left at the Scribbler-Office, No. 26, St. Laurent-Street, Montreal, and where the business of the Free Press will in future be conducted

Subscribers at Quebec are respectfully requested to make their payments to Mr. Joseph Tardif, and the editor begs to state that it will give solidity and stability to the work, if they will have the goodness to pay punctually and in advance.