

# The Gleaner

AND NORTHUMBERLAND SCHEDIASMA.

VOLUME IV.]

*Nec araneorum sane texus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.*

[NUMBER II.]

MIRAMICHI, TUESDAY MORNING, NOVEMBER 20, 1832.

## THE GLEANER.

### COUNTY OF GASPE.

LOWER CANADA.

At a Meeting of Freeholders and Inhabitants residing at Cape Cove, and *Ance a Beauvils*, in the District of Gaspé, Lower Canada, held at Cape Cove the 24th September, 1832, to take into consideration the grievances of the County, in consequence of the renewal of the unconstitutional proceedings at the last Session of the Assembly of the Province, in re-excluding for the fourth time the Representative of the County, Robert Christie, Esquire, on the strength of a vote of exclusion by the last Assembly, for a pretended breach by him of the privileges thereof, and other grievances.

JOSIAH CASE, Sen. Esquire, in the Chair.

Read, On motion of Joseph S. Tuzo, Esquire, the Resolutions of June and July 1831, by the Freeholders and Inhabitants of the County. And

Resolved, That this meeting unanimously renew and persist in the said Resolutions, as expressive of the sentiments of the Freeholders and Inhabitants of the County of Gaspé.

Resolved, That the experience of last Session fully confirms the conviction of the Freeholders of this County, as expressed in those Resolutions, that justice and redress of grievances are not to be expected from the Assembly of Lower Canada,—that House having more than realized their anticipations, that the grievances of the County were likely rather to be aggravated than relieved by the Assembly at the then ensuing Session.

Resolved, As the opinion of this meeting, that in the renewal at the last Session of the previous arbitrary proceedings against the Representative of this County, and his re-exclusion solely on the strength of a vote of exclusion by the late Assembly, for a pretended breach of its privileges,—the imputed breach, if ever it were committed,—being antecedent to the existence even of the late House, and before his election to it,—the present Assembly have committed a breach of the Constitution of the Province.

Resolved, That by the said re-exclusion on the first day of last Session, 15th Nov. 1831, of our Representative, and before even his appearance to claim his seat in the Assembly, (being at the time on his way from the County thither for the purpose)—without any new cause or pretext for it, but solely on the strength of the unconstitutional vote of the previous Assembly—and particularly by withholding after the illegal vacation of his seat, the Speaker's warrant for a new election during the entire Session, that is to say, upwards of three months—no corruption or undue influence, or other cause for disfranchisement or suspension of its rights, ever having been imputed nor imputable to the County, the Assembly have again, and more arbitrarily than ever, excluded the County of Gaspé from the Constitution of Lower Canada,—And that the said Assembly have in the opinion of this meeting, trusting in their authority as a branch of the Legislature, abused their power, by oppressing the Freeholders and Inhabitants of the County solely for exercising, in opposition to the views of a ruling party in the Assembly, their rights and franchises as Englishmen.

Resolved, That the Assembly in the matter under consideration, in pretending, by vote or resolve of that House alone, and without the concurrence of the other branches, to create a new offence previously unknown to the Laws of the Province, and in enforcing by way of punishment under pretext of it, forfeiture of the best rights of a British Subject, and proscription, by his pretended perpetual eligibility to the Assembly, and disqualification for Office in virtue of that vote,—dispensing with the trial by jury,—and convicting by resolution, without citation, or hearing in due form the ac-

cused,—have suspended the Laws, and exercised legislative and judicial powers, in a manner destructive of the rights and safety of the subject, and given instances of tyranny and oppression unexampled in any other British Colony.

Resolved, That the Assembly have in the said matter descended to obloquy and to persecution, and that in the opinion of this meeting, from the outset as well as in the several renewals of the measure, the majority have been actuated by party spirit—that those proceedings are also vindictive, effected, under fictitious pretexts,—in fine, unprecedented, unparliamentary, and unworthy of a Legislative Body.

Resolved, That the Freeholders of the County regret that His Excellency the Governor in Chief, Lord Aylmer, by issuing Writs of Election at the two last Sessions, to supply the vacancy illegally made in the Representation of the County, should have virtually acquiesced in it.

Resolved, That the present Assembly having, as above mentioned, unconstitutionally vacated the seat of our Representative, solely by reason of a vote of exclusion by the late Assembly, for an imputed breach of its privileges, and thereby committed a breach of the Constitution of the Province, His Excellency possessing, or having the faculty to possess himself of all the facts, would in the opinion of this meeting, from the novelty of the case, and in the absence of all precedents or constitutional authority for so extraordinary a measure, have been justifiable in declining to issue Writs to supply the vacancy, and to have left the responsibility of it on the Assembly, until such time as His Excellency could have obtained the sense of His Majesty's Government in England, on a question of such vital importance to the Constitution—a course His Excellency as the King's Representative owes, in the opinion of this meeting, to the maintenance and protection of the rights of all His Majesty's Subjects in this Province, and for which, if pursued by His Excellency, the County would have been grateful.

Resolved, As the opinion of this meeting that the County of Gaspé will and ought to persevere in constitutionally resisting to the utmost of its power the overbearing and unconstitutional proceedings of the Assembly, and in the maintenance of its just rights and franchises.

Resolved, As the opinion of this meeting that the repeated injustice and wrongs experienced by the County of Gaspé from the Assembly of Lower Canada, render a discontinuance of all further Legislative dependence upon this Province, and its immediate annexation to New Brunswick, with the right of being represented in the Legislature thereof, desirable to the Freeholders and Inhabitants of the County,—and that the interposition of His Majesty's Home Government to that effect be accordingly urgently solicited,—unless by a legislative union of Upper and Lower Canada, or some other effectual measure tending to put down the tyranny by which they are oppressed, the Freeholders and Inhabitants of the County are restored to their just rights as British Subjects, in the Constitution, and to an equality with others their fellow subjects in Lower Canada.

Resolved, That the duty of 2 1/2 per cent on importations into this District, of Dry Goods, is in the total absence of all encouragement by Bounties or otherwise to the fisheries, peculiarly burdensome, and the more felt, as the trade carried on in connection with the fisheries on the south side of Bay Chaleurs, belonging to New Brunswick, in our immediate neighbourhood, is exempt from any such duty, and as such ought in the mean time to be represented, and its repeal, as well as the repeal of all duties upon Sugar and Molasses, and upon produce necessary to the fisheries consumed in the District, Rum and Wines excepted; or at least an equalization with those of New Brunswick, to be soli-

cited from the Home Government—the above duty originally imposed by the Colonial Legislature, being continued in virtue of an Act of the British Parliament known as the *Canada Trade Act*—and that it be represented in support of this application, that the motives of policy and justice towards the Sister Province of Upper Canada, which rendered necessary the continuance of those duties by Act of Parliament, on importations to Quebec and Montreal,—a great proportion of which pass into, and are consumed in Upper Canada,—do not apply to importations into this District, from whence they cannot without afterwards passing through those ports and payment of the duties there, reach that Province—and that it will essentially contribute to the relief of the fisheries carried on in the District of Gaspé, if the said duty be taken off from all importations hither directly from Britain, or a drawback allowed, in case of importations from Quebec or Montreal of Merchandize, having there paid the said duty, and an equalization of all other duties with those of New Brunswick be made.

Resolved, That the thanks of the County are due to the liberal press of the Canadas and neighbouring Provinces, for their support of justice and the rights of the subject as involved in our cause, and to those Members of the Assembly, who at the last and previous Sessions opposed on constitutional grounds, the arbitrary and oppressive vote by which in particular this County is aggrieved.

Resolved, That the thanks of the meeting be given the Chairman for convoking it and for presiding thereat.

At a Meeting of Freeholders, held at Perce, the 25th September, 1832.

JAMES ROONEY, Esquire, called to the Chair.

Read, On motion of Peter Mabe, Jun. Esquire, the Resolutions adopted at this place the 29th June, 1831, by the Freeholders and Inhabitants thereof.

Resolved, That this meeting unanimously renew and persist in the same. Also

Read, The Resolutions of the Freeholders and Inhabitants of Cape Cove, and *Ance a Beauvils*, at a meeting held at Cape Cove the 24th instant.

Resolved, That the Freeholders and Inhabitants of Perce, concur therein, and adopt the same.

Resolved, That none of the grievances of which the Freeholders and Inhabitants of Gaspé complained by their Resolutions of last year, have been redressed, or attended to by the proper authorities in Lower Canada; but that the neglect of their interests, and the tyranny, worse than foreign by which they were aggrieved, continues still to oppress them with increased weight.

Resolved, That it is an undoubted fact, apparent by the Journals of the Assembly, that the re-exclusion of our Representative at the two last Sessions of the present Assembly, is on the mere force of a vote of exclusion by the previous House, for an imputed breach of its privileges, and upon no other grounds or new pretext whatever.

Resolved, That the enormity of Law fees, and the defective administration of justice, in civil cases, and the total absence of it for criminal pleas in this District, is a grievance; and that experience has shown that the limited jurisdiction of the existing Court for civil pleas in the District, constituted as it at present is, ought to be abridged to its original standard as established by the Judicature Act.

Resolved, That the neglected and destitute state of the County Gaol—the total want of the usual Gaol necessities for the covering and health of prisoners, and even for their subsistence, is a grievance for which the proper officer, the Sheriff, ought to be represented to His Excellency the Governor in Chief, and held accountable.

Resolved, That the decease of Jean Jeannot Pa-