

ADDRESS TO HER MAJESTY ON THE SUBJECT OF THE UNION OF THE
PROVINCES OF UPPER AND LOWER CANADA.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg permission to approach your Majesty with renewed expression of our unwavering attachment to your Majesty's Royal person and government.

During the present session of your Provincial Parliament, a subject more important than any that has ever engaged the attention of the representatives of the people, has been brought under their consideration in pursuance of the commands of Your Majesty, by Your Majesty's Governor General of these Provinces, namely; the legislative Re-union of Upper and Lower Canada. In the Message of His Excellency to the two branches of the Legislature, they are informed that "after the most attentive and anxious consideration of the state of these Provinces, and of the difficulties under which they respectively labour, Your Majesty's advisers came to the conclusion that by their re-union alone could these difficulties be removed: that during the last session of the Imperial Legislature they refrained from pressing immediate legislation, but their hesitation proceeded from no doubt as to the principle of the measure, or its necessity; it arose solely from the desire to ascertain more fully the opinions of the legislature of Upper Canada, and to collect information from which the details might be rendered more satisfactory to the people of both Provinces."

The House of Assembly deeply feel this additional proof of your Majesty's solicitude for their happiness and prosperity; and it will ever be held by them in grateful remembrance.

In pursuance of the message referred to, the House of Assembly lost no time in taking into consideration the three distinct propositions submitted by Your Majesty's Governor General as the basis on which the Re-union might be established, namely: First—equal representation of each Province in the United Legislature—Secondly—the grant of a sufficient Civil List—and Thirdly—That the public debt of this Province be charged on the joint revenue of the United Province.

In the discussion of these propositions, it happened that some of the members of this House apprehending the greatest danger to our civil and political institutions, and even to our connexion with the parent state, were opposed to the Union on any terms, while of those who supported the measure, there were many who were not wholly free from apprehensions as to the result, and who regarded it a hazardous experiment, unless in addition to the terms submitted by the Governor General, certain details calculated to secure their institutions and their connexion with the Imperial Crown, should accompany their concurrence with the terms proposed. A majority however, gave their unconditional assent to the propositions above mentioned, in the fullest confidence, that Your Majesty, in calling the attention of the Imperial Parliament to the union, would at the same time recommend the adoption of every necessary safeguard to the maintenance of British interests and British supremacy. It is in this confidence that we now humbly submit to your Majesty's most gracious consideration the following propositions, which in the opinion of this House, are calculated to secure the great end, in expectation whereof the assent to the Union was given.

And first we respectfully entreat Your Majesty, that the use of the English language in all judicial and legislative records be forthwith introduced; and that at the end of a space of a given number of years, after the Union, all debates in the Legislature shall be in English. And as a matter of justice to Your Majesty's subjects in Upper Canada, we earnestly and confidently appeal to Your Majesty, to admit their right to have the seat of the Provincial Government established within this Province. It surely cannot be denied to the people of this Colony, that if favor is to be shown to either Upper or Lower Canada, their claim stands pre-eminent; independent of which, the moral and political advantages of the concession are too obvious and undeniable to admit of dispute.

It is with the most sincere satisfaction that this House has received from Your Majesty's representative the assurance that the bill introduced into the House of Commons during the last session of the Imperial Legislature, is not to be "considered as embodying the provisions which may hereafter be adopted by the Imperial Parliament." And, "that it is His Excellency's intention to recommend to Her Majesty's Government, in the new measure that must be introduced, to adhere as

much as possible to existing territorial divisions for electoral purposes, and to maintain the principle of the constitutional act of 1791, with regard to the tenure of seats in the Legislative Council."

We would further respectfully submit, the necessity of providing that the members of the Legislature should possess a stake in the country equal to that now required by the laws of this Province, that to the call of public duty, that of private interest may be added, as an inducement to wise and careful legislation; and for this purpose we trust that a sufficient qualification in real estate will be required from any person holding a seat in the Legislature.

We would also respectfully suggest to Your Majesty the paramount subject of emigration from the British Isles, which we consider the best calculated to render the United Province British in fact, as well as in name. No time, in our humble opinion, should be lost, in the establishment and vigorous prosecution of a well organized system of emigration, calculated to afford every possible facility to the settlement of that extensive domain, the proceeds of which have been proposed to be surrendered to the control of the Provincial Legislature, upon certain terms and conditions, which in Upper and Lower Canada is at present in right of the Crown, at Your Majesty's disposal.

We have no desire to interfere unnecessarily in questions of detail, which more immediately affect the sister Province; but we cannot omit respectfully soliciting Your Majesty's attention to the introduction of a system of municipal government into Lower Canada, in order to provide for local expenditure by local taxation, and under local management, on the same principles as have obtained in Upper Canada, where the system established by the Provincial Legislature, after repeated and careful revision, has in its operation proved highly satisfactory to the people.

We would, lastly, desire humbly to assure Your Majesty, that to the principles on which our constitution has been established, to the representative mode of government under a monarchy, and to a permanent connexion with the British Empire, and a dutiful allegiance to our Sovereign, the people of Upper Canada most faithfully and firmly adhere.

It is only from apprehensions of danger on these most important matters, that doubt or difficulty has been felt in assenting to the Union; and we therefore now humbly trust that Your Majesty, fully acquainted with our situation, will not confine Your Royal consideration to the claims that are referred to in this address, or in any other proceeding of this House, but that continuing to us that gracious and generous protection we have hitherto experienced from Your Majesty and the British nation, Your Majesty will add such further safeguards as in your wisdom may be thought necessary and desirable to protect your faithful subjects in the peaceful enjoyment of their laws and liberties, and to perpetuate their connexion with Your Majesty's Crown and Empire.

ALLAN N. MACNAB,
SPEAKER.

Commons House of Assembly,
Thirteenth day of January, 1840. }

Division on passing the Address.

Y E A S .

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burritt, Burwell, Caldwell, Dettlor, Elliott, Ferrie, Gamble, Gowan, Holham, Hunter, Jarvis, Lewis, Malloch, McLean, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson, Wickens*,---28.

N A Y S .

Messrs. *Chisholm of Glengarry, Cook, Duncombe, Manahan, McCargar, McDonell of Glengarry, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Parke, Shaver, Small, Thorburn, Woodruff*,—17.

Address passed by a majority of eleven.

5th Session 13th Parliament.

ADDRESS

*To Her Majesty, on the subject of the
Re-union of the Provinces of Upper
and Lower Canada.*

2000 COPIES.

*Ordered to be printed by the House of Assembly,
14th January, 1840.*

BRITISH COLONIST OFFICE: J. CLELAND, PRINTER.