

## LOWER CANADA.

From the Correspondence of the Quebec Gazette.

The condition of the population of British origin at Montreal, is calculated to call for the sympathies not only of their fellow subjects here, but of the friends of justice every where. Besides that portion of the cup of bitterness which we have all been forced to swallow at the hands of the Assembly of this Province, they have had an extra portion concocted for them by that body. With us they have been obliged to contribute money, to be robbed from the public chest in the open day, and given to such men as Denis Benjamin Viger, John Arthur Roebuck, and a large fry of dependents, newspaper editors and pamphleteers, employed in destroying our trade, and vilifying our character; besides suffering from the incubus of a representative body so unfortunately constituted as ours is, they have had latterly to suffer outrages peculiar to themselves, and of a character to drive almost the meekest to madness. Passing over the disgraceful waste of public money, and the impudent disregard of all appearance even of justice in the proceedings respecting the business of the 21st of May, 1832, they have had foisted upon them as members of the West Ward of the city, a man, who upon the very face of the return was not entitled to sit; which the house and every member of the house was bound to take notice of *ex officio*. Instead of which, the petition of the electors is rejected on some puny quibbling objections of one of the honorable members for the Lower Town of Quebec. This man too! one who went out of his way to insult the whole of the English population, in an address, of which no model is to be found in any civilized country; and who was so sensible of the illegality of the return, that he had procured a double return in his favor, and only declared his option for the West Ward after the petition against his election had been rejected without entering into its merits. How bitter, too, such an act of injustice, when it is recollected that the numbers which the British can return to the Assembly, are under any circumstances so insignificant. How galling the open robbery of one member from us. All must feel, that this open disregard of law and justice, is calculated to drive men to acts of desperation, which their sober judgment cannot approve. One cannot therefore be surprised that a feeling should exist in Montreal tending to such acts; still that feeling ought to be restrained, and those acts deprecated. Every one then must feel regret at the measure of which notice is taken in the late Montreal papers of raising a body of eight hundred volunteers there. Our cause stands upon the strong foundation of truth and right. It does not now require such aid. We are not entitled to say that Great Britain will do us injustice. Our petitions before the King and the two houses of Parliament are still undetermined. The conduct of the English ministry, taking it for granted that the speech at the opening of the present Legislature received their sanction, is doubtless highly reprehensible, but not irretrievable. That document is in the line of a mischievous course of policy; but that course is commendable, not accomplished. Our controversy is thus far a moral, not a physical controversy. The arms that we are to use are the arms of reason, and these must and will prevail. What is too little thought of by the petty tyrants of the day,—supported by a French majority is to be continually borne in mind by us,—we live but in a corner of the empire,—we are not the Empire. It is a struggle, in a district, of undue domination by one portion of the inhabitants of the district over the other. Any such local irregularity cannot disturb the equilibrium of action in the whole. Great Britain cannot allow us to be trampled upon, without sacrificing her own honour. Upon the cession of this country, she pledged her public faith for the maintenance of her new subjects in their possessions, and in the free exercise of their religion. That pledge has been fully redeemed. At the same period, by a solemn document, she invited her old subjects to come hither and settle here, promising them the Royal protection. This last pledge must too, and will be redeemed. Heartless Secretaries may condemn it, and may seek a disgraceful ease by sacrificing eternal principles of justice, to the insolent and capricious demands of an adverse national and numerical majority; but the people of the British Islands, the British speaking, and British feeling people, not only of the adjoining colonies and other British possessions from the St. Lawrence to the Ganges, but the men of our own blood on the other side of the line 45° will sympathize with us, and there will be such a burst of mingled contempt and indignation as no petty French faction like that which now domineers over us, can withstand.

Our condition is in truth a deplorable one. Our caste is proscribed by our rulers, who have the daring to tell us in this our home, won by the blood and treasure of the empire, that those amongst us who may seek office under the Crown, cannot obtain it unless they render themselves acceptable to the great body of the people—or in other words—to the French unlettered population, who take no interest in the public affairs of the country, excepting when acted upon by the crafty and turbulent leaders of the Assembly.

Able, honest, and faithful servants of the Crown, have been handed over to appease the clamour of the Assembly. So soon as one officer is victimized, the sacrifice of another is called for, provided he be of British or Irish origin.

The public servants have two years income fraudulently withheld from them, and many of them are in a state little removed from starvation, without the means of procuring the common necessities of life for their families.

We have an unpaid Judiciary, one of the greatest curses that can be inflicted on a community, deciding upon all the great questions affecting our lives, our liberties, and our properties, and that Judiciary overawed and threatened by the demagogues of the Assembly.

The same Bill which, to the shame of the Legislative Council, was at one time in force as law, has again been introduced into the Assembly, whereby illiterate men—men who can neither read nor write, are to have the power of deciding as Jurors in all criminal and civil matters, and by the provisions of this Bill, our commercial law is threatened with annihilation.

There are no funds provided for the furnishing of food, clothing, and fuel for the prisoners confined in the gaols of the Province, and an unfortunate of our own blood has, within these few days, perished within the walls of the prison of Montreal, from cold and want of proper raiment.

Our feelings are daily outraged by the virulent scurrility and abuse hurled at us by the cowardly anarchist who presides over the Assembly, who tells us openly that he is preparing the minds of his countrymen "for pure Republican Institutions."

Our right of petitioning is denied to us by the Assembly, and we are in the case of the West Ward of Montreal election, forced insultingly to take two members, of which Louis Joseph Papineau is one, as our representatives, who have been unduly returned, and who are our most implacable enemies.

We have an Assembly exercising the most wanton infringement upon the liberty of the subject.—Within the short period of three years, three of the King's subjects have been incarcerated by that body in the common gaol of this district, for exercising rights recognized by the Constitution.

And I ask, can such a state of things be permitted much longer to exist? It requires not the gift of prophecy to say it cannot.

The patience hitherto displayed by the British and Irish population under unmerited oppression, has been wonderful. Ill usage has roused their indignation, but not yet driven them to excesses—we shall, however, be underving if we much longer crouch beneath the yoke. We have lost the forms of the Constitution, and in the situation in which we are now placed, we must manfully contend for that sacred blessing—liberty. The inheritance left us by our forefathers we will never tamely resign, and the aspect of affairs in this Province should satisfy our rulers, before it be too late, that we are prepared to die as freemen rather than to live as slaves.

Quebec, December 15th, 1835.

The Assembly has refused not only the general supplies, but the payment of private legal contracts, and only insolently paid itself and its illegal contingencies. The great injustice of this is obvious to every body, and it is almost inconceivable, how a petty collection of very learned statesmen, dealing out their ignorance and their dreams, owing their existence to a particular English statute, which can be repealed or amended; how a dependent colony, retained on principles of being wholly controuled by the Metropolitan State, should not only assume this right of refusing supplies, but exercise it contrary to all precedent, and contrary to the right as understood by statesmen, with respect to the English House of Commons, a branch of the legislature of an independent country. The daring of these "democrats" is really intolerable, and

makes Ministers appear despicable to every British subject. Do they mean to convey to us that their position is so timid and weak, that English authority will be at the mercy of "democrats" in an English colony? We never saw such a pitiful state of things under any English administration. What respect, what weight, what reliance can we have upon England, if she allow herself to be so treated by such characters, by such invasions of precedent and right, on the part of a little chartered dependant colonial Assembly?—*Quebec Gazette*.

The Assembly have as yet passed no Act which can materially improve the political condition of the Province—they have, however, rejected many which might have had that tendency. Their whole time has been expended in the renewed discussion of measures repeatedly rejected, in the continuation of expiring laws, or in bringing into existence, a few Acts which ceased to exist in May last. Committees sufficiently numerous are in operation, addresses for papers and documents are voted by the dozen to His Excellency, and hitherto they have had such full swing that nothing has been refused them.

One check, however, upon their demands, has been put by Earl Gosford: whether this will be resented or not remains yet to be seen. It is a sufficiently daring encroachment upon their unlimited authority, thus to refuse, when hitherto with them to request was but to receive; perhaps a solemn protest will be entered against Lord Gosford's assuming to think for himself.—*Montreal Gazette*.

THE LEGISLATIVE COUNCIL.—In His Excellency Lord Gosford's speech, on opening the Legislature, it was stated, that Sir John Caldwell had come to the "determination to relinquish his seat" in the Legislative Council, and not to exercise any of the privileges of that body. The debates of Tuesday, as reported in the *Mercury* of yesterday, make the fact doubtful. It is evident that the mandamus for life cannot be annulled, except by the provisions of the 31st Geo. 3; and we do not know that a Legislative Councillor can possibly resign. We give extracts:—

"Hon. Speaker said he had received letters from Mr. Ryland and Sir John Caldwell who had resigned his seat."

Hon. W. B. Felton said Sir J. Caldwell had not resigned. But his letter would speak for itself. There was a difference between the terms of his letter and the resignation of his seat."

"The Hon. Speaker explained that he had couped Sir John Caldwell's letter with the passage relative to him in the opening speech. He had heard the speech and received the letter on the same day in the House, whence the idea of Sir John's resignation had struck him. It would appear by the letter that it was not so. The Hon. Speaker read the letter, which merely expressed Sir John's regret, "that it would not be in his power to attend this session of the Council."

"Hon. G. Moffatt said, this might not perhaps be the proper moment for a motion on the subject but he intended hereafter to move that the letter in question be referred to the Committee of Privileges."

"Hon. D. B. Viger maintained that Sir John Caldwell's letter was virtually, though not strictly and legally, a resignation."

After a debate, a call of the Council was ordered for Saturday, the 26th of this month, to consider of the state of the Province.

In this debate, some notice of an anonymous advertisement, for the formation of a Rifle Corps in Montreal, came before the Council. Perhaps it is not over wise to notice such publications, without evidence of their truth.—*Quebec Gazette*.

NEW BRUNSWICK RAIL ROAD.—Mr. Leslie presented a Petition from a Company in New Brunswick, proposing to establish a Rail Road from St. Andrews to the Province Line, and on its being received, brought forward resolutions declaring the favourable disposition of the Legislature of Lower Canada towards the undertaking, and that it would take into consideration what steps should be adopted to facilitate its execution.

The Hon. Speaker rose with the intention of impressing on the House the importance of the measure now before them; and would therefore repeat, in French, what his hon. friend had explained in English. The Petition now presented is of primary importance, as it related to a rail road which would encrease the commerce of the country, by reducing the distance nine-tenths of what it now is by water; instead of a voyage of 2,400 miles, the same point would then be reached by a journey of 240 to 260 miles. It would be of immense advantage in giving a new direc-

tion to the trade with the West Indies and with New Brunswick, and diminishing the expense and risk of transport; and the Legislature could have nothing more at heart than the encouragement of individual enterprise in such praiseworthy undertakings as that now before the house. That according to the estimate made, the sum of two millions sterling would be required to complete the work, and this sum the Company hoped might be borrowed in England; and by adopting the resolutions proposed by Mr. Leslie, they would facilitate the negotiation of the required loan. The first of the resolutions brought forward by the hon. member, was a general declaration encouraging the projected communication, the utility of which did not admit of a question. The second engaged that on the Company now formed, being incorporated by an Act of the Legislature of New Brunswick, that of Lower Canada would give its assistance, to facilitate the acquisition of the lands over which the road was to pass, as well cultivated farms as wild lands, by indemnifying the owners. These resolutions did not bind the Province to any thing; they were a matter of form, proposed to facilitate the loan, and as the means of showing that the Association had taken the necessary steps to secure the co-operation of Lower Canada by Legislative provisions.—*Quebec Mercury*.

On Monday night last, about twelve o'clock, the governor of the Jail of this city, detected the prisoners in Ward B 4, cutting the bars with a spring saw, two of which they had nearly cut through. There were twelve prisoners in the ward, amongst whom were Dunbar and Johnson who were sentenced to death for highway robbery at the last Criminal Term; also, four of the twelve Military Convicts lately sent down from the upper Province, where their desperate attempt to break out of the Jail was noticed in the public prints. We learn that on conveying the latter prisoners to this place, their conduct was very daring and violent, and was reported by the officer commanding the escort. This is the fourth attempt that has been made to break Jail within the space of two months.

By the Calender of this month, it appears there are 132 prisoners in the Jail, viz:—

Convicted and under sentences,	34
Idle and disorderly persons,	58
Military convicts,	17
Prisoners not tried,	16
Debtors,	7
—15—	132

The British Rifle Corps met at Tattersalls' last evening at seven; the night piercing cold, being 22° below zero, which at least showed the zeal of the members of whom about two hundred and fifty were present, Dr. Arnoldi Jun. in the chair:—

Moved by Mr. Robert McKay, and seconded by Dr. Sewell.

That under the present aspect of affairs, it is expedient to form a Volunteer Corps, to consist of eight hundred effective men.

Moved by Mr. A. P. Hart, and seconded by Mr. F. H. Heward.

That a committee of five of the subscribers to the "British Rifle Corps" be appointed to request His Excellency Sir John Colborne, as Commander in Chief in this Province, to sanction the organization of the corps, and approve of such Officers as may be elected by those individuals who subscribe to the list.

Moved by Dr. Walter Jones, and seconded by Mr. Tubby.

That the following do compose the Committee:—Dr. Arnoldi Jun. Messrs. Robert McKay, Francis Hunter, A. P. Hart, R. Weir, Jun.; and that on receipt of His Excellency's answer, a meeting of the corps be called by advertisement in the newspapers.

These Resolutions were all unanimously agreed to by the numerous audience. The Chairman showed the list which had been at Messrs. Starke's book store, and which contained about three hundred signatures. The lists which were left at the other places had not been called for. About sixty individuals entered their names on the spot, and three cheers were given for the King and Constitution, when the meeting was dissolved. The lists will continue at the places previously advertised.—*Montreal Gazette*.

From the Cornwall Observer.

We this day publish the Resolutions which ought properly to have accompanied the communication of "A Canadian and a British Subject" in our last, and which are submitted for consideration at the several Township Meetings to be held in January, throughout the Province. The Resolutions convey in plain language what we take to be the sentiments of the loyal inhabitants of this Province, and we feel fully persuaded that in this District, settled as it has been,

by men who were driven from their homes by rebellion, and by many of the hardy sons of the Mother Country, they will receive a cordial support. We earnestly call upon all our contemporaries to bestir themselves in obtaining as general an expression of opinion as possible, by publishing the communication in our last, together with these Resolutions, and the form of address, for the consideration of the people at their next Township Meetings, as we fully concur with our correspondent in thinking that so good an opportunity will not soon again occur—and we would also suggest to the Constitutional journals of Lower Canada, which have an extensive circulation in this Province, to advance their own cause, as well as ours, by following a similar course. We see that it is proposed to hold a Convention to take into consideration the present state of affairs in Lower Canada, and that delegates are to be invited from the adjoining British Colonies. Should such be the case, we earnestly hope that every County in the Province will send a Representative, and thereby show that they are "wide awake."

Resolved, That however anxious we may be to reform any existing abuses in the Administration of Government or of the laws, we have no desire to see any change in the constitution of this Province, which secures to all who live under it the full enjoyment of rational freedom, and that as Loyal and devoted subjects of our Sovereign, we will maintain it necessary with our lives the connection heretofore so happily subsisting with the United Kingdom of Great Britain and Ireland.

Resolved, That we must regard as traitors, all persons who regardless of the allegiance which they owe to their lawful Sovereign, may attempt to subvert his Government in the Province of Upper or Lower Canada, and that we will, to the utmost extent of our power, aid our fellow subjects of British birth in resisting any attempt on the part of the French Canadian Inhabitants of Lower Canada to establish an Independent Government or to overturn the Constitution.

Resolved, That an address be presented to His Excellency the Lieutenant Governor founded on the foregoing Resolutions, and requesting him to cause this expression of our sentiments to be laid before His Majesty.

FORM OF ADDRESS.  
To His Excellency, Sir John Colborne, K. C. B. Lieutenant Governor and Commander in Chief of His Majesty's Forces in the Province of Upper Canada.

May it please Your Excellency.  
We the Inhabitants of the Township of in the District of at a time when serious apprehensions are entertained that it is in contemplation in our sister Province of Lower Canada, to attempt to serve the connection so long happily subsisting with the United Kingdom of Great Britain and Ireland, and to establish therein an independent Government, feel ourselves called upon to state explicitly to your Excellency, that as loyal and devoted subjects to our Sovereign, we shall maintain that connection it necessary at the hazard of our lives, and that however anxious we may be to see any existing abuses reformed in the Administration either of the Government or the laws, we have no desire to see any essential change in the Constitution of this Province, which secures to all who live under it the full enjoyment of rational liberty. We cannot but regard as traitors all persons who regardless of their allegiance to their lawful Sovereign, may attempt to subvert His Government in the Provinces of Upper or Lower Canada, and with these opinions we feel ourselves bound to the utmost extent of our power to aid our fellow subjects of British birth in resisting any attempt on the part of the French Canadian inhabitants of Lower Canada to establish an independent Government or to overturn the Constitution.

We respectfully request that your Excellency will be pleased to convey this expression of our sentiments to our revered Sovereign in such manner as to your Excellency may appear most proper.

CAUTION.  
As the Subscriber has discovered that a person has been in the habit of contracting debts on his account, without his knowledge or permission, all persons are hereby cautioned not to trust any person whatever on his account, unless by a written order from himself.

HUGH DOHERTY.  
Fredericton, 29th December, 1835.

AUCTION.

VALUABLE REAL ESTATE For Sale.  
To be sold at Public Auction on Monday, the fifteenth day of February next, at 2 o'clock:

ALL that certain piece or parcel of LAND, situate in the Parish of Kingsclear, being part of the Farm belonging to the Estate of the late Thomas Wetmore, distant about three miles from Fredericton, and known as the Kingswood Property, fronting upon the River Saint John—containing 160 Acres, more or less; being marked upon the Plan of Division of the Farm as Lot No. 1.

References to the Office of C. P. Wetmore, where the Plan may be seen.  
CHAS. P. WETMORE, } Executors.  
T. C. LEE, }  
December 19th, 1835.

CAUTION.  
ALL Persons are cautioned against cutting or taking any Wood, Saw Logs or Timber, on or from either of the Lots granted to Peter Clements, or Frederick Clements, situate in rear of the Property owned by the Honorable F. P. Robinson, in the Parish of Douglas, near the Nashuasis. Any Person trespassing on either of the said Lots will be prosecuted.  
Fredericton, December 22, 1835.