

ON THE
U N I O N
OF THE
T W O C A N A D A S,
ADDRESSED TO
THE CANADIAN PUBLIC AND THEIR REPRESENTATIVES,
IN THE
HONOURABLE LEGISLATURE
OF
UNITED CANADA.

BY HENRY TAYLOR.

Montreal :
PRINTED BY JOHN LOVELL,
ST. NICHOLAS STREET.

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No. III OF THE CONSIDERATIONS OF THE CANADAS.

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IN a previous number of this work, I have given a chapter on the Union of the Canadas. In the commencement of that chapter, I considered the question of the re-establishment of the former Government of this Province of 1791, and came to the conclusion that,

“Fortunately, the British constitution possesses the power of adapting itself to, and of overcoming every dilemma. By the generous nature of its character, by the ardent spirit of freedom which animates, and by the sagacity and vigilance whereby it provides for the true liberty of the subject, it is indeed admirably calculated to excite and secure the strong attachment of every man, sufficiently acquainted with its history. But its excellence is not bounded by this quality of exciting attachment. Like the parent who has the deepest feeling for the welfare of his children, caresses them when they do well, but restrains them from ill, by proper punishment, so the British constitution can command and ensure a just obedience to the laws of its councils. Thus, if it has appeared by the experience of past years, that the majority of the population of Lower Canada, from what ever cause, either of want of sufficient education and a consequent liability to be deceived and deluded by artful or disloyal men ; or from a dormant principle of national hostility, revived by the aforesaid causes, if by those means, this majority have not only shown themselves to be incapable of appreciating and enjoying the constitution bestowed

on them, but are also preventing the loyal and more intelligent part of this province from so doing ; it then becomes the duty of the national councils of Great Britain to adopt such change in the former Constitution of the province as shall remedy this evil."

I proceeded to enquire :

"What then is the change by which this end may be accomplished ? The great cause of the difficulties, and disturbances, has been the establishment of the Civil List. Let therefore, this list be henceforward appointed, enacted, and declared by the Imperial Parliament. In its moderation and justice the inhabitants of the province may securely confide."

The principle of this suggestion has been adopted in the Union Bill, a copy of which is given in this number. I proceeded to say :

"But there are several reasons for believing that, (although the above important change, the appointing the civil list by parliament should take place), that the Legislative conduct of the provincial affairs depending on the Houses of Assembly, will not come up to the expectations of the more intelligent and commercial part of the province, such are the appointment of Register Offices to secure good titles to the purchasers of landed property, and the salutary changes required in the tenure of it. So ignorant indeed have the Houses of Assembly shewn themselves of the usages of trade that they would not even allow the duties to be drawn back on goods re-exported, and I have myself suffered by their conduct in this particular.

Notwithstanding, therefore, that it is possible a future House of Assembly might take advantage of the experience of the past, to conduct themselves in a more friendly way to the interests of the government, yet, until the advantages of education are more diffused through the province, and especially among the French Canadian constituency, there is little hope of the great commercial interests, being properly advanced by future Houses of Assembly, and we shall terminate this subject with observing, that both the past and present state of this province, loudly call for a more efficient representation to ameliorate and render prosperous its future condition."

In the commencement of my Considerations on the plan of union, I observed that it was said many of the leading French Canadians were ad-

verse to the Union, and therefore offered them some remarks on that subject, as follows :

“ When we consider, that the vast tract of country now called Upper Canada, was, previous to the year 1791, entirely under the government of the Lower Province, it will appear surprising that Lower Canadians of any denomination, should not be glad to see the province reinstated in a share of its former possession. Countries in general, have considered it as one of the greatest acts of despotism, when their territory has been dismembered from them. Witnesses the frequent partitions of Poland.”

I stated to them that the lands to the south of the River St. Lawrence, being almost all conceded ; and those to the north nearly so, as far as the climate would allow for the advantageous prosecution of agriculture : that a great advantage would arise to our increasing population, if, on application being made to the British Government by the United House of Assembly, lands in a certain part of Upper Canada should be conceded to the habitants of the Lower Province.

The feelings on which the above arguments in favor of the re-union of the Provinces, were formed, still appear to me to be natural to every man born or settled in Lower Canada. Who is there that can see, with indifference and unconcern, his native land dismembered and shorn of its most fertile parts ? None but those who have no participation in the interests and the advancement of their country : and I am persuaded that if this question had been left to the uncontaminated feelings, of the bulk of our rural population, before their judgments were warped by the contracted reasoning or designing misrepresentations of others,

they would rejoice at their re-union to that part of their native country which had been erroneously severed from it. In fact, on a consideration of the present lamentable state of its agricultural yield, especially of its finest production—wheat. We cannot but conclude that Lower Canada has become more deeply interested in the concerns of the Upper Province than formerly ; since, at present, a great portion of the rural population is actually compelled to give up the use of wheat bread as an article of food ; and I have not a doubt that if proper facilities were offered by the British Government, many would gladly dispose of their lands here, from which no wheat crops can now be got, and remove to a soil from which they may generally depend upon crops of twenty-five to thirty bushels per acre. Nor need this step deprive them of the society of their relatives and friends, for if the Government should agree to concede those lands in Upper Canada, they might form settlements in a body.

The principle on which I formed the plan of union, is stated in the second chapter of the first number of the *Considerations on the Canadas*, as follows :

“ But the fact is, the scale of representation, under the past and present condition of the Province, would have to be brought down *exactly to that point*, which would serve to produce a thorough *Constitutional Parliament*. Things must actually be managed in such a manner, in the formation of a scale of representation for a United Parliament that *no doubt whatever shall exist on this subject*.”

For, as Mr. Papineau ventured to foretel in his

place in a British House of Assembly, that America would raise up Republics for Europe, I conceive the British Government has an undoubted right to see that the birth place of these republics shall not be in Canada.

· It now remains to examine what is the nature of the bill of union, which has been passed and enacted as the law of the land, by the three branches of the Imperial Parliament ; to consider attentively how far this act of union is likely to carry out the principles above mentioned of constitutional representation, and also to examine the arguments brought forward for the opposition which this act is now encountering.

A copy of the Act of Union is inserted in the last page of this number.

By the 12th Clause it is enacted :

“ That in the Legislative Assembly of the Province of Canada to be constituted as aforesaid, the parts of the said Province which now constitute the Provinces of Upper and Lower Canada, respectively shall, subject to the provisions hereinafter contained, be represented by an equal number of Representatives to be elected from the places and in the manner hereinafter mentioned.”

By the 26th clause, it appears that the Legislature of the United Province is to have the power “ to alter the divisions and extent of the several counties, ridings, cities and towns, which shall be represented in the Legislative Assembly of the Province of Canada, and to establish new and other divisions of the same, and to alter the apportionment of the number of representatives to be chosen in and for those parts of the Province of

Canada, which now constitute the said Provinces of Upper and Lower Canada respectively, and in and for the rural districts, counties, ridings and towns in the same, and to alter and regulate the appointment of returning officers, &c. &c.”

Thus, after all the premature outcry against the respective number of representatives for each province, it is left to the majority of the Legislature of the Province to remodel this question themselves.

We will now endeavour to come to a just conclusion on the question we have proposed to discuss, namely, how far the Act of Union is competent, or likely to carry out the principle we have assumed of Constitutional Representation. By this term I understand, the return of a majority of Members willing to adhere to the principles of the British Constitution, as far as they are conferred on this Colony : and to render our meaning on this point perfectly explicit, I transcribe our idea on the subject from page 51 of the first number of this work :

“ But the fact is, the scale of representation, under the past and present condition of the Province, would have to be brought down *exactly to the point*, which would serve to produce a thorough *Constitutional Parliament*. Things must actually be managed in such a manner, in the formation of a scale of representation for a United Parliament, that *no doubt whatever shall exist on this subject*.”

If we may judge from the writings, speeches, and declared intentions of the present leading men among the French Canadians, they all disap-

prove of the number of representatives apportioned by the Union Bill for Lower Canada. The probability is therefore, they will seek to increase that number, by exerting the right which the 26th clause of the Act gives them. Supposing all the Canadian Members to be agreed on this question, except the Members for some of the Towns and the Townships, say ten in number, it will leave thirty-two Members for the Lower Province, seeking for an increased number of Representatives for it. They will then require twenty-four Members among the Upper Canadian Representatives to make up the number required by the 26th clause of the Bill, namely, two thirds of the whole number of Representatives in the United Assembly, being fifty-six Members.

We must now, in order to see whether it be likely they will get these twenty-four Members, endeavour to find out the number of Radical Members likely to be returned for the Upper Province.

The late unjustifiable, and therefore unreasonable rebellion in that Province, had been put down by as decided a proof of general loyalty of the people as was perhaps ever exhibited in any country. Its political atmosphere, freed from the foul and turbulent vapours which had contaminated its elements, became suddenly calm, quiet, and serene. The greatest part of the population were astounded at the late events. That, in a Province which had for the

last thirty or forty years advanced more rapidly in settlement and prosperity than perhaps any other, with a lower degree of taxation, than even that of the adjoining States; that *there* rebellion should suddenly break out, and be as suddenly put down, was indeed sufficient to astound all reasonable men.

And I verily believe, that such was the satisfaction of the great majority of the population at the overthrow of that rebellion, that a long season of political quiet would have been the result; had not the ideas on the question of responsible Government been called again into agitation by the Report of the late Earl of Durham. However great a statesman, this high character may have shewn himself in Europe, it is certain, he missed his mark in these Provinces; by applying the principle of responsibility to a Colony, as it exists in the Parent State. Had his Lordship remained here years sufficient to have become thoroughly acquainted with this country, he would have seen the error of rendering the Executive Government dependent on the House of Assembly, and the total impossibility of such a Government being able to act with that decision and energy which the most important interests, and the state of the country might require for the security of its internal peace, and perhaps of its adhesion to the Parent State. Even under the present mode of Government, party spirit and private views have had too much share in public affairs; what they would be,

if the virtual disposal of place and preferment were in the power of the Representative Branch may be easily foreseen. In fact, I doubt much if any Governor of independent spirit, would accept of the Government on such conditions; the consequence would be, we should have Governors who are not of independent spirit. The degradation of the country, the continued warfare of parties, and the consequent want of union and zeal to promote the great and permanent interests of the Province would be the result.

And yet responsibility, *Constitutional* responsibility, is desirable. Although we deprecate the system of rendering the Government of the Province dependent on the House of Assembly by responsibility, let it not be considered we are opposed to the principle. On the contrary we trust to present to public view a system of responsible Government, which is in perfect accordance with the established Constitution of the Provinces, which shall avoid the practical bad effects of responsibility to the Houses of Assembly alone, and which will probably tend to strengthen the bonds of union of these Colonies with the Parent State, and I shall here beg leave of the reader to present him with an extract from a small work published in Quebec a few months since, containing a conversation the author had with a French Canadian gentleman, on the subject of responsible Government. This little work is entitled a

“Journal of a Tour from Montreal through the Eastern Townships,” page 9.

“But he, the Canadian gentleman, was of opinion that great changes must be made in the future Government of the Province, or there would be serious times; not, he said that the Canadians would revolt, but they would not be satisfied without a Government responsible to the people, which he added, it ought to be. I said that was true, but it was not to the people of Canada alone, but to the people of the Empire, and *that* through the channel of the Imperial Parliament which is the Constitutional Court for that responsibility appointed by the British Nation for herself and her Colonies. I added that every Governor was responsible to the people in this sense, through the means of the Imperial Parliament to whom the people of the Colonies could apply in the case of any important occasion arising to render this application and complaint necessary; which indeed should only be resorted to on very urgent and important necessity; for instance, in case of great misconduct of the Governor and his Council; and the conviction in consequence, of a great majority of the people of the Province that he should be recalled.”

The Ministry of the Empire is appointed by the Crown, but unless their measures are approved of by the majority of the Members of the House of Commons, they cannot keep their places as Ministers. They are thus responsible to the House of Commons for every part of their conduct in every Colony of the Empire. In order to enable them to perform their duties in every Colony, the Sovereign, therefore, deposes a representative of itself to each. But at the same time that he becomes the representative of the Sovereign, he also becomes a Branch of the British Ministry, and as the parent tree is responsible to the Imperial Parliament for its conduct, so are the branches, also. If the people of a Colony by their

representatives were to assume the right of deciding, themselves alone, on the conduct of that branch of the Ministry or the Governor who is deputed over them ; I conceive they would be assuming a right which belongs to the collective authority of the entire British nation ; which right is transferred by it to its representatives in the Imperial Parliament.

The evils to the Province that would arise, if such a power were placed in the House of Assembly, I have above endeavoured to explain. Those who have resided for any number of years in the Colonies have seen enough of the interested views and conduct of parties in the Colonial Political Arena, to allow them to have any doubts on the subject. The accession of this power of making the Governors and Executive responsible to the House of Assembly would not only occasion an unceasing strife of parties, probably of the most virulent description ; but it would actually transfer all the power, which ought of right to exist in the Government to themselves and their dependents. This, in a Colony of a powerful empire, and especially a Colony relatively situated as we are to a neighbouring Republic, is not to be expected.

But indeed a power of responsibility *has* been given to the Province, more safe and of less evil consequence than intrusting that power to its representatives only. The people of every Colony have at this moment, the power of calling the

Governor to account by the right of the subject in every part of the British Dominions, to petition the Throne or the Imperial Parliament. We have even seen Governors recalled upon slight indications of unpopularity, and when in the opinion of well informed men, their continuance in office would have been serviceable to the country. That the bulk of the people of the Provinces would not, if left to their own uncontrolled feelings, exert this right without good reason, I think, is highly probable, and coming from them, it is, I think, much more less likely to arise from party spirit than if emanating from Houses of Assembly. But the representatives of the people of the Province or Houses of Assembly, have also this power of memorializing the Crown or the Imperial Parliament in case of mis-government of the Colony. The most august tribunal of the Empire is equally open to them, as to the people of the Colonies, and we cannot have a doubt that this Constitutional means of redress is best calculated to remedy all real grievances, and to do ample justice to all the parties concerned. *That* tribunal would no doubt give due consideration to the degree of intelligence of the petitioners on this important subject. The British Government and Parliament certainly have a wish to promote the real welfare of the Provinces ; they have evinced that wish in repeated instances, and I have not a doubt, that their future conduct will be guided by the same reasonable principles.

Such then are my ideas upon the Responsible Government, which can be applied to the Colonies. I should be happy that the solidity of them should be allowed, on their cool and dispassionate consideration, by those who have hitherto advocated the making the Executive Government responsible to the Houses of Assembly. It would probably save them a great deal of useless exertion to obtain the same ; but seeing as I have seen the propensity of mankind to persist in the political ideas they have once embraced, I confess to expect that those who have taken up these opinions on Responsible Government, will not abandon them without further efforts.

It is by this opinion we shall decide on the previous question of page 9, namely : What number of Radical Members are likely to be returned for the Upper Province? The number of such Members in the last and previous sessions of this Parliament could not, I think, have been more than twelve. The change of the public opinions of the Province, which produced the rejection of so many of what was called the Reform Parliament, arose, in my opinion, chiefly from the public idea, that, instead of endeavouring to effect reform, their time was mostly employed in fruitless disputes with the Government ; and also, that a main object they had in view, was to monopolize places and preferments for themselves and their dependents. The cause we have mentioned above, namely, the Report of Earl Durham, had effected, I believe, a

considerable degree of excitement in the Province, and from its captivating style and arguments, may have procured numerous admirers and supporters. It is said, however, that the Earl, since his return to England, had so greatly modified his ideas on practical Responsible Government in these Colonies, as to effect a very considerable change from those of his Report. The present Governor in Chief has certainly rendered himself very popular in the Upper Province by his public conduct there, but chiefly, I believe, by the conviction that all loyal men who wish for its advancement have, that he is not only able, but zealously willing to promote that advancement. That this may modify the opposition to his Government is probable ; still the remnant of the Radical party must be considerable in some parts of that Province, and when we advert to the tenacity of political opinions once imbibed, however, unlikely to be realized, we cannot but believe that that party will appear in the United Assembly in increased numbers. They will there meet with the greatest part of the Members for the Lower Province, seeking an increase of the number of its Representatives, and probably willing to join the Members of the Upper Province, in their views of Responsible Government. This again, may induce that party, to unite with the French Canadian Members, in endeavouring to obtain that extension of numbers. If the party can give them twenty-two, as above stated, they will then have

the majority required by the 26th clause of the Union Bill, and as far as the power of the House of Assembly goes, can effect their purpose. Thus a system of persistence in efforts to effect measures which probably will be resisted by the other branch of the Legislature may produce a collision between them ; and instead of all parties uniting to heal the wounds of the Provinces and advance the public welfare in its principal branches, we may unfortunately find these desirable events frustrated by the spirit of party.

Having thus finished our enquiry into the nature of the Bill of Union, now become the Law of the Land, and having considered how far this Act of Union is likely to carry out the principles mentioned in page 8, namely, to produce the return of a "truly Constitutional Parliament or House of Assembly," we cannot but come to the conclusion that the effect of the Bill of Union to produce this desirable end, is at least doubtful and uncertain, whereas, the principle we have stated as the scale of representation which past events and the present state of the Province would have warranted was, "that no doubt whatever should have been allowed to exist on this subject."

Yet, notwithstanding the probability, that the Bill of Union is likely, by the generous provision of the 26th clause, to give the anti-union party a considerable advantage ; they appear yet bent on opposing this union, and we now proceed to in-

quire into the arguments brought forward in opposition to it.

The first we shall consider is the number of Representatives appointed to represent Lower Canada, relatively to the Upper Province.

The foundation on which this argument rests, is the estimated excess of population in this Province. This population is, I believe, now considered to be 600,000. The population of the Upper Province is allowed to be 400,000; but by some late accounts which I have seen from the Upper Province, that population is estimated at 500,000; we shall, therefore, take our estimate at 450,000. Now, in forming a permanent scale for the representation of two Countries, it is certainly incumbent to have some reference to their future comparative state of population, as well as to their present. Without this reference, it is evident, that if one of these Countries be acquiring every year a greater proportionate increase of population than the other, that Country would in a few years have a less number of Representatives than her due proportion. Looking forward, therefore, to the first period at which the two Provinces may double their respective populations by natural increase, and considering also, the increase from immigration during this period; we consider the population of each at the end of that period of twenty-five years will be as follows :

LOWER CANADA.—1840.

Present population,	600,000
In twenty-five years, double,	2
	<hr/>
	1,200,000

The number of Emigrants settling in this Province is considered to be far over-balanced by the Canadians leaving it for the States.

UPPER CANADA.—1840.

Present population,	450,000
Emigration to that Province last year, most of which are said to have remained there,	20,000
	<hr/>
	470,000
In twenty-five years, double,	2
	<hr/>
	940,000
Allowing Immigration for twenty years out of the twenty-five years, at 20,000 per year,	400,000
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Population of Upper Canada in twenty-five years from 1841, 1,340,000

Add increase of the 400,000 Emigrants
in the twenty-five years, 15,000

1,355,000

Brought down population of Lower
Canada, in twenty-five years from 1840, 1,200,000

Excess of population of Upper Ca-
nada over Lower Canada in twenty-five
years from 1840, 155,000

The natural increase of that Emigrant population will, in the subsequent twenty-five years, amount to near 380,000.

When we consider the great annually redundant population in the old Countries—England, Ireland and Scotland, and the number of influential people who are promoting Immigration to Canada, as well as the active co-operation of Upper Canada for the same purpose, it is very probable the above estimate will not be found far from the mark.

Among the leaders of this opposition to this Bill of the Union of the two Provinces stands conspicuous the editor of the *Quebec Gazette*.

He has constantly declaimed at what he considers the injustice of equalizing the number of Representatives for both Provinces, while the population of one so far outnumbers the other; and one would really imagine that, while he is writing on the subject, he entirely forgets there has been any such thing as two insurrections in that more populous Province. He may, perhaps, conceive this important consideration to be got over, by the circumstance of insurrection having also taken place in the Upper Province; but by whom was that insurrection of the Upper Province put down? By the Militia of that Province—by the people of that Province, and by that people and Militia only, not one of the Military, that I know of, employed in it. The case of the two Provinces in this respect then, is certainly very different. Many, and various, indeed, have been the opinions of men

well acquainted with this Country as to the intentions of that part of the French Canadian population who did not take part in these insurrections. Some have expressed opinions that, but for the events of the affair of St. Charles, the case would have been different.

On this subject it is useless now to expatiate ; but of this, I feel certain, that if the entire mass of our French Canadian population had not been excited and instigated by ill informed, or designing and ambitious men ; had this population been suffered to think and act from their own natural feelings, as to any cause of complaint against the Government, there would have been no insurrection whatever. The case as to excitement has been otherwise. Never, even in Countries where the greatest wretchedness and want too often prevail ; has excitement been more practiced than on the comparatively well off, and peaceably inclined rural population of Lower Canada. These efforts have, indeed, succeeded, but too well. They have at last brought the state of the public mind, of that population, to a doubtful and uncertain character ; so much so, that they had no right to expect the same degree of political power, as formerly would be for the present intrusted to them by the Imperial Parliament.

We trust to have shewn, that even if these lamented events, if the warning of two suppressed rebellions had been entirely obliterated from the memories of the British Government ; still the

Lower Province could not reasonably expect, that in forming a scale of United Representation, the great probability of the population of the Upper Province outnumbering that of the Lower in a few years, should not be taken into the estimate. There are besides this, two important considerations which of right demand attention in the formation of a scale of representation. The first is the relative value of cultivable lands in both Provinces, as constituting the amount of property. The value of lands in the Lower Province must be deteriorating. The chief article of Agricultural Produce, wheat, which constituted a great part of their value in former years, has been falling off in the quantity of its yield for years past, and many of the farmers have now ceased to sow it. The lands of the Upper Province, on the contrary, seldom give less than twenty to thirty bushels of wheat per acre. At this rate the value of landed property in Upper Canada will likely outstrip the Lower in this point, as in that of population. The other consideration referred to, is that of intelligence. This is a quality of the mind, which of all others perhaps, has the fairest claim to influence in the representation of free governments. The bulk of the Canadian population of Lower Canada, may be possessed of understanding sufficiently good to manage their own domestic concerns, but no one can consider them competent to decide on measures calculated to advance the general Interests of the Province, and the relation of

those interests with those of the Parent State, and the security of the Government of the country. Before they will be competent to do so, a system of education must be far more generally diffused through the country than it is, and will require a long period of years to produce its effect. At present, there are no adequate means by which the bulk of the Canadian habitants can acquire that information on the public affairs of the Province; and her political relations, which is required to enable them to judge rightly on the subject. Some French Canadian papers, it is true, are circulated in the small towns and villages of the Province, yet, being mostly all on one side of the question, the rural population has no opportunity of hearing the arguments on the other side.

The proof of this assertion is found in the calamitous distresses which a great part of the Canadian Population were subjected to during the late rebellions, and into which they were drawn by the folly of their leaders, aided by the French political prints attached to them. It has been said, indeed, that a people never becomes wise by experience, an idea which I hold contrary to the nature of men and things, and which I trust will be refuted by the future conduct of the French Canadians. I trust that the remembrance of the deplorable situation into which many of them were drawn by their leaders, so recently, will teach them to distrust their sagacity in future.

In Upper Canada, on the contrary, the art and

the practice of reading among the farming population, is far more general.

Public papers on all sides of the question are circulated in most parts of the country. Those on each side of the question have the means of stating and supporting the opinions they espouse, and it is by this discussion in society of public affairs, that the well informed and well disposed, may remove false ideas propagated by narrow-sighted or designing men.

Intelligence, therefore, (by which I understand, not only a knowledge of the local and peculiar wants and interests of a province, but the bearing also, of these interests on the nation of which that Province forms a part, and on foreign countries also.) Intelligence of this description has, I say, a claim to an adequate representation in the Legislature of the Province, because the public tranquility and prosperity in all its branches, are the more likely to be advanced and promoted in the ratio of the quantity and influence of this intelligence.

And having now considered the question of the relative number of Representatives for each Province under the idea that no rebellion or insurrection had taken place, we shall proceed to enquire what sort of a representation the Province of Lower Canada had a right to expect in the real state of the case, namely, just after two rebellions or insurrections had been suppressed! And I would here ask the editor of the *Quebec Gazette*,

if he is acquainted with the history of any country, in which a recent rebellion had been subdued, and in which the liberties or rights of the people were not on such an occasion, abridged and restricted by the ruling power? As the most recent instance of this, I take the Kingdom of France. Even a very few years after Charles, their late king, had been banished from his throne by the general indignation and successful revolt of the people; we find, that when the subsequent insurrections of Lyons and Paris were put down by the reigning king, the former liberties of the people were immediately curtailed. The press has been, I believe subject to greater control, the right of the people to assemble for the discussion of political questions has been refused and prevented, unless under the permission of the magistracy; the trial by jury for political offences abolished, and these offences made cognizable and decisive by the Chamber of Peers only.

In No. 1, chap. 2d of the Considerations on the Canadas, I stated that "I should not myself be surprised to find a much larger number of Constitutional Members chosen to sit in the first United Assembly, for this plain reason, that the experience of the past must have proved to them, (the French Canadians), that a repetition of the same conduct could do *no good*, and that having already run a risk of losing the political power *they had*, a continuance of the same system must in *the end deprive them of it in toto*."

And, indeed, in the Canadian petition to the British Government, or to Her Majesty the Queen, to restore the former Constitution of the Province, we find a species of acknowledgement, the exact words of which I do not remember, but the substance was, that the past "errors would produce better conduct for the future."

Now, when the son of a good father has committed a great fault it is natural he should promise better conduct, but the prudent father will probably wait till time proves the performance of it before he restores him to his former favour. But to return to the editor of the *Quebec Gazette*, who seems to be the herald or oracle of the Anti-Unionists, and who, I presume, had some share in the very promise above mentioned; I must say I see little indications of its fulfilment in the line of conduct advocated in that paper.

He must have seen the total impossibility of the British Government's resorting to the former Constitution at the present time, immediately after two rebellions, against its laws, had taken place; he must be aware that that Government would have been even warranted by these events, in resorting to the ancient Government of the Province, by a Governor and Council for at least several years; yet when from a desire to give the Province, even immediately after these events the privilege of a representative form, the Imperial Parliament determined on uniting the two Provinces; this editor without waiting patiently to see the bad

or good effects of this measure, rashly advocates, the seeking of an immediate repeal. It is difficult to conceive that the sole circumstance of the allotment of a lesser number of representatives for the Lower Province than the anti-Unionists consider she is entitled to, can be sufficient to justify in the eye of reason any such attempt to thwart the efforts of Government to settle the affairs of the Canadas. By the provisions of the Bill, Lower Canada is to send an equal number to the House of Representatives as Upper Canada. No vote nor resolution therefore, which should directly militate against its rights and special interests, is likely to be carried there. But these rights and interests will have to undergo discussion, and it may perhaps thereby be discovered, that those rights and interests may be best promoted by a complete Union of those of the Lower with those of the Upper. As the case stands then, this is certainly worthy of a fair trial. We trust to have now shewn there are no reasonable grounds in this argument for thus obstructing these efforts of the Government, to bring the difficulties of the Provinces into a train of adjustment.

We shall now therefore proceed to consider the other arguments adduced by the Anti-Unionists, and first on the assumption into the united funds of both Provinces of the debts contracted by the Upper Province, in as far as the Improvements effected may be found to embrace also, and to promote the interests of both Provinces.

We wish to premise that by no means do we consider that Upper Canada has acted wisely in her late improvements on the St. Lawrence. We conceive she would have shewn more wisdom, if at the time the Rideau Canal was forming by the British Government, she had made proposals to join it in forming at once a ship Canal or conveyance, from Kingston to Montreal. By this means it is probable she would have saved a great part of the outlay she has since incurred, and obtained a most valuable and direct transit for her surplus produce in her own vessels, to the ocean. In reference to the measures she has adopted in endeavouring to effect that transit by the St. Lawrence Canal, she might have acted more prudently if she had restrained her outlay more within her income, as respects her means of paying the interest on monies borrowed. This prudent conduct would have probably enabled her to complete her improvements in less time than by a contrary conduct she can now do, or she might whilst her credit and finances were in good order, have probably borrowed the entire sum required to finish her part of the Canal out and out ; she might have then called on the Lower Province to complete her share, down to Montreal. And, as even Papineau declared in the House of Assembly, that they were ready to meet the Upper Province in any scale respecting the completion of this improvement, there is not a doubt the Lower Province would have responded to the call.

Previous to entering on the consideration of these arguments or supposed grievance, we shall take a review of the present state of the finances and resources of Upper Canada, which we conceive to be but little understood by some in this Province ; and that this misunderstanding of these resources and capabilities has led them to the mistaken idea, that as Upper Canada has been of late in the back ground respecting these finances, she is always to remain so, and we hope to prove, not only that this will not be the case ; but that Lower Canada will in a few years find, that her union with the Upper Province will prove a fruitful cause of advancement in her own Agriculture, her Commerce and her general prosperity and welfare.

We now proceed to give an abstract from the report of the Committee of finance of Upper Canada for 1840, appointed by the Honourable House of Assembly of that Province.

*Abstract from the Report of the Committee of
Finances of Upper Canada, for 1840.*

MEMBERS OF THE COMMITTEE.

Charles Bockus, Esq. Chairman ; William Hamilton Merritt, James Morris, David Thorburn, Thomas M'Kay, George Rykert, Colin C. Ferrie, W. B. Robinson, John Marks Esq.

To the Honourable the Commons House of Assembly. The standing Committee of finance beg leave to make the following report.

In calling the attention of your Honourable House to the public accounts, they will refer to them in the numerical order in which they are transmitted.

No. 1 is a statement of revenue arising from duties collected at the ports of Lower Canada, for the half year ending 31st July last, 1839, in which Upper Canada participates.

No. 2 is a statement arising from revenue, arising from duties on Imports from the United States from the 1st January, to the 30th September, 1839.

No. 3 and 4 are statements of revenue arising from licenses issued to Hawkers and Pedlars and to Auctioneers, and on sales at auction, from the 1st January, to the 30th September 1839.

No. 7 is a statement of revenue arising from

licenses issued by the Inspectors of Districts, from the 5th January, to the 5th October, 1839.

No. 5 Is a statement of revenue arising from tonnage duty on British Vessels, from the 1st January to the 30th September, 1839.

No. 6, 7, 8, 9 and 10 omitted in this abstract, as unimportant to its purpose.

Your Committee are of opinion that a considerable proportion of the tonnage of vessels subject to tonnage duty, is not included in the return and by the evidence of the Inspector General in his reply to question No. 3, it appears there is no mode at present by which to ascertain its correctness. Your Committee cannot however dismiss this part of their examination without calling the attention of your Honourable House to the very gratifying increase in all the sources of revenue above referred to as will appear by the following comparative statement of collections for the years 1838, and 1839.

STATEMENT.

SOURCES OF REVENUE.	1838.			1839.			Increase, 1839.			Decrease, 1840.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Imports at Quebec, . . .	37,691	3	11½	61,678	16	3	23,987	12	3½	0	0	0
Do. United States,	13,500	3	5½	14,114	18	7	614	15	1½	0	0	0
Duty on Shop, Still and Tavern Licenses, . . .	6,950	8	6	9,648	13	8	2,698	5	2	0	0	0
Duty on Hawkers's and Peddler's Licenses, . . .	90	5	0	130	12	6	40	7	6	0	0	0
Duty on Auctioneer's Li- censes and Sales, . . .	381	17	0	670	16	4	288	19	4	0	0	0
Tonnage Duty on British Vessels,	225	5	2	334	18	9	109	13	7	0	0	0
							27,739	13	0			

By the above statement the increase of 1839 over the previous year is equal to 50 per cent., which is an evidence that our Country is recovering from the depression of the past few years.

No. 12 is the general estimate of the expenditure and resources of the Province from the 5th October, 1839, to 31st December, 1840.

In^y calling the attention of your Honourable House to this document, your committee beg to state, that they have considered various propositions to meet the apparent deficiency of the current year, a deficiency that has arisen chiefly from the failure of the firm of Messrs. Thos. Wilson & Co. agents for the Province in London, by which unexpected event, the large sum of £55000 sterling, was for the time rendered unavailable. In order to replace this sum, for the purpose of paying interest on debentures as they became due in England, the Receiver General was compelled to effect an arrangement with Messrs. Glynn, Halifax & Co., Bankers of London : By this arrangement the Province has become indebted to that House, and also to Messrs. Baring, Brothers & Co. for similar services to the extent of £67,517. To pay this sum together with the further one of £23,183 due for interest on our public debt, making in all £90,700, to be provided for, your committee recommend that £70,000 of it should be funded in England, and have prepared a Bill, which they herewith submit, for the purpose of carrying that object into effect ; and having already passed a Bill to authorize the sale of £25,000 stock, owned by the Province in the Bank of Upper Canada ; these two sources will, they trust,

be amply sufficient to meet the present emergency.

In making this arrangement, your committee are aware that means must be found to meet the interest that will accrue on the loan of £70,000, and to replace the sum of £2000 which would have been received on the Government Bank Stock, had it not been sold.

If the foregoing suggestions for funding £70,000 in England, and selling the £25,000 Bank Stock are acted upon, there will be no difficulty in meeting the engagements of the current year as will more clearly appear by the following statement, shewing the expenditure and resources of the Province predicated upon the foregoing arrangement :

EXPENDITURE.

	£	s.	d.
Amount required to complete the service of 1839, - - -	25,000	0	0
Interest on Public Debt, including Premium on Exchange, -	63,000	0	0
Administration of Justice and Support of Civil Government, 1st William IV., chap. 14, -	7,223	0	0
Ditto ditto, 7th William IV., chap. 1,	3,000	0	0
Ditto per estimate No. 11, to complete Service of 1839 and 1840,	16,779	4	6
Carried over,	115,002	4	6

Expenditure brought over,	115,002	4	6
Contingent expences of the Legis-			
lature, - - - -	5,000	0	0
Officers of the Legislature, -	890	0	0
Receiver General's Salary, -	778	0	0
Inspector General's do. -	406	0	0
Vice Chancellor's do. -	1,250	0	0
Common Schools, - - -	9,300	0	0
District do. - - -	1,400	0	0
Militia and other Pensions, -	3,200	0	0
Maintainance of Light Houses,	2,500	0	0
Adjutant General of Militia and			
Assistant, - - - -	885	0	0
Clerk of the Crown in Chancery,	75	0	0
Agricultural Societies, - -	1,000	0	0
Provincial Penitentiary £5,000—			
Gratuity to Deputy Warden £300,	5,300	0	0
Books for Provincial Library, -	80	0	0
Militia Courts Martial, - -	300	0	0
Estimated amounts due to Messrs.			
Baring & Co. and Messrs. Glynn,			
Halifax & Co. on account of pay-			
ment of interest on Debentures			
negociated in London, including			
the dividends payable on 1st Jan-			
uary, 1840, and Premium on Ex-			
change, - - - -	67,517	0	0
Interest on additional £70,000 now			
authorized to be issued, -	4,200	0	0
Surplus, - - - -	30,122	9	4
	<hr/>		
	£249,205	13	10

RESOURCES.

	£	s.	d.
Ballance in Receiver General's hands on 5th October, 1839,	22,128	0	0
Ballance in hands of Collectors on 5th October, 1839, - -	6,987	0	0
Ballance in hands of Inspectors on 5th October, 1839, - -	1,168	0	0
Import Duties, quarter commencing 1st October, 1839, - -	5,000	0	0
Duties on Licenses, quarter commencing 5th October, 1839, -	400	0	0
Bank Stock dividend for 1839, -	1,000	0	0
The Provinces proportion of Duties (Import) collected at the Port of Quebec, - - - -	62,000	0	0
Import Duties in Upper Canada,	16,000	0	0
Duties on Licenses to Inn-keepers and Distillers, - - - -	9,000	0	0
Canal Tolls, - - - -	1,250	0	0
Tonnage Duty on British vessels,	300	0	0
Harbour Dues at the Port of Toronto, - - - -	200	0	0
Licenses to Hawker's and Pedlar's, Ditto Auctioneer's and Sales at Auction, - - - -	150	0	0
Militia Commission Fees and Fines for exemption from Militia duties,	700	0	0
	500	0	0
Carried over,	126,783	0	0

Resources brought over,	126,783	0	0
Interest on Loans to private companies, due 1st June, 1839,	£4,635	3	9
ditto due 31st December, 1840, £2,587	10	0,	7,222 13 9
Interest on Grants for Macadamized Roads, now due £8,841	6	9,	
ditto, will be due 31st December, 1840, £11,358	13	4, - -	20,200 0 1
Sales of Debentures to meet debt to Messrs. Baring, Brothers & Co.,			
and Messrs. Glynn & Co., -	70,000	0	0
Sale of Bank Stock, - -	25,000	0	0
	<hr/>		
	£2,49,205	13	10

By the above estimate, it will be seen that, your committee have altered the estimate of expenditure in the item of contingent expences of the Legislature, which they have reduced from £7,500 to £5,000, believing the latter sum quite sufficient to cover the actual expences of the current year. In the estimate of resources, they have increased the estimate of "this Province's proportion of import duties collected at the Port of Quebec," £7,000 making the estimate for the current year £62,000, only £321 3 9 over the actual receipts of the past year, and when they reflect that the increase of the past year over the previous year is £23,988 12 3, they are of opinion an increase for the current year might, with propriety, be calcu-

lated on. Your committee have, however, refrained from such increase.

Your committee have also increased the estimate of duties on Licenses, for the sale of Spirituous Liquors, and for Distilling, £1,000, and on Auctioneer's Licenses and Sales, £150, which, from the receipts of the past year from those sources, they are fully warranted in doing.

It will also appear that £7,222 13 9 will be due on the 31st December next, for interest on Loans to private companies who are bound by certain statutes to pay the same regularly, and also, that a further sum of £20,200 0 1 will, at the same period, become due for public money advanced to pay interest on monies expended for macadamized roads. Your committee cannot refrain from expressing their surprise that these large sums should be allowed to accumulate and be estimated for, under the head of "Interest for the Public Debt," when, by a reference to the Acts under which these monies were granted, it will appear that such should not have been the case, and they trust steps will be taken without delay to relieve the ordinary resources of the Country from a burthen which the Legislature never contemplated imposing upon them.

From the preceding review of the finances of the Country and its resources, your committee trust they have demonstrated, that so far from the Province labouring under an amount of debt sufficient to cause a feeling of despondency in those

who take an interest in its welfare, they have shewn by the proposed arrangement, that good faith may be kept with the public creditors, and provision made for the ordinary expences of the Government for the present year. In this account your committee can assure your Honourable House they have assumed nothing for fact, but after careful and anxious examination, and if large sums have been abstracted from the funds of the Province, to meet demands which should have been paid by local assessments, and other sources provided by statute; your committee submit that it was not the fault of the Legislature. We feel it due to the present House of Assembly as well as those which preceded it to make this statement, because, while we admit that the Public Debt of Upper Canada is a large one, we have shewn that a sum greater than the total amount of the present debt of the Province, has, within a few years, been appropriated towards developing the resources of the Country, and in constructing works calculated to add to the comfort and prosperity of its inhabitants.

Your committee would here, in support of their statements briefly notice the works in which large sums of public money have been expended :

Canals,	£712,703
Harbours,	24,500
Roads and Bridges,	119,696
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Carried over,	856,899

Brought over,	856,899
Macadamized Roads,	189,511
Surveys preparatory to public improve-	
ments,	5,143
Light House, (and support), . . .	21,407
Provincial Penitentiary,	37,600
Parliament Buildings, . . . , .	11,000
Hospitals,	4,600
	<hr/>
	1,126,160

To which may be added the follow-
ing items of a public nature :

War losses,	180,450
Trial of State Prisoners, and other	
charges incident to the Rebellion,	14,183
	<hr/>
	£1,320,793

Of these works the Welland and St. Lawrence canals are the most prominent, and calculated, when completed, to be of the greatest importance to the Country. The Welland canal has for some years been in use, and yielding a return which, though small, is rapidly increasing ; the amount of tolls last year have been £12,835 0 9 $\frac{1}{4}$, nearly double that of any former year, and your committee are satisfied, that were that work permanently finished, on the scale recommended by the present House of Assembly, its cost, however, great would soon cease to be a burden on the revenues of the Country. The same result your committee believe would follow the completion of the St. Law-

rence canal, and as these benefits will be felt equally in Lower Canada with this Province, your Committee rely, with confidence, on their receiving the early attention of Her Majesty's Government and of the United Legislature, should the anticipated union of these Provinces take place.

It now only remains for your Committee to lay before your Honorable House the total amount of the present debt of the Province, when payable, and the rate of interest payable thereon, which is as follows :—

	£	s.	d.
Debentures outstanding, payable in			
Upper Canada, bearing an inter-			
est of six per cent., - -	137,662	12	2
Do. do. 5 per cent., -	61,240	0	0
Do. do. 5½ per cent., -	5,000	0	0
	<hr/>	<hr/>	<hr/>
	203,902	12	2
Do. payable in London, interest			
5 per cent., -	869,650	0	0
Less amount unsold			
in the hands of			
Baring & Co., -	42,000	0	0
	<hr/>	<hr/>	<hr/>
Sterling, -	827,650	0	0
Add ¼th for Cy. -	91,961	2	3
		919,611	2 3
Sum now contemplated to be fund-			
ed in London at 6 per cent., -	70,000	0	0
	<hr/>	<hr/>	<hr/>
	£1,193,513	14	5

To this must be added, if negotiated, the sum of £111,241, being the balance authorized to be raised by a statute of last session, but which has only recently received the Royal assent. The total amount, therefore, of the Public Debt, on the 31st Dec. 1840, will, should the Receiver General succeed in funding the £70,000, as also in disposing of the Debentures for the £111,241 as referred to above, be -

1,304,754 14 5

The annual interest accruing upon this sum, for 1841, is,	Cy.	67,358	0	0
Ten per cent. premium on that part payable in London, - - -	-	5,574	0	0
To which may be added the annual charge for Administration of the Government, - - -	-	48,820	0	0
To which may be added the annual Miscellaneous Grants, - - -	-	5,291	0	0
		<u>127,043</u>	<u>0</u>	<u>0</u>

RESOURCES TO MEET SUCH EXPENSES.

Revenue on Commerce, - - -	-	78,000	0	0
Do. on Licenses and other internal resources, - - -	-	22,000	0	0
Carried over,		<u>£100,000</u>	<u>0</u>	<u>0</u>

Brought over,	£100,000	0	0
Interest on £28,750 loaned to private companies,	- - -	1,725	0 0
Do. on £66,000 advanced to complete Welland Canal, 7th Will. IV. ch. 92,	- - - -	3,960	0 0
Do. on £189,571 advanced on Macadamizing Roads,	- - -	11,358	0 0
		<hr/>	
		117,043	0 0
Annual deficiency,	- - -	10,000	0 0
		<hr/>	
		£127,043	0 0

In this statement, your Committee have not estimated for the sum remaining in the hands of Messrs. Thomas Wilson & Co., amounting to about £65,000, nor the balance which we have shewn should be in the hands of the Receiver General at the close of the current year. Your Committee feel it their duty, before closing their Report, to notice the sum of £25,000 remaining of the sum of £50,000 granted for roads and bridges in 1836: the money is much wanted in every section of the Province, and its not having long since been forthcoming has caused great inconvenience and loss to many of the Commissioners appointed to expend portions of it. These persons have many of them petitioned your Honorable House for relief, stating that, in full reliance, the money would be paid when called for; they gave out contracts for work, which was duly performed,

but that the contractors, except in cases where the Commissioners paid the money from their own resources, have, up to this hour, received nothing for their labour. Your Committee can only bring this passing subject before your Honorable House, and rely on every exertion being made to obtain the residue of the grant referred to as soon as possible.

In conclusion, your Committee would suggest to your Honorable House, that prompt means should be adopted to carry into effect the measures recommended by them for the purpose of meeting the present engagements of the Province, and to provide for the carrying on the most important of our public improvements ; and they unanimously concur in advising that the Honorable John Henry Dunn, Her Majesty's Receiver General, should be sent to England, where alone we can hope to realize the benefit anticipated from the proposed measures with the least possible delay. With this view, your Committee report an Address to His Excellency the Governor General, requesting that he will be pleased to grant that officer the necessary leave of absence, to enable him to proceed to England on the business of the Province. All which is respectfully submitted.

(Signed,) CHAS. BOCKUS,
Chairman.

Committee Room, House of Assembly, }
29th January, 1840. }

Thus it appears that, after all that has been said as to the ruinous state of the Finances of Upper Canada, she is, as above stated, found to fall only £10,000 in arrears of meeting the demand against her. More than this sum, will probably be forthcoming, out of those sources of revenue which it appears the Committee have not taken into their estimate ; but besides this the probable increase of her share of duties this year will leave a balance in her favour. I conceive the Committee therefore are fully borne out in their assertion. "That so far from the Province labouring under an amount of debt sufficient to cause a feeling of despondency in those who take an interest in its welfare, they have shewn by the proposed arrangement, that good faith may be kept with the public creditor, and provision made for the ordinary expences of the Government for the current year."

In fine, I have not a doubt that Upper Canada from her own resources alone, and although the Union of the Provinces had not taken place, would in a very few years have been completely capable of extricating herself from every financial difficulty, and, also of effecting the completion of her public works, and as a proof of the rising value and importance of these public works, we give the following extracts.

At a meeting of the St. Andrews Society, at St. Catharines, U. C. Mr. BEATON stated, "that he did not rise in the usual way, to return thanks for this toast ; he was sure that the company would all be thankful for a toast, the subject of which, now filled the

minds of the public at large ; but that, from his connexion with the principal improvement in this Province, (he would say in the Canadas, at various times) the Welland Canal—he was enabled to state some facts connected with that great work, with which, perhaps, the present company were unacquainted. He said, that nine years ago, the number of vessels navigating the canal was but about forty—this year the number was upwards of two hundred. The transport of produce by the canal had increased in an amazing degree : he would instance one or two articles. Nine years ago, the number of barrels of salt which passed upwards by the canal, was only 1,500—last year, the number of barrels of the same article passing up, was about 200,000 ! Nine years ago, the number of bushels of wheat passing down by the canal was quite trifling—this year, the number exceed \$1,000,000 bushels !! The tolls collected nine years ago, were but a trifle over £1,000—this year, they came up to £20,000 !!! These instances, he said, were sufficient to shew the great and rising importance of the national work.”

At a late meeting held at Kingston for the formation of an Emigration Society, Mr. Marks spoke as follows :—

The trade of the Lakes of the Lower Ports, is already of much consequence. Produce to the extent of a million of barrels, went through to the ocean, during the past season, four hundred thousand barrels of which left a dollar per barrel, for labour, in this country. Here then, you have, on one branch of trade, an income already of £100,000 and when the Welland Canal shall be completed, on the scale intended, it will produce ten times that amount.

Besides the natural advantages of the Midland and adjoining Districts are very great, and well worthy the attentive consideration, not only of the meeting, but of the Government and the country at large. We possess splendid locations for the enterprising emigrants and settlers, equal to the best which abound in almost every portion of these fertile Provinces. We have the Bay of Quinte, running eighty miles into the interior of a highly cultivated country, commonly called the Garden of Canada. Through this beautiful bay, steamboats are seen moving daily in all directions—having the great Ontario in front, the broad St. Lawrence and its magnificent scenery and navigation, bearing to the ocean the products of our soil and trade. In another direction we have the Rideau Canal, with locks of superb and substantial masonry, and

covered with steamers and barges, laden upward with British merchandize, stretching through this and other Districts, connecting that noble river, the Ottawa, with the great lakes, and the whole converging at the town of Kingston, the great central point of rendezvous of all that move on these mighty waters. At Kingston, we have strong fortifications and naval arsenals, giving honest employment to thousands of settlers, who may happen to come amongst us to reside. There are also in our rear Townships and within a day's walk from this District Court House, not only excellent soil, beautiful scenery, but innumerable delightful lakes, abounding in the finest fish—who has not heard of the black bass of the Lobo-rough Lakes? and surrounded with game—in the vicinity of which, a sportsman may on any fine morning, in the proper season, kill venison sufficient to feast his family and friends for weeks.

Here on the authority of Mr. Marks, a very respectable citizen of Kingston, it appears that \$400,000 was gained by the Upper Province this year. The most of this property probably came through the Welland Canal. His estimate of the amount of property that will pass through that part of the Province when the Welland Canal is completed, may be too high, but there is not a doubt the augmentation will then be very great.

In proof of which we give the following quotation from the *Montreal Herald*, of Nov. 12, 1840.

WELLAND CANAL.

Amount of Tolls received to the 30th September, 1840.

ber, 1840.	£15,338	6	7½
During the month of October,	2,697	1	10¼
Amount of Hydraulic Return to 31st October,	958	6	11½
Amount of Fines received,	37	5	0

£19,031 0 5¼

In laying before the Public a statement of the Tolls received to 1st October in this year on the Welland Canal, we congratulate the country upon the success which has attended this work. We are informed that letters were received by the last Mails from an influential person in London, announcing the important fact that

the Royal assent would be given to the bill for the purchase of the *Private Stock* "at the next meeting of the Council," The Welland Canal will then become a great and valuable Work to this Province—not only for Commercial purposes—but as a means of defence—the proposed enlargement of the Locks will enable us in case of need to protect the shores of Erie and Huron as well as those of Ontario.—*Toronto Patriot*.

Here then we find that this very Welland Canal which (while I was in Upper Canada, three or four years ago) was considered, even by loyal and well disposed persons to be a mere incubus on the Province, from which it never could detach itself, has in nine years, multiplied its revenue twenty fold. The Finance Committee therefore are justified in stating "that when the canal shall be permanently finished, its costs however great, will soon cease to be a burden on the revenues of the country." The same result, this Committee adds, "would in their opinion follow the completion of the St. Lawrence Canal, and that, as these benefits will be equally felt in Lower Canada, with this Province, the Committee therefore relies with confidence on their receiving the earliest attention of Her Majesty's Government, and of the United Legislature, should the anticipated Union of these Provinces take place."

This Union has now taken place, and we are now to consider the other, and I believe the principal objection made to it by the Anti-Unionists. This is, that Lower Canada will have to pay the debts contracted by the Upper Province without her participation or consent.

Now we cannot agree that the improvements by Canal Navigation were gone on with, without the consent, or at least the approbation of Lower Canada, for I happen to recollect, that even Monsieur Papineau, who had at that time almost omnipotent power in the House of Assembly, declared in one of his speeches in that House, "that they would meet Upper Canada on any scale she might deem proper in effecting the completion of those improvements," meaning of course the completion of the Canal through the Lower Province to Montreal. And indeed it is natural and reasonable to suppose that Upper Canada would not have commenced this costly work without some such understanding between the two Provinces.

The supporters of the above objection to the Union, do not appear to me to consider that if the Union had not been effected, the Lower Province would then have found herself bound when called on by the Upper, to complete her part of the Canal from her own funds, alone ; but now the Union has been effected, and the debt of the Upper Province for this concern, is to be jointly assumed by the consolidated funds of the United Provinces ; the expense of finishing the Canal from Coteau to Montreal, will be jointly borne by the two Provinces.

To explain this more clearly, I mean to say, that when the canal is carried on to Montreal, any additional taxes that should be required for that pur-

pose will, now, that the Union exists, be equally borne by the inhabitants of both Provinces. The distance between Coteau and the Cascades is I believe nearly double that of the length of the canal at Cornwall; therefore we may suppose the cost of making this canal will be also nearly double the cost of the Cornwall canal. Therefore by the Union, the Lower Province will gain the advantage of the joint assistance of Upper Canada in making her share of the canal, that is from Coteau to Montreal, the cost, perhaps several hundred thousand pounds. In respect then of these improvements in both Provinces, and their cost, it is a joint concern in which the Lower Province has a decided advantage over Upper Canada.

Now with respect to the debt, the interest on which is to be assumed by the consolidated fund of the two Provinces, we have to observe (and it is very remarkable after all that has been said upon the assumption of the debt), that no part nor clause in the Bill enacts that the principal of the debt shall be assumed by this fund. See the 56th clause in the Union Bill at the end of this work.

Whether it was the intention of the Imperial Parliament to place this capital on the consolidated fund or not, I am uncertain. It is possible their intention might be that the capital when required to be paid off; at least that part of it which cannot be considered as any way benefiting the Lower Province, shall be paid by the sale of lands of the Upper Province. This capital

may not be required to be paid for a great many years, for when the interest on it is secured by the Union, the principal may be funded.

All therefore that can be allowed to the arguments of the Anti-Unionists is, that Lower Canada has to join her "sister" Province in paying the interest on that part of her debt which does not appear at first sight to interest the Lower Province. But when we take in review the great advantages which will accrue to the Lower Province by the Union, the assumption of this part of the interest on the part of Lower Canada, will weigh but as dust in the balance. The very circumstance mentioned above of the taxation that may be required for the completion of the Canal to Montreal, being equally borne by Upper Canada, will probably of itself be found an equivalent for the assumption of the interest of the whole debt.

The Upper Province, if the Union Bill had not passed, would have continued to take up to herself annually, her portion of the amount of duties, which this year is estimated by the Committee at £62,000, but by the Union this amount will go to increase the United Consolidated Fund. It is probable also the amount of the Casual and Territorial Revenue of the Upper Province will continue greatly to exceed that of the Lower, from the great emigration expected from the Old Country, which is another great pecuniary advantage gained by the Lower Province by the Union as this Casual and Territorial Revenue is given up to the

Consolidated Fund by the 54th clause of the Bill. I trust these circumstances and advantages will be allowed by the hitherto Anti-Unionists of French origin. In fact they cannot but suppose the British intelligent commercial population would support a measure which should really bring on themselves the burthens stated by the Anti-Unionists, unless they, the commercial population, were convinced, either of the erroneous foundation of these statements, or of their being amply compensated for by other advantages of this Union.

When we further consider the present state of the Agriculture of the Lower Province ; when we know that, whereas she formerly exported 300,000 bushels of wheat per annum, she now does not produce enough for her own consumption ; when besides this, we go on to consider that this Lower Province, (which had been in my opinion most unjustly dismembered from her most fertile regions by the separation of the Provinces, will now be restored to a share in the Government of that fertile country, to which she will have perhaps to look for the wheat bread she requires, we shall be much surprised if this re-Union will not be considered a just source of joy and gratitude.

The concessions in the Seigniories south of the St. Lawrence have, I believe, been all conceded away for many years past. Those to the northward are in general also occupied as far north as the climate is favourable for the production of wheat. The consequence is, even now, that num-

bers of the rising generation are annually resorting to the United States for employment or settlement.

As the country becomes more populous, this emigration must increase, and certainly requires the interference of a paternal government to remedy it. By the Union of the Provinces this can be affected. I have shewn in No. 1 of this work, p. 43, that "there are many thousands of acres of land back of the settlements in Upper Canada not granted by Government, and not so far north as the latitude of Montreal, which lands, on the application of the Canadian United Legislature to the British Government would probably be allowed to be conceded to the habitant farmers of Lower Canada. There its growing population might find a home in their own country. Such then are my impressions on the re-union on the Sister Province. I received my birth in Canada before the Province was dismembered, and it may perhaps be from that cause that I feel more strongly satisfied at its restoration to the finest portion of it.

We shall now give a few extracts from recent speeches of men of abilities on the subject of this Union. Mr. Merritt, of Upper Canada, in a speech to the electors of the United Parliament, says :

It will remove one of the greatest barriers to the internal improvement of both Provinces, viz. a divided Legislature. The United Parliament will be invested with greater power to protect our agricultural interests ; to favour commercial enterprise and develop the natural resources of the country. It will have power

to adopt a system of internal improvement, on a more extended scale ; to apply the revenue where it will most benefit the entire Province, without regard to local interest ; and to appropriate a certain quantity of land for the endowments of seminaries of learning, and the permanent and liberal support of common schools. It will have such power over our internal affairs, as to enable it to establish a judicious system of banking, and to encourage emigration, by providing employment in the construction of our great public works, which, by enabling emigrants to be useful to themselves, will at the same time, render them a source of wealth to the country. It will have at its command, without resorting to additional taxation, an abundant revenue, derived from a duty on imports, proceeds from lands, timber, tolls, and other internal resources. And last, though not least, the Union of the Province will have a direct tendency to destroy the odious distinctions, which have been attempted to be established upon a difference of origin, among the inhabitants ; and by conferring equal rights and privileges upon all, will render the people as happy and prosperous as those of any other portion of the continent of America.

The Union of the Provinces will place at the disposal of the United Legislature, for the government of one million of people, a revenue far exceeding that of any single state or colony in North America, with double the population. It will enable the Legislature to command any amount of capital required for the improvement of the country ; and, in connection with a sound constitutional government, holds out a prospect, the realization of which will exceed our most sanguine expectations.

Thus, although the anti-union prints have been continually wringing the changes in people's ears, "that every family would be enormously taxed by the Union," Mr. Merritt, who I believe is as well informed on the subject of the Finances of Canada as any man in it, asserts that "additional taxation will not be wanted, and that the United Legislature will *yet* have a revenue far exceeding that of any single State or Colony in North America with double the population of the United Provinces."

Mr. Rykert, also in his speech to the electors, says :

It appears from Mr. Rykert's address, to the electors of Lincoln, in Upper Canada, that, as a Member of the late House of Assembly of Upper Canada, he opposed the Union, as recommended last Session by the Governor General ; but he says :

I was not ignorant then, nor am I now, of the great advantages that would result to the commercial interests of Upper Canada, by the acquisition of a seaport, and the power of controlling our own imports and exports. It has long been apparent to me, as it must have been to every person of observation, that Upper Canada can make little permanent progress in agricultural and commercial prosperity, until we command a free outlet to the ocean, where we may create a revenue to enable us to develop the vast resources with which Providence has favoured this Province.

Hitherto we have been perfectly powerless ; all our enterprise frustrated ; our energies paralyzed, and the people of Upper Canada placed in the humiliating situation of tributaries to those of Lower Canada—the majority of whom have always been opposed to every description of public improvement and enterprise, and have evinced no community of feeling with the British population of either Province.

But, gentlemen, although I conscientiously opposed the re-union of the Canadas, upon the terms submitted, now that it has passed into a law, I conceive it to be my duty, and that of every good subject, to submit, and not interpose any unnecessary impediment or opposition to embarrass the administration ; but, on the contrary, to render every proper assistance to the Government, and avert, as far as in us lies, those unhappy results, of which many of us were apprehensive.

Having now, I trust, shewn that the Lower Province is interested in the prosperity of the Upper, and therefore interested also in helping her to get over her present financial difficulties, I proceed to consider another ground of objection to the Union, namely, the exclusive use of the English language in the Parliamentary Records, &c. And, first, I must clear up a very great mis-

understanding on this subject, which many labour under, and which, I have little doubt, has been industriously circulated among the French Canadian part of the population. This is that the French language is not to be used at all in the House Assembly.

The forty-first clause of the Act will clear up this point, for as not a word is there said to enforce the English language in the debates, we must conclude the Imperial Legislature never had such an intention, but has left the debates free to both languages. The members, therefore, who speak in French, can either have their speeches translated into written English, previous to their delivery, or interpreted at the time by an interpreter, who will no doubt be appointed by the House for that purpose. The clause on this subject will be seen in the Union Bill at the end of this work.

With respect to the journals, entries and written proceedings of the Legislature, and all other Parliamentary instruments, being to be in the English language, it was certainly to be expected that in a Legislature of an English Colony, more than one half of which Legislature will be British, that the preference should be given to the English language, especially as translations of these journals and instruments can be made and circulated.

Having now we believe fairly answered the arguments against the Union, and shewn the competence of the Upper Province to retrieve her financial difficulties independent of it, we now proceed

in our endeavours to shew, as said in page 29, that "Lower Canada will, in a few years, find that her Union with the Upper Province will prove a fruitful cause of advancement in her own agricultural, her commercial, and her general prosperity and welfare."

We state this, however, as our opinion, under the proviso that all parties take their seats in the Honorable United House of Assembly in that temper of heart and mind which the present state of the Province requires, to heal its wounds and to advance its future prosperity and welfare. The success and glory of their proceedings will probably depend on this point, that instead of wasting their own energies and the public time and money in pursuing discussions on abstract and theoretical questions on Government on which they will probably never agree, nor obtain the establishment of; if instead of commencing this fruitful source of collision, they should fortunately come to the House, with an enlightened conviction that the true and effective mode of serving their constituents and the Province, (and even their own individual interests,) will be to unite immediately in taking effective measures for advancing its Agriculture, its Commerce, its Navigation, and the public improvements required for these purposes.

We shall now give our opinion on the advance required to be brought to pass in these elements of public prosperity. And first on Agriculture. There can be no possible doubt, that the present

miserable state of Agriculture in the Lower Province, demands the most serious and immediate investigation of all its representatives. A Province, which in former years exported nigh 300,000 bushels of Wheat annually, has of late years, and is at present, actually unable to raise enough for its own consumption, and many of its farmers have abandoned the cultivation of it. I have stated in No. 1 of this work, my endeavors many years ago, to call the attention of the House of Assembly of the Lower Province, to this important subject; but, they were too much involved in their differences with the other branches of the Legislature to attend to it. I have hardly a doubt, in my own mind, that the generation of those destructive insects which have of late years appeared in this Province, has arisen from the wretched system of Agriculture which has been practised in it for nigh 250 years. In the Old Country the Lands are kept in good heart by alternate crops of wheat and other grain, succeeded by green crops, and they are I believe, generally limed once in seven years, and lime is a great destroyer of insects of all kinds. Here on the contrary, nothing of the kind is done, and thus bad weeds and bad vermin, are cherished in the soil. If it be said, that these insects have appeared in the States of America; I answer, that they have been probably generated there from the same cause as here; for I believe the practice of liming the land is almost equally rare there as in Canada.

I have in No. 1 of this work, published my plan for introducing the modern system of Agriculture among the French Agricultural population. This plan has received the approbation of Sir John Colborne's late Government of the Province, and it is my intention to present it if possible to the United House of Assembly, for their consideration ; having not a doubt it will so meet the interests of the Canadian Agriculturists, that it will receive their approbation and support.

The Agriculture of the Upper Province, though far more productive than that of the Lower, appears however at this moment to require no less the attention of the Legislature. And as this has lately been the subject of much discussion in the public prints we shall here enter into some examination of their opinions on it.

The Transcript of this city, on the subject of the importation into this Province, of American wheat for consumption in the Province, or for the purpose of being ground into flour, in the mills here for exportation, is decidedly in favor of the wheat being allowed to be imported duty free, and its argument in support, is that, in his opinion wheat can be raised as cheap in Canada as in the United States.

" But if," says the Editor, " it can be shewn to be impossible to raise wheat in Canada at as cheap a rate as in the United States, that would be a reason why the intelligent farmer should turn his attention to the cultivation of something else ; but it would by no means establish the policy of annihilating a profitable trade, and obliging us to eat dear bread, in order that the farmer may persevere

in a misapplication of the soil. We have no idea, however, that the growth of wheat is injudicious; quite the contrary. Canada has wanted nothing more decidedly than some staple article which should be the means of altering the character of her transactions with Great Britain, and from the breadth and quality of the soil we conceive that staple article should be, and will be wheat."

The Herald on the contrary maintains that the Home trade of a country, including its Agriculture, and the products thereof as articles of Commerce, is the first branch of Trade that its capital ought to be employed in, as that most generally beneficial, by giving most employment to the farmers and labourers of this Province.

The Editor would therefore protect these classes by laying a duty on all the wheat imported from the United States, including not only what is sold in the Provinces for their consumption, but also what is transhipped (in the form of flour manufactured in Canada,) to Great Britain. I have, however, learnt since the above opinions were published in the Herald, that the Editor is willing that a drawback should be allowed on exportation of this flour to Great Britain, and this idea is stated in the Herald of 27th March, of this year.

Now the general policy, and practice of England respecting foreign wheat and flour, is to lay a duty on them by a scale formed on the average prices of Home wheat in the English market. By this scale when the prices of wheat were very low in England, I have known the duty on foreign wheat to amount to near 32s. per quarter or 4s. a bushel; and to take the general average duty on

foreign wheat I should suppose it would amount to about 15s. sterling the quarter. American wheat ground into flour in Canada is exempted in England from the duty on foreign wheat, and it is considered as Canadian flour. Canadian wheat seldom pays more than 5s the quarter, and pays only 6d the quarter when British wheat is 67s or more the quarter, in price, and this may perhaps be called the average price in England. Flour pays in proportion to the duty on wheat.

The Americans could therefore afford to pay 10s. per quarter or 1s. 3d. per bushel duty in this Province, on this wheat, and still be on equal terms at least, with the importers of foreign wheat or flour into England. But if this duty were laid on their wheat here, they would probably grind it in their own mills and ship it thence to England, or they might send their wheat to some other of our North American Provinces, who would perhaps agree to lay no duty on it; by either means this Province would suffer the loss of a very valuable and growing branch of Manufacture, and Commerce.

The Corn Law Act of 15th July 1828, by the 4th clause enacts, "That no corn, grain, meal or flour shall be shipped from any port in any British possession out of Europe *as being the produce of any such possession*, until the owner or proprietor or shipper thereof shall have made and subscribed before the Collector or other chief officer of Customs, at the port of shipment a declaration in writ-

ing specifying the quality of each sort of such corn, grain, meal or flour, and that the same was the produce of some British possession out of Europe, to be named in such declaration ; nor until such owner or proprietor, or shipper, shall have obtained from the Collector or other chief officer of the Customs, at the said port a certificate under his signature, of the quantity of corn, grain, meal or flour, so declared to be shipped, &c. &c.”

By the 5th section of the Navigation Act, 3d and 4th William IV, Cap. 54, “ All Manufactures are to be deemed the produce of the country of which they are the Manufacture.” And it is on the authority and construction of this section of the Act, that the Custom House here, grants the certificates required for flour made from American wheat in Canada.

Now the shipment of flour ground here from American wheat, cannot, for many years to come, have the effect of much depressing the price of wheat in England. The quantity of wheat annually grown in England is about 17 *millions of quarters* of 8 bushels, making 136 *millions of bushels*. The quantity of flour ground from American wheat, and shipped from Canada last year, 1840, may amount to 400,000 barrels, equal to two million bushels wheat, which is only one sixty-eighth part of the wheat Market of England. As therefore the farmers of Canada cannot be hurt, by this quantity of American wheat being thus sent to England ; but as on the contrary the Province may lose a

very valuable, branch of Manufacture and of Trade, by imposing, a duty on this wheat, I conceive that American wheat when ground into flour here, and transhipped to Great Britain, should be allowed free of duty.

But as respects the sale of this flour in the Province for its own consumption, I am of a very different opinion.

In England the question of the Corn Laws, has during so many years, been the subject of public discussion, that there is no necessity for entering here, into it. Great agitation of this question, it is said, is again to take place there this session of Parliament. And, that a great modification of these laws may be effected by that Parliament, that the duties on Foreign Corn may be reduced, is probable ; but, that the Corn Laws should be entirely abrogated ; that an advantage, and a great one too, should not continue to be given to the Corn Growers and Agricultural labour of England, in its own market, is not I think, possible. The strength and great defence of England against the surrounding despotic powers lays chiefly in her Land owners, Yeomanry and Peasantry. These Agricultural classes form nigh one half of the population of the country : how are they to find employment if not in its Agriculture ? England can never compromise the interests of these classes, so as to alienate their attachment to their country, without imminent danger to her safety. r/3

Now this natural principle of protection to the

Agricultural Classes, exists much more forcibly in the Province of United Canada, than in England, for if there be just cause for it there, where only half the population belongs to Agriculture, that cause is just so much more imperative in Canada, where more than eight tenths of the population are employed in Agriculture and its concerns.

We have, in order to make as fair an estimate as we can, of the number employed and concerned in Agriculture enumerated the population of the different towns and principal villages in the two Canadas and although a great part of this population of the towns derive their chief support from work done for, or goods sold to the Farmers, we have allowed this entire population of the towns to go into the estimate of it, and we cannot make this population amount to more than 175,000, for those towns and villages and allowing 1050,000 for the population of the two Provinces, gives 875,000 as employed in Agriculture and its concerns.

The American Government has imposed a duty of 1s. 3d. Cy. per bushel on Canadian wheat imported into the United States. On the score of reciprocity thereof it is quite fair to impose an equal duty on American wheat imported into this Province for consumption in it.

Upper Canada has, in the last fifty years, acquired a population of nigh half a million of souls, and I do not believe that any part of the United States can furnish an instance of more rapid increase notwithstanding their advantages of canals,

rail roads, and commercial intercourse between their different states. The Agricultural population of Upper Canada are the great customers of our Importing Merchants. And if they are not protected in the markets of the Provinces, but are to be excluded from them, by overgluts of American wheat, (for without protection this will certainly happen,) they will, in course of time quit the Province.

These commercial motives, however, are by no means the only, nor the strongest arguments for duly protecting our Agricultural population. As I observed above, these classes constitute perhaps eight tenths of Canadian population, and it is the wisdom of an enlightened Legislature to attach them to the soil and to their country, that they may be ready and willing to defend it when attacked ; and I much suspect, that if thus duly protected by just Legislative enactments on this subject, we shall possess a much more efficient body of defenders in our Agriculturists, than we might find in the anticipated "towns and villages," (of a writer in one of the public papers,) that are promised us, by this New Transit Trade in American wheat.

But a very important question would have to be solved in respect of this Transit Trade of flour to Great Britain. It has this year amounted by the agreement of several writers to nigh £600,000. Is this trade carried on by American capital ? Is the flour American property, or is it the property of

our own Canadian Merchants? In the latter case we see no danger to our Agriculturists for the reasons given before, and therefore we are opposed to a duty on its transit through this Province. In the former case, namely, of its being American capital, though even then we would not molest this transit trade by a duty, still we feel convinced, from the present condition of these Provinces and their vicinity to the United States, that in this case of the capital employed being American, of so large, and probably increasing extent, it will be giving a dangerous influence in the Province to these American capitalists. It will in fact be constituting them, the Employers of a very large portion of our Manufacturers, Mechanics and Labourers; and if we add to all this foreign influence, the depression that is likely to ensue to our Agriculturists in the Canadas, by allowing their own markets for Home consumption to be glutted by this American wheat (for these Americans like other Merchants, will first supply this market, in preference to sending their property to a much more distant one), In this case I say, if this foreign influence is to be added to this depression of our Agriculturists, it is high time that Legislative interference should be employed in their protection, and in thereby securing their attachment to the Constitution of the Province and its relation the Parent State.

We are therefore decidedly of opinion that although the trade of American wheat, ground in the

Canadas should make its transit through them free of impost ; yet, that sufficient bonds and security should be taken that it shall not be sold in the Provinces, unless on paying a duty of 1s. 3d. per bushel.

I have indeed heard it said, that the collecting this duty would be attended with much difficulty. This I consider as an objection natural enough to be started by those interested in the trade. But I have not a doubt that in respect of the great bulk of the wheat imported, no difficulty whatever will ensue. Bonds can be taken on entry, the number of bushels of wheat in a barrel of flour is known, and the bonds will be cancelled on producing certificates and bills of lading of the flour shipped to Great Britain.

I have now to add on the subject of this foreign wheat, that I observe the petition of the House of Assembly of Upper Canada coincides with these ideas on the subject. If I recollect right, that petition prays for a duty of 1s. 3d. per bushel on American wheat to be consumed in the Province, and that bonds shall be given for transshipment of what is intended for exportation.

And being now on the subject of the Commerce and Navigation of the United Province, I have to observe, that there is another branch of the wheat trade in which I consider the Agriculturists of Canada will require protection from American wheat.

In the 2d number of the considerations on the

Canadas, chap 4th on the expediency of an application being made to the Home Government, on this branch of trade, we maintain the necessity and policy of the British Government securing to Great Britain and the N. A. Colonies the supply of these West India settlements when they are found competent to furnish the annual supplies required. The immense tract of country possessed by the Americans called the Valley of the Mississippi and the Far West, which it is said are very productive wheat countries and are rapidly settling, will render this protection of the Agriculturists of Canada incumbent on the British Government by some means or other, and the most natural and politic one appears to me, the securing to them the supply of our own markets, and West India settlements, on the terms stated in the above chapter. It is my intention to propose the plan for this purpose to the United House of Assembly for their consideration; and if the Honorable House determines to memorialize the Imperial Government on the subject, and the supply of these West India Islands be secured to the British North America Colonies, the advantage of the Union to Lower Canada will be great. She appears at present excluded in great part, by natural calamities attending her Agriculture, from growing wheat, and if these cannot be removed, even by the introduction generally, thro' the Province, (which I hope will soon take place,) of a better system of Agriculture, she will probably be under the necessity of turning her attention and

labour to grazing of cattle and raising porck, &c. When the canals are completed, should the above trade to the West India be obtained, the shipments of assorted cargoes of flour, bread, stuff and provisions of all kinds to those Islands will be greatly extended and of course Lower Canada will take her share therein. The result of the completion of the Cornwall Canal down to Montreal, (combined with our obtaining the trade of supply to our West India settlements advocated in the above named Chapter in the considerations on the Canadas,) would be a great increase of our Commerce and Navigation, and instead of our wheat being shipped to Great Britain as it has been some years past at a loss, we should be able (by grinding it into flour, and manufacturing it in part, into biscuit of various qualities,) probably to obtain a fair and saving market for it and other articles of provision, cattle, pork, &c. in these West India settlements.

Before quitting this subject of the defence of the Agriculturists of United Canada, I must strenuously insist on the necessity of their protection. This necessity is becoming, year after year, more imperative, as the great American tracts of wheat country to the westward become more peopled. Such advantages has that country, and so vast do I conceive, will in a few years be its overplus of wheat, that I believe it will have to be sold for whatever it will bring in this Province (if the present law is continued in it,) or elsewhere.

It is one thing, therefore, to consider this great

question of Agricultural protection, merely as a Commercial one ; to say for instance, that if the Americans can supply us cheaper than our own farmers, they ought to have the preference in the Canadian, and the markets of our West India settlements ; but it is quite *another thing*, when we consider this protection as relating to the further settlement, or needful to prevent the *gradual depopulation of the Province*.

The great mass of our population as I have above shewn, is Agricultural ; if the farmers of Canada cannot dispose of their surplus produce in their own or other markets, at least at a saving price, they will gradually quit the Province for a more favorable settlement ; for the exportation of wheat to Great Britain from this Province, is very frequently attended with loss. To our own provincial markets, and to that of our West India Colonies, when able to supply them on equal terms, we have a natural right, then, to look for a market for our surplus produce. The preservation of the settlement of the Province ; and for that end, its Agricultural protection, are indispensable duties of its Legislature. If we wish to maintain our present relation with Great Britain, we know well we must have a population, capable with her aid, of defending the Province against a populous neighbour. This consideration is entirely independent of, and paramount to, all Commercial considerations ; although it is probable, the true

interests of commerce, are greatly in support of this consideration.

I trust, as said in page 29, "that (by a just system of Legislation on this subject,) Lower Canada will in a few years find that her union with the Upper Province will prove a fruitful source of advancement in her Agriculture, her Commerce and her general prosperity and welfare." The public improvements, namely the Canals, &c. which I trust, will now be completed, will greatly tend to this advancement.

I would now solicit the calm and serious attention of the Anti-Unionists to the foregoing considerations in this address. They must surely perceive that the Legislature of Great Britain can have no other wish and intention than to advance the real welfare and prosperity of the North American Colonies. The interests of the parent state are one and the same with those of the colonies. Great Britain is now engaged in a very extensive and hard run competition in her Manufacturing industry with the nations of Europe. She must therefore cherish her colonies as growing markets for her Manufactories, and more especially as nurseries for her seamen. There is not a doubt therefore that the union of the Provinces, will form part of a system for developing their great resources and for rapidly increasing their population. The energetic plans now in operation for promoting emigration, is a proof of this.

It is to be hoped therefore, the members of the

Honorable United House will come together in a temper of mind adapted to promote these great ends of public prosperity ; that they will exhibit a patient reconciliation to privations which as colonies are not within our reach, and proceed with zeal and energy to avail themselves of those advantages which are so.

But, if unfortunately, and notwithstanding the great Agricultural and Commercial advantages as well as those of public improvements which the Union might certainly be made to confer on both Provinces, the opposers of this union continue their endeavors to overthrow it, or by any course of conduct to deprive the Provinces of this fair opportunity of establishing their permanent welfare; if, by these means the Union should be rendered nugatory and of no effect, and should be in consequence dissolved ; let the opposers of it, remember, that the Imperial Parliament finding their efforts fruitless to restore to the Lower Province a representative form of Government ; will probably find itself under the necessity of resorting to the ancient form under which this Province was governed in peace and security from 1759 to 1791, namely, by a Governor and Council. That this Council may be modified and liberally enlarged so as to meet the expectations of the intelligent and Commercial classes of the Province, is probable. But the Government and Parliament of Great Britain, if they shall have failed in this last effort to confer Representative Govern-

ment on the Province, will probably, not try the issue of another.

I now conclude this essay, on the Union of the Provinces. It is offered to the Canadian Public in the fervent hope that it may awaken their attention to the great stake that now stands before the Province; no less a stake, perhaps, than that of its permanent prosperity or its permanent adversity. I call on the representatives who shall on this, the greatest epoch that ever happened in the Canadas, have the honor of being deputed to the Honorable United House of Assembly, I call on them, to consider deeply the present crisis of their country and their own position in it; and I earnestly pray, that the Divine disposer of the fates of men, will elevate their minds above the baneful influence of party strife, and will endow them with that patient, intelligent and true patriotism which shall lead them to unite in securing to this United Province, the great and permanent advancement of its Agriculture, its Commerce, its public improvements, and thereby of its general and individual welfare and prosperity, which I verily believe this Union is capable of bestowing.

HENRY TAYLOR.

ENUMERATION OF THE CLAUSES OF THE ACT OF
UNION WITH THE MOST IMPORTANT AT FULL
LENGTH.

I. Whereas it is necessary that provision be made for the good Government of the Provinces of Upper Canada and Lower Canada, in such manner as may secure the rights and liberties, and promote the interests of all classes of her Majesty's subjects within the same : And whereas to this end it is expedient that the said Provinces be re-united and form one Province, for the purposes of Executive Government and Legislation : Be it therefore, enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, with the advice of her privy council, to declare, or to authorise the Governor General of the said Two Provinces of Upper and Lower Canada, to declare, by Proclamation, that the said Provinces, upon, from, and after a certain day in such Proclamation to be appointed, which day shall be within fifteen Calendar months next after the passing of this Act, shall form and be one Province, under the name of the Province of Canada, and thenceforth the said Provinces shall constitute and be one Province, under the name aforesaid, upon, from, and after the day so appointed aforesaid.

II. Repeal of Acts. 31 Geo. III. c. 31, 1 and 2 Vict. c. 9., 2 and 3, Vict. c. 63, 1 and 2 W. IV., c. 23, 14 G. III, c. 88.

III. And be it enacted, That from and after the Re-union of the said two Provinces there shall be within the Province of Canada, one Legislative Council and one Assembly, to be severally constituted and composed in the manner hereinafter prescribed, which shall be called “The Legislative Council and Assembly of Canada; and that, within the Province of Canada, Her Majesty shall have power, by and with the advice and consent of the said Legislative Council and Assembly, to make laws, for the peace, welfare, and good Government of the Province of Canada, such laws not being repugnant to this Act, or to such parts of the said Act passed in the Thirty-first year of the Reign of His said late Majesty as are not hereby repealed, or to any Act of Parliament made or to be made, and not hereby repealed, which does or shall, by express enactment or by necessary intendment, extend to the Province of Upper and Lower Canada, or to either of them, or to the Province of Canada; and that all such laws being passed by the said Legislative Council and Assembly, and assented to by Her Majesty, or assented to in Her Majesty’s name by the Governor of the Province of Canada, shall be valid and binding to all intents and purposes within the Province of Canada.

IV. Appointment and qualification of Legislative Councillors.

V. Tenure of Office of Councillor.

VI. Resignation of Legislative Councillor.

VII. Vacating seat by absence.

VIII. Trial of questions.

IX. Appointment of Speaker.

X. Quorum, division, casting vote.

XI. Convoking the Assembly.

XII. Representatives for each Province.

XIII. County of Halton, one member.

XIV. County of Northumberland, one member.

XV. County of Lincoln, one member.

XVI. Other County constituency of Upper Canada.

XVII. And be it enacted, That the City of Toronto shall be represented by two members, and the Towns of Kingston, Brockville, Hamilton, Cornwall, Niagara, London, and Bytown, shall each be represented by one member in the Legislative Assembly of the Province of Canada.

XVIII. And be it enacted, That every County which before and at the time of the passing of the said act of Parliament, intituled, "An Act to make temporary provision for the Government of Lower Canada," was entitled to be represented in the Assembly of the Province of Lower Canada, except the counties of Montmorency, Orleans, L'Assomption, La Chesnaye, L'Acadie, Laprairie, Dorchester, and Beauce, hereinafter mentioned,

shall be represented by one member in the Legislative Assembly of the Province of Canada.

XIX. And be it enacted, That the said counties of Montmorency and Orleans shall be united into and form one county, to be called the county of Montmorency ; and that the said counties of L'Assomption and La Chesnaye shall be united into and form one county, to be called Leinster ; and that the said counties of L'Acadie and Laprairie shall be united into and form one county, to be called the county of Huntingdon ; and that the counties of Dorchester and Beauce shall be united into and form one county, to be called the county of Dorchester ; and that each of the said counties of Montmorency, Leinster, Huntingdon, and Dorchester, shall be represented by one member in the Legislative Assembly of the Province of Canada.

XX. And be it enacted, that the Cities of Quebec and Montreal shall each be represented by two members, and the Town of Three Rivers and Sherbrooke shall each be represented by one member in the Legislative Assembly of the Province of Canada.

XXI. Boundaries of cities and towns to be settled by Governor.

XXII. Returning Officers.

XXIII. Term of Office of Returning Officer.

XXIV. Writs of Elections.

XXV. Time and place of holding Election.

XXVI. And be it enacted, That it shall be law-

ful for the Legislature of the Province of Canada, by any Act or Acts, to be hereinafter passed, to alter the divisions and extents of the several counties, ridings, cities and towns which shall be represented in the Legislative Assembly of the Province of Canada, and to establish new and other divisions of the same, and to alter the appointment of representatives to be chosen by the said counties, ridings, cities, and towns, respectively, and make a new and different appointment of the number of representatives to be chosen in and for those parts of the Province of Canada, which now constitute the said Provinces of Upper and Lower Canada, respectively, and in and for the several districts, counties, ridings, and towns in the same, and to alter and regulate the appointment of Returning Officers in and for the issuing and return of writs for the election of members to serve in the said Legislative Assembly, and the time and place of holding such elections: Provided always, that it shall not be lawful to present to the Governor of the Province of Canada, for Her Majesty's assent, any bill of the Legislative Council and Assembly of the said Province, by which the number of representatives in the Legislative Council and Assembly of the said Province, by which the number of representatives in the Legislative Assembly may be altered, unless the second and third reading of such bill in the Legislative Council and the Legislative Assembly, shall have been passed with the concurrence of two-thirds of the members, for

the time being, of the said Legislative Council, and two-thirds of the members, for the time being, of the said Legislative Assembly, respectively, and the assent of Her Majesty shall not be given to any such bill, unless addresses shall have been presented by the Legislative Council and the Legislative Assembly, respectively, to the Governor, stating that such bill has been so passed.

XXVII. The present Election Laws of the two Provinces to apply until altered.

XXVIII. Qualification of members and declaration of candidates for election.

XXIX. Persons making false declaration liable to the penalties of perjury.

XXX. Place and times of holding Parliament.

XXXI. And be it enacted, that there shall be a session of the Legislative Council and Assembly of the Province of Canada once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the Legislative Council and Assembly in one session and the first sitting of the Legislative Council and Assembly in the next session; and that every Legislative Assembly of the said Province hereafter to be summoned and chosen shall continue for four years from the day of the return of the writs for choosing the same, and no longer, subject nevertheless to be sooner prorogued or dissolved by the Governor of the said Province.

XXXII. And be it enacted, that the Legislative Council and Assembly of the Province of Canada

shall be called together for the first time at some period not later than six calendar months after the time at which the Provinces of Upper and Lower Canada shall become re-united as aforesaid.

XXXIII. Election of the Speaker.

XXXIV. Quorum, division, casting vote.

XXXV. And be it enacted, that no member, either of the Legislative Council or of the Legislative Assembly of the Province of Canada, shall be permitted to sit or vote therein until he shall have taken and subscribed the following oath before the Governor of the said Province, or before some person or persons authorized by such Governor to administer such oath :

“ I A. B. do sincerely promise and swear, that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province of Canada, dependent on and belonging to the said United Kingdom ; and that I will defend Her to the utmost of my power against all traitorous conspiracies and attempts whatever which shall be made against her person, crown, and dignity ; and that I will do my utmost endeavour to disclose and make known to Her Majesty, her heirs and successors, all treasons and traitorous conspiracies and attempts which I shall know to be against her or any of them ; and all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any person or

persons whatever to the 'contrary. So help me God."

XXXVI. Affirmation instead of oath, as by law established.

XXXVII. Giving or withholding assent to bills.

XXXVIII. Disallowance of bills assented to.

XXXIX. Assent to bills reserved.

XL. Authority of the Governor.

XLI. And be it enacted, that from and after the said Re-union of the said two Provinces, all writs, proclamations, instruments for summoning and calling together the Legislative Assembly of the Province of Canada, and for proroguing and dissolving the same, and all writs of summons and election, and all writs and public instruments whatsoever relating to the said Legislative Council and Legislative Assembly, or either of them, and all returns to such writs and instruments and all journals, entries, and written or printed proceedings, of what nature soever, of the said Legislative Council and Legislative Assembly, and of each of them respectively, and all written or printed proceeding and reports of committees of the said Legislative Council and Legislative Assembly respectively, shall be in the English language only : Provided always, that this enactment shall not be construed to prevent translated copies of any such documents being made, but no such copy shall be kept among the records of the Legislative Council or Legislative Assembly, or be deemed in any case to have the force of an original record.

XLII. Ecclesiastical and crown rights.

XLIII. Colonial Taxation.

XLIV. Courts of Appeal, Probate, Queen's Bench, and Chancery, in Upper Canada; and Court of Appeal in Lower Canada.

XLV. Powers to be exercised by Governor with the Executive Council, or alone.

XLVI. And be it enacted, that all laws, statutes and ordinances, which at the time of the Union of the Provinces of Upper Canada and Lower Canada shall be in force within the said Provinces or either of them, or any part of the said Provinces respectively, shall remain and continue to be of the same force, authority, and effect in those parts of the Province of Canada which now constitute the said Provinces respectively, as if this Act had not been made, and as if the said two Provinces had not been united as aforesaid, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the authority of this Act, be repealed or varied by any Act or Acts of the Legislature of the Province of Canada.

XLVII. Courts of Justice, Commissions, Officers, &c.

XLVIII. Provision respecting temporary Acts.

XLIX. Repeal of part of 3 G. 4 c. 119.

L. Revenues of the two Provinces to form a consolidated revenue fund of the Province of Canada.

LI. Consolidated revenue fund to be charged with expence of collection and management.

LII. £45,000 to be granted permanently out of the consolidated fund for the services in schedule A. and £30,000 for the life of Her Majesty and five years following, for those in schedule B.

LIII. How the appropriation of sums granted may be varied.

LIV. And be it enacted, that during the time for which the said several sums of forty-five thousand pounds and thirty thousand pounds are severally payable, the same shall be accepted and taken by Her Majesty by way of civil list, instead of all territorial and other revenues now at the disposal of the crown, arising in either of the said Provinces of Upper Canada and Lower Canada, or in the Province of Canada, and that three fifths of the net produce of the said territorial and other revenues now at the disposal of the crown within the Province of Canada, shall be paid over to the Account of the said consolidated revenue fund; and also during the life of Her Majesty, and for five years after the demise of Her Majesty, the remaining two fifths of the net produce of the said territorial and other revenues now at the disposal of the crown within the Province of Canada, shall be also paid over, in like manner, to the account of the said consolidated revenue fund.

LV. And be it enacted, that the consolidation of the duties and revenues of the said Province shall not be taken to affect the payment out of the said consolidated revenue fund of any sum or sums heretofore charged upon the rates and duties al-

ready raised, levied, and collected, or to be raised. levied, and collected, to and for the use of either of the said Provinces of Upper Canada or Lower Canada, or of the Province of Canada, for such time as shall have been appointed by the several Acts of the Legislature of the Province by which such charges were severally authorized.

LVI. And be it enacted, that the expences of the collection, management, and receipt of the said consolidated revenue fund shall form the first charge thereon ; and that the annual interest of the public debt of the Provinces of Upper and Lower Canada, or of either of them, at the time of the Re-union of the said Provinces, shall form the second charge thereon ; and that the payments to be made to the clergy of the united church of England and Ireland, and to clergy of the church of Scotland, and to ministers of other christian denominations, pursuant to any law or usage whereby such payments, before or at the time of passing this Act, were or are legally or usually paid out of the public or crown revenue of either of the Provinces of Upper and Lower Canada, shall form the third charge upon the said consolidated revenue fund ; and that the said sum of forty-five thousand pounds shall form the fourth charge thereon ; and that the said sum of thirty thousand pounds, so long as the same shall continue to be payable, shall form the fifth charge thereon ; and that the other charges upon the rates and duties levied within the said Province of Canada herein-

before reserved, shall form the sixth charge thereon, so long as such charges shall continue to be payable.

LVII. And be it enacted, that, subject to the several payments, hereby charged on the said consolidated revenue fund, the same shall be appropriated, by the Legislature of the Province of Canada, for the public service, in such manner as they shall think proper : Provided always that all bills for appropriating any part of the surplus of the said consolidated revenue fund, or for imposing any new tax or impost, shall originate in the Legislative Assembly of the said Province of Canada : Provided also that it shall not be lawful for the said Legislative Assembly to originate or pass any vote, resolution, or bill for the appropriation of any part or surplus of the said consolidated revenue fund, or of any other tax or impost, to any purpose which shall not have been first recommended by a message of the Governor to the said Legislative Assembly during the session in which such vote, resolution, or bill shall be passed.

LVIII. Townships to be constituted.

LIX. Powers of Governor to be exercised subject to instructions of Her Majesty.

LX. Magdalen Islands may be annexed to the Island of Prince Edward.

LXI. Interpretation clause.

LXII. Act may be altered this session.

Thus the Union is effected, and it suggests the reflection how long a time and how much perseverance is required for any salutary change in public affairs.

May it well repay the exertions of all who have accomplished it. For my own part, so deeply do I rejoice, so ardent are my hopes for its success, that it has excited in me some feeling of the poetic being the second time in my life, I have been excited to verse ; the first was on the passage past my dwelling in the harbour of Halifax, N. S , of the frigate Shannon, and her prize the American frigate Chesapeake, and I hope the reader will accept the following

ODE, ON THE GLORIOUS UNION, OF THE CANADAS,

OF 10th FEBRUARY, 1841.

1st.

Hail spirit of the true patriot soul !
Whose mighty force the fates of men control,
Awake thy energies on this bright day,
And point of wisdom's course the happy way ;
Spread o'er this Land, thy watchful spirit true,
That Canada no more its lot may rue.

2d.

Feign would the muse, a rapid glance direct,
On her past social state, and good effect,
On scenes where peace, content, and plenty reign'd,
By competence, from industry obtained ;
Then, all the races of this social spot,
Of various origins, ne'er made their lot,
(By jarring feuds, or rupture of the laws,)
A fertile source of wretchedness, the cause.

3d.

In those glad days, her towns and country too,
 Were to each other source of joys not few,
 For straight to markets sure the peasant went,
 And from the wealthy cit, as homeward bent,
 He counts his gains received, he gaily sang,
 Till to his arms his gladden'd offspring sprang.

4th.

And oft' the cit accompanied by the fair,
 Formed pleasant parties to beguile their care ;
 Forth to the humble peasants cot they drive,
 When Nature's summer joys were all alive ;
 There, gaily feasting, all the live long day,
 When evening came, they wend their homeward way.

5th.

But to these peaceful joys at length succeed,
 Fierce contests politic, the fruitful seed,
 Of future woe, nurs'd by th' impotent thought,
 Of power, to set the laws at naught ;
 Hence long had flow'd, strange discontent 'mong those
 Who had so many years enjoy'd repose ;
 A people, free from stern oppression's weight,
 Show the sad sight of an insurgent state,

6th.

Sight unaccountable, and caus'd alone
 By faith misplac'd in leading men of stone ;
 Long had the loyal sons of Britons true,
 Just cause these insurrections sad to rue ;
 But bravely yet, they stemm'd the storm ;
 Clad in bright arms, the firm batallions form,
 And to their country's banners rush, inspir'd
 With zeal and force, to guard the laws requir'd.

7th.

Their zeal, their force. and the brave British band,
Which Great Britannia gives, to guard our land,
Prevail ; and foul rebellion meets its due reward—
Long may the lesson serve that race to guard,
Who peaceful were, and would have been, till *this*,
Had not a foolish desp'rate gang, the bliss
Of thousands marr'd, and changed their course,
From industry's true joys, to lawless force.

8th.

Turn now the muse, from tales of by gone woe,
To look for future bliss, that soon shall flow,
From *Union's power* to raise this land
From misery's rude grasp. Lo ! Union's hand,
Outstretch'd. This day she offers free to all,
To give fair Freedom's boon, if to her call,
We well respond, nor spoil the proffered good,
By opposition's jars, and wayward mood ;
The nature of the times requires advance,
As is well proved by England and by France.

9th.

Yes, haply, if fair wisdom guide our way,
If, for Union (born to us this day,)
We cherish watchful care ; our Lands, our Trade,
Our Commerce, Navigation, shall be made
To rise in value high, our wants supply,
And give to honest labour fair employ,
But if by opposition marr'd
This Union fall ; then Canada a hard,
And luckless lot will rue, for soon she'll find,
Her constitution gone, and given to the wind.

THE END.

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