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THE FREE PRESS.

VOL. I.] MONTREAL, THURSDAY, 2d JAN. 1822. [No. 13.]

Voces per quas jam tempore tanto

Mentimur dominis.

LUCAN.

It is by these people that we have so often been belied to our sovereign.

Col. Bouchette's address at the Equitable Union-meeting of Quebec, (for we are now split into three parties: Unionists, Equitable-unionists, and Anti-unionists, to which there are symptoms of the addition of a fourth, who will probably be denominated Federal-unionists,) having been much extolled, and referred to, as displaying the sentiments of a Canadian, who has been converted from *Canadianism*, and has divested himself of the prejudices of his countrymen; I deem a translation of the following observations upon it that have appeared in *Le Canadien*, desirable to be preserved in the Free Press, the form and matter of which I flatter myself will entitle it to attention at home, and give it a longer duration, and more permanent interest than a mere newspaper of the day.

Premising that I entertain personally much respect for the colonel, both as a gentleman, and as a man of science and information in his line, I can not help adding that when he deviates into the path of politics, the old adage, *ne sutor, ultra crepidam*; shoe-maker stick to your last; is applicable to him. I will not object to him because he is a placeman and a pensioner, for such, notwithstanding the natural, and sometimes unconscious, bias they have towards the power which supports and pays them, may be good politicians, and no bad statesmen; although I think they can never be very sound patriots. But I will object to the parade of official detail, and theoretical calculation, supported by an array of figures, of townships, square miles, and superficial extent, which by dazzling may, and will, mislead the public, if not controverted. I am inclined to believe, from the little knowledge I possess on the subject, that I can both overturn some of the colonel's data, and certainly disprove some of the consequences he draws from them; but this I must leave till another opportunity.

Our readers, says the editor of *Le Canadien*, will probably be gratified by our laying open to them the principles upon

which Col. Bouchette, has deemed it right to deviate from the path followed by his countrymen, as he calls us.

He does not conceive, as we do, that an union, on equitable terms, would be destructive of our interests, or derogatory to our privileges; and the following is the manner in which he pleads the cause of his union. He would not approve of an union, whereby the representation of both provinces would be equal, but Lower-Canada ought to have fifty, when Upper-Canada has forty representatives, the propriety of which proportion,* he attempts to prove by arguments drawn from a multitude of geographical details, and superficial calculations, which it would take up too much time to enter into.

He would, indeed, have a few trifling scruples, as to some other clauses of the union-bill, but they disappear when he considers the multifarious advantages which would be attained by such a desirable object as an union. The following are, I conclude, the clauses of secondary import, to which he alludes.

1. The postponement for one year, of the elective franchise of our electors.

2. The qualification of £500 property, which every candidate, is required to possess.

3. The right which the governor would have of sending four executive councillors to sit in the house of assembly, with all the privileges of the members, except that of voting.

As to the language, he seems inclined to let it continue to make its appearance in the debates, and in the journals of the house, but he does not express himself at all clearly on the subject.

These, therefore, are points of secondary import. We will, indeed concede, that they are not so exceedingly destructive of our interests, as that upon which Mr. B. has enlarged; but it must be allowed, that all these points united may, and ought to, carry consternation amongst all true British subjects in this province. What, in fact, must be thought of these four executive councillors? Alas! if it has happened already, that some members of our assembly have shewn themselves so weak and vacillating, upon the occasion of having to decide a question in which the interests of their constituents was concerned when the Executive has shewn itself opposed to it; and if sometimes interest, sometimes ambition, and sometimes the fear of giving offence, have caused the scale to preponderate on the side of government, in opposition to the voice of duty and patriotism; and that even in the presence of those whose interests they had

* How Col. Bouchette could set out with so absurd a proposition, taking his own data, that if 450,000 inhabitants in Lower-Canada, have 50 members, 200,000 in Upper-Canada, ought to have 40, is inconceivable.

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promised to defend; what may not be expected, when they have the Executive itself, at their elbows, in the persons of its emissaries? when they are influenced by their harangues? A single wink from these supervisors, will then suffice to decide questions of the utmost importance. *Canadians, it is then that your interests will be no more considered, and your representatives will watch for a look, to know how they may vote; then will the nod of the Executive, be the sole guide, the sole dictator of your fate.*

Let us, however, discard such distressing anticipations. We think it very useless to expatiate on the other objectionable clauses we have mentioned: yet we can not avoid making some observations on the reproaches bestowed upon us by Col. Bouchette for entertaining unfounded apprehensions, relative to our religious establishments. We are as well aware as he is, of all the promises that are made to us, that nothing shall be allowed to interfere with the free exercise of our religion; but we perceive, at the same glance, an attempt made, which, although it may not appear, at first sight, to be accompanied with any very sinister or immediate portents, nevertheless, upon a little reflection, can not fail to open a grievous and humiliating prospect to us. *The nomination of our curates by the government.* But what is to be feared from this measure? Ah! it is not necessary to be one of the greater prophets, or to exaggerate matters, to predict that, if this be the case, our curacies will soon be on sale, a marketable commodity, and, instead of being bestowed upon men of merit, of talent, and of enlightened understanding, will be both the occasion and the reward of intrigue, the ready means of creating influence, salaried minions, and recruiting the satellites of power; whilst, whoever has dived into the folds of the human heart, and the relative moral effects of patronage and expectancy, can not fail to foresee the desolation and destruction that must ensue, not only in the religion, and morality, but also in the patriotism and public spirit, of the country.

It is necessary also, that we should apprise our readers, that their countryman, Mr. B. falls into the same mistake with all those under whose banners he has now enlisted; and takes it for granted that the union, abstractedly considered, is, of itself, sufficient to put an end to the disputes that have, for some time past, existed between the two provinces. This is as if one were to allege that the best method of keeping the peace, between two rival champions of the list, were to bring them together in a ring; in fact, by such a collision, a jealous misunderstanding, the effects of which are little felt, while the parties are not within arm's length, would become an obstinate struggle, not to be terminated but by the fall of one of the combatants.

If you attempt to kindle a fire upon a slab of ice for a hearth-stone, must not either the ice be melted, or the flame be extinguished?

It will not, however, do any good to expose the futility of such an opinion. The poor unionists are like men born blind, to whom it is useless to praise the beauty and brightness of the orb of day. The soundest arguments, and the loftiest eloquence, are lost upon people who do not understand the meaning of words. But, should they give up this supposition, (for it is but a supposition,) what could they say, then? just nothing.— If we had no others to deal with, or combat, than ye, messieurs-Unionists, we should soon be relieved from the trouble of repeatedly refuting that opinion.

Mr. B. chimes in with the other unionists in another reproach which they cast upon us; namely, that the house of assembly have neglected the eastern townships with respect to their privilege of being represented in parliament. Pray, has not the house of assembly, ever since 1807, been endeavouring, preparatory to that end, to obtain a census of the population, making a due distinction between those who have taken the oath of allegiance, and those who have not, in order not to encourage in this country, a population hostile to the crown of Great Britain? That census has never yet been made.

One of the objects which attract the attention of Mr. B. in casting his eye on the interior of the province, is the little encouragement which the arts, sciences, and manufactures* have received. This he attributes, as a matter of course, to the present situation of affairs, and of course also, the union will be a remedy. If he would take the pains to look a little more narrowly into things, he would have seen that this little encouragement of objects so essential to the prosperity and improvement of a country, is attributable to a very different source, from that of

* It has never been the policy of any state, to encourage manufactures in its colonies, especially such as might rival those of the mother-country. In fact, the reverse has always been the system of England. Nor, can it ever be expected, in new countries, where there is an interminable field for the primary pursuit of agriculture, that extensive manufactures can flourish, or even be established, excepting in cases of necessity and emergency. Such a case existed in the States of America, at the commencement of their struggles for liberty. It will, I hope, be long, long, ere such a direful emergency should require the putting forth of the physical capabilities of these provinces; but, should it ever come, I am convinced Canada will be found to contain within herself, the means of supplying herself with all the necessaries, most of the comforts, and many of the luxuries of life.

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the division of the province into two. We would ask what it is that encourages arts and sciences? Due recompense, and adequate rewards. But rewards and recompense bestowed upon merit, are they frequently seen here? Places and offices, are sometimes given; but what is most attended to, whether the persons selected, are men of talent and merit, men attached to the country and constitution, or whether they are of such or such a family, or of such or such origin? But do we not see several Gallo-Canadians, and men of low origin, in possession of places of honour and profit? yes: we know that that species of bribery has been sometimes employed, in order to stifle voices, with which it was not very agreeable to be constantly annoyed. But who is to bestow rewards and recompenses, under the projected future system, if it be adopted? The same power that bestows them now. But do you not believe, that matters in that respect, will be very much amended? Faith, no.

Further with regard to the encouragement of the sciences, who will venture to promise that government will have more at heart to disseminate, and improve them; when the provinces are united? Has it not appropriated to itself the finest establishment that existed in Canada, and which had been solely instituted to promote the instruction of the people? To whom, or what, may it be ascribed, that science is so little cultivated in this country? If you turn the course of yon rivulet, will not that garden, now so beautiful and fertile, soon present to view nothing but a dry and barren waste.

But commerce has not been encouraged. Our trade was in a flourishing state when the exchange was not at 10 or 12 per cent. and our exports not restricted. Let matters be but placed upon the same footing as they were a few years ago, and trade, manufactures, and every thing will flourish and improve.

Being in a translating vein, I can not either refrain from giving the following article from the *Gazette Canadienne*; as it more particularly points at my favourite idea of a *General Council* for the whole of British North America.

COMMUNICATION.

Although much has been said on both sides upon the projected bill for the union of Lower and Upper Canada, I flatter myself that the observations I wish to suggest relative to that measure, so extolled by one party, and deprecated by the other, may give another direction to men's minds.

The dismemberment of the late province of Quebec, by the act of the 31 George III. was, it is alledged, an impolitic measure, and its re-union, one that is both natural and desirable, because

1. It will form a more imposing whole.

2. The future legislature, compounded of a mixture of different people, will have more enlarged views as to their true interests.

3. The population of Lower-Canada, will be much sooner *Anglified*.

Reflecting attentively upon these three anticipated results, alleged by those who are in favour of an union; I can readily conceive that the whole is greater, or if you please to call it so, more imposing, than a part, but not that the amalgamation of subjects who do not understand each others language can throw more light upon the interests of that whole. Still less can I conceive that the numerous population of Lower Canada can be so soon *anglified* by a handful of strangers; as in chemistry, an ingredient of greater bulk and virtue, absorbs and incorporates within itself one of smaller quantity and less force, so I should be inclined to believe, that those who set up as *anglifiers*, would sooner themselves become *frenchified*.

As partial measures, are measures of partiality, and as the projected union is one of that description, I can not concur in its expediency; but if all the possessions that remain belonging to England of that extent of country formerly composing Canada under the French, namely, Hudson's Bay, Newfoundland, Nova Scotia, New Brunswick, Lower and Upper Canada, were to be re-united, I should then see a very imposing whole; and I can readily conceive that the interests of this whole would be best managed by a FEDERAL ASSEMBLY, leaving all local matters to be legislated for, by the respective colonial assemblies. There would then be no occasion to be afraid of being either *anglified* or *frenchified*.

PENSEZ-Y-BIEN.

As the Free Press was one of the first to publish the presentment made by the grand jury of Niagara, against the union, I deem it right, to notice the highly indecent and improper manner in which the Hon. William Dickson, chairman of the sessions, to whom it was presented, spoke of it at the late meeting of the unionists there; especially since the Courant has taken all for gospel that the Hon. gentleman stated, and high compliments have been bestowed upon his speech, which, if we were to pick holes in it, would be found to have as many as any half column of editorial matter in the Montreal Gazette, which is, of course, saying a great deal.

Mr. Dickson in requesting the opinion of the grand jury on the union, evidently anticipated one favourable to his darling union, which would have gone the rounds, as an indubitable, solemn, and constitutional enunciation of the feelings of the district; and I can figure to myself the extremely long visage he must have put on, when a document so widely different from

his expectations was presented to him. But he either tells a falsity, or the editor of the Niagara Gleaner, (a paper, which though an unionist one, possesses a character of impartiality and independence which none other espousing that side of the question can boast of,) has published one. Mr. D. plumply asserts that the presentment was signed *only by the foreman*: in the Gleaner, the names of 22 jurors are subjoined to it, viz.—MOSES BRADY, foreman; JACOB UFFER, WILLIAM M'CLELLEN, WILLIAM PEW, sen. WILLIAM PEW, jun. WILLIAM O'REILLY, BENJAMIN FRALICK, THOMAS BROOKS, JOHN MISENER, ROBERT WILSON, JOHN M'CLELLEN, THADEUS DAVIS, JOHN STREET, JAMES BLANCHFIELD, JOHN DARING, JOHN D. COE, GEORGE MARLOT, ISAAC KELLY, ANTHONY UFFER, HIRAM SWAYZE, WILLIAM TERRY, and JOHN COUKE. It is true, Mr. Dickson qualifies this a little, when he afterwards says, "many of them, *for good reasons*, objected to its delivery into court;" therefore *some* of them did not, therefore *some* of them either signed or would have signed it; and if twelve only signed, or signified their assent to it, (and in fact the signature of the foreman is legal evidence that a majority did so,) then was it a true, legal, and valid presentment of a grand jury. Mr. Dickson does not say what these *good reasons* were, but I will; it was because when He, the Hon. Chairman &c. &c. &c. expressed his surprise and anger at it, some of them, afraid of offending the great man, said they did not mean it to be read in court, or they would not have assented to it. Yet, as for all he alleges, we have nothing but an assertion, which Mr. D. chose to make at a time when the grand jury not being in existence, he could not be contradicted by them as a body, I have reprinted these names to give an opportunity of contradicting him, and convicting him of misrepresentation, if nothing worse; so that it behoves both these gentlemen and the editor of the Gleaner, to speak out boldly, and tell the whole truth.

As to Mr. Dickson's speech, I will say nothing, until he just points out in what part of the act of the 31 Geo. III. the words, *during the continuance of this act*, are to be found. They are not in the copy of it I have, which indeed supplies with an &c. those parts which are supposed to be merely technical tautology: but if they even occur in those parts, *since the act has no limitation of time assigned to it, "DURING ITS CONTINUANCE" must imply a continuance WITHOUT LIMITATION OF TIME.*

Amongst the accusations brought against the House of Assembly, their not having past a registry act, has as much plausibility as any. I shall leave to others to inquire whether the drafts of such acts as may have been proposed, did not contain objectionable principles; as well as into the general propriety

or impropriety of a registry-law, in which many learned and patriotic men disagree. Inasmuch as such a law would give encouragement to usury, in lending money upon mortgage, it may not only be injurious to settlers, but also, since all kinds of usury, and even the taking of common interest, are forbidden by the Roman catholic religion, and considered as sins, visitable by penance and restitution, it may be also objectionable to conscientious catholics. But one very fair reason to be adduced by the French Canadians against it, is, that being themselves a simple, honest, and fairdealing people, they need it not, for, excepting where contaminated by an intercourse with the foreign traders who come amongst them, every man's word is his bond, and tricks and dishonesty are unknown. Moreover the anxiety which has been shewn on this head, may be ascribed to a rapacious desire in the mercantile interest, to become possessed not only of the ready cash, but also of the lands and tenements, of that population who have enriched them by taking off their goods *manufactured for exportation*. And if the Canadians shew a jealousy on this head, they are justified by the examples held out to them in the provinces of the Roman empire, where the proconsuls and other great men from the capital, carried the abuse of arbitrary purchases of land to such an extent, that it was ordained, as Cicero informs us, *Neminem qui cum potestate, aut legatione, in provinciam esset profectus, tantum amentem fore putaverunt, ut emerent argentum*; whosoever was sent with power, or authority, into a province, should not be allowed to make any manner of purchase; Because, *In provinciis intelligebant, si is, qui esset cum imperio et potestate, quod apud quemque esset, emere vellet, idque ei liceret, fore uti, quod quisque vellet, sive esset venale, sive non esset, quanti vellet, auferret*; they were convinced that if, in a province, any one backed with power and authority, should be permitted to buy what he pleased, it would ultimately enable him to get hold of whatever he had a mind to, whether for sale or not, at his own price. *Orat. ix. l. 4. c. 5.* Query; are not the large grants of land in the townships, to such persons as Simon M'Favish, William M'Gillivray, Isaac Todd, Joseph Froisher, John Gregory, Robert Ellice, &c. which, by having been wholly neglected for a series of years, have more retarded the improvement and prosperity of that part of the country, than any thing else, something akin to the oppression of the Roman provincial officers? And do they not exemplify the rapacious dispositions of these men?

L. L. M.

Circumstances will probably prevent No. 14 of the Free Press from being published next Thursday. Should that be the case, two numbers will be published the following week, and a new arrangement will be announced to the public.