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d Copper Collar, and
y Check.

The British Colonist.

"NEMO ME IMPUNE LACESSIT."

CITY OF TORONTO, THURSDAY, MARCH 15, 1838.

Office,
No. 44, King-st. E.

NUMBER 7

Provincial Parliament. HOUSE OF ASSEMBLY.

Reported by Mr. Fowles, for the British Colonist.
SATURDAY, February 24.

House in Committee of the whole
upon the Resolutions and Address re-
ported by the Select Committee on the
State of the Province.

Mr. Solicitor General rose for the
purpose of proposing a resolution in
amendment, and before moving its adop-
tion, he would take leave to offer a few
observations, indicating the views which
he entertained in reference to the im-
portant subject under consideration.
And first of all, he would suggest that
it would be proper for hon. members to
ask themselves why they were called
upon to act at all in the matter? If he
replied that the difficulties and em-
barrassments under which this Province
laboured, with regard to its commercial
affairs, require that some legislative pro-
vision should be made, then the next
consideration would be, whether an
union of the Provinces would be the
best mode of remedying the existing
evil. For his own part, he was not pre-
pared to say that a Legislative union
would under any circumstances be de-
sirable. How far it may be an object
with the Home Government, not having
in view the interests of Upper Canada
alone, but of all the North American
Colonies generally, that an union
should take place, was a different
consideration. As for Upper Canada
is concerned, it is essential to her safety
and welfare that British subjects
should be carefully preserved, but with
a view to our security on this point, he
did not think it necessary for that
House to take any proceedings, or even
to express an opinion upon the subject
of representation. The people of Lower
Canada must be considered; and it
is not for us to say that out of a House
of Assembly of the two United Provinces
consisting of one hundred members,
Upper Canada shall be entitled to send
seventy members. By resolving upon
any specific measure of this kind, he
believed they would defeat their object.
The Home Government will say, what
is the use of legislating upon the sug-
gestions of people who are determined
to disregard their own Province at the
expense of their neighbors? Are we
fully competent to give an opinion as to
which would be preferable, whether
the annexation of Montreal to this Pro-
vince, or an union? Are we prepared
to say that a general legislative union,
having a paramount legislature—a sort
of congressional legislature—will be a
beneficial measure? To set down specu-
latically what measure would be the
best to be adopted, would not, in his
opinion, be taking the best course for
accomplishing the end they had in view.
The establishment of British ascend-
ancy. It is better to leave it to the
Home Government to adopt such a
course as they may consider most advan-
tageous. Mr. Solicitor General then moved
his resolution.

Mr. Sherwood said, that if this resolu-
tion were adopted, he took it for granted
it would have the same effect as if
they had taken the report after it had
been adopted, and sent it home, accom-
panied by an address, and that is what
he thought ought to be done. The
House had adopted the Report, and that
Report, he believed, presents the ques-
tion as fairly and independently as it
could possibly be stated. It comprises
three propositions—that we should have
a congressional legislature, an union of
the provinces, or the annexation of Mon-
treal to this Province; and it is dis-
tinctly stated that we regard the latter
as most advisable; and he felt perfectly
satisfied that if the annexation took
place, without any other change being
effected, all that they wished on the
part of both Provinces, would be ob-
tained.

Mr. Merrill. We should not lose
sight of the main question. The ques-
tion for consideration is, whether there
shall be an union or no union. The
Report is, in my opinion, ambiguous.
I do not like the manner in which it is
expressed. The annexation of Montreal
it is well known, has long been a
project. I have been in favour
of that measure, for this reason, that
I feared we could not arrive at any ar-
rangement, in case an union be deter-
mined upon, by which British interests
I have a preponderance. But times
have changed, and we are now placed
in a very different position. We shall
be entitled to more attention from the
Home Government if an union should
be placed, and consequently an union
is more beneficial to Upper Can-
ada than the annexation of the Island
of Montreal. Hon. members seem to
think it would be an injustice in an-
nexing a portion of the territory of Low-
er Canada to this Province. He be-
lieved there would not be the slightest
injustice. We require an unrestrained
legislation on the sea, and what
injustice can be done to Lower
Canada by our getting Montreal, a still
greater benefit to the United Provinces
of British origin in Lower Canada,
if they ought to endeavour to do so. The
question of increase or diminution of

revenue seemed to weigh very much in
the minds of many hon. gentlemen, par-
ticularly the hon. gentleman from Hal-
dimit, who he was really persuaded,
had worked himself into the belief that
there was and ought to be the moving
cause in every thing that was done.
He (Mr. Sherwood) was fully convinced
that if Montreal were added to Upper
Canada, she would then possess every
advantage that could be desired without
any of the danger attendant upon an
union. Suppose an union be prayed
for, must not Great Britain say, "We
shall be compelled to hazard your in-
terest in order to try to put down the
rebellious projects of the Lower Cana-
dians." Would it not be better that the
legislature of this province should adopt
such a course of conduct as will lead to
the introduction of British laws and
British language into the Lower Pro-
vince? If a sea port could not be ob-
tained, and the commerce of the country
would be obstructed as it has been,
Mr. Richardson said he thought, how-
ever earnestly the acquisition of Mon-
treal might be desired by hon. members,
it would be very doubtful whether they
should succeed in obtaining it. The
only alternative would be to endeavor
to secure the accomplishment of an union
of the Provinces, and he was fully per-
suaded it would be the preferable course.
The annexation of Montreal had been
already applied for without effect, and
the more the subject was considered the
more convinced would hon. members
become that it is desirable now to enter-
tain the proposition for an union. If
the annexation were effected, he was
convinced it would materially retard the
advancement of the Colony. The Low-
er Canada possess the ability, and
unless their interests should be identified
with our own, they would, in his op-
inion, have the will to prejudice the in-
terests of this Province materially. A
legislative union would tend, if anything
could possibly do so, to harmonize and
allay those petty jealousies and local
animosities which cannot but exist un-
der the present circumstances, and it was
worthy of consideration that application
had been made by the British inhabitants
of Lower Canada, a respectable and in-
telligent class of the population, that
something should be done on their be-
half. It is not surprising that hon. gen-
tlemen who are residents of the metro-
polis and its neighborhood should advo-
cate the acquisition of Montreal in pre-
ference to an union of the Provinces.
This latter if carried into effect would
cause a removal of the seat of govern-
ment in all probability to the discomfit-
ure of those hon. gentlemen, whose
principles of action are that it is neces-
sary to retain, if possible, that which
they have in possession. But consid-
erations of this kind should not be per-
mitted to have weight with the House
of Assembly. They were bound to
adopt such measures as appeared to them
best calculated to promote the general
interests of the country. Unless an
union takes place he was fully assured
the day is not far distant when diffi-
culties greater than any that we have hith-
erto experienced will arise.

Mr. Cartwright said it appeared to
him that those hon. gentlemen who op-
posed each others resolutions did not,
after all differ so widely in their opinions
as might, at first, be imagined, and if
the discussion were calmly and properly
pursued, it would lead to a perfect and
satisfactory agreement of the adverse
parties, and he trusted it would result
in the adoption of such a measure as
would ensure and preserve to Upper
Canada the enjoyment of the greatest of
all benefits, that of possessing a well
regulated system of government and
laws. He would ask hon. gentlemen
to look at the position in which this
Province would have been placed had
the rebellion in Lower Canada been
successful. The very consideration of
the consequences which would have
resulted to Upper Canada, renders it
necessary that something should be done
in order to place us in such a position
that it can never at any future period
recur. Shut out as we are from the
ocean by a Colony, whose inhabitants
are hostile to every thing British, and
having in our front a nation whose gov-
ernment cannot restrain its subjects
from committing aggressions upon us.
What security then have we? does not
experience tell us that our neighbours
opposite only want the opportunity, not
the will, to make this country a theatre
of war and bloodshed. Now the ques-
tion whether we shall have a united
legislature, or the annexation of Mon-
treal he thought was a very important
one, and well worthy their attentive
consideration. There were strong ar-
guments which might be used in favor
of both propositions, but it appeared to
him that by the acquisition of the Island
of Montreal they would attain what was
most desired for this Province, namely,
a sea port, and without which we can-
not exist as a Colony of Great Britain.
The time has arrived when we should
reconsider the uncontrolled management
of our own commerce; but he feared the
British government would never consent

to give us Montreal, nor that the inhab-
itants of Montreal themselves would
consent to it. And after all, supposing
that we had Montreal, we should have
the French population against us. How-
ever, if we were to get Montreal, it
would not be long before we should
have an union, because Lower Canada
would be to a certain extent mutilated
and she would be constantly soliciting
to be received in connexion. It has
been admitted that the division which
took place between the Provinces in
1791 was an improper one. Lower
Canada had become completely a French
Province. The same feeling of animos-
ity and hostility existed between the
two Provinces as between France and
England. The focus of commerce is of
course, the sea ports, and consequently
British merchants settled themselves in
Montreal, whereas had Upper Canada
possessed a sea port they would have
preferred coming to reside among us
unquestionably. He trusted the ques-
tion would be fully and properly discus-
sed, and whatever conclusion they might
arrive at, he hoped it would be such as
would best forward the interests of their
constituents. Their first attention was
due to them, and when that duty was
discharged, they might look to the con-
dition of their British brethren. And if
after all they should arrive at the honest
conclusion that a legislative union were
best, let it be accomplished, but if the
interests of Upper Canada demand the
acquisition of a sea port rather, they
ought to take such steps as would be
most likely to secure it, though he great-
ly feared that the only way in which
they would obtain it would be by mak-
ing some important sacrifices.

Mr. Aikman said he had always been
favorable to the annexation of Montreal
to this Province. The time had now
arrived when something must be done,
and as there seemed little prospect of
succeeding in obtaining it, he thought
therefore that they ought to proceed to
advocate an union so that it might be
accomplished and he believed it would
in some degree answer the purposes
which they required.

Mr. Robinson said that when the ques-
tion was before the house in a former
year he had voted against it, because
he could not see the justice of robbing
Lower Canada of her richest and best
portion of territory; he was still adverse
to it, but he would nevertheless prefer
the discussion of the question of an union
to an union. He was of opinion that
the Lower Canadians still more
could do no good, it would only tend to
make the Lower Canadians still more
hostile towards us, when they find that
objects to do away with their language
and laws. They never could expect to
have an union legislature upon satisfac-
tory terms. They could never succeed
in establishing British preponderance.
The Priests in Lower Canada were ex-
erting themselves in opposition to the
very measure they were then consider-
ing. To say that we ever measure they
adopt the interests of Upper Canada
should alone be considered, was rather
too selfish a proceeding. The loyal
portion of the inhabitants of Lower Can-
ada deserved their attention and care.
But in adopting a measure of that kind
they should not take upon themselves
to point out how the representation should
be fixed, it should be left to the deter-
mination of the British government.

Mr. Bockus. The question has been
so fully discussed, that it is scarcely
necessary for me to detain the committee
with any observations upon it. An hon.
gentleman (Mr. Robinson) had stated
that he was opposed to the proposition
for an union, and not much in favor of
the annexation of Montreal. The ques-
tions were distinct and separate, and as
far as he was concerned he would have
little difficulty in deciding between them.
The division between the Provinces
was unquestionably an unwise division,
and it ought to be mended. It has been
some energetic steps were taken in the
matter the better.

Mr. Sherwood said he would vote in
favor of both propositions, and for this
reason—you cannot introduce British
laws and the English language into com-
mon use in that Province, you must give
them time to become familiarized to the
change, and in the meantime we should
have the possession of a Sea Port, and
early into effect the plan of an union.
It would be unwise to jeopardize the in-
terests and feelings of the Province by
an union too prematurely entered into.
The anti-British feelings existing in the
Lower Province must be gradually ex-
tinguished, and not by harshness or tyr-
anny.

Mr. Kearnes. The French Canadians
have disfranchised themselves by their
act of rebellion, and forfeited all claim
to consideration or respect from the British
Government.)
Mr. Sherwood hoped he was not to
be interrupted until he had concluded
all he had to say. (Oh certainly not.)
He was fully aware in what situation
the French Canadians had placed them-
selves, but he felt there would be a
principle of injustice in disfranchising a
large body of people, because they had

been deluded into acts of rebellion. He
was of opinion that their object might
be effected by obtaining a Sea Port, and
wards obtaining all that could be wished
for by Upper Canada. But to say you
will at once unite with them and render
yourselves subject to continual agitation
and turmoil, and all the evils arising
therefrom for six or seven years to come,
would be very prejudicial to the inter-
ests of this Province, and therefore
ought not to be resolved upon.

Mr. Bockus would not desire that the
Lower Canadians should be disfranchis-
ed, but he would be in favor of fixing
the qualification of voters, in order to
provide for a more British, and this is
a measure which could be easily carried
into effect without injury to either party.
He was not afraid of ill consequences
arising from an union; but as to an-
nexing Montreal, he was afraid of the
measure, leaving upon their eastern
boundary a colony of French Canadians
with all their prejudices. He believed
he was advocating the best interests of
Upper Canada when he declared him-
self in favor of the union.

Mr. Shaver. If the annexation of
Montreal will in part relieve us of the
evils we suffer, an union will remedy
the whole, therefore let us have an
union.
Mr. McKay said he thought he could
begin to discover a design to defeat the
measure altogether. There seems to be
prevailing influence about Toronto and
its vicinity which completely casts into
the shade all considerations of general
utility or liberal and enlightened policy
(hear, hear). The hon. gentleman
from Simcoe had said he was sorry the
question had been brought up at all, he
was against the annexation, and he was
against the union. The hon. gentleman
would refuse to listen to the petition of
the Constitutionalists of Lower Canada.
He will not allow that any thing shall
affect the interests of this Province, or
more properly of Toronto (hear, hear).
His own opinion was if no union were
effected, they would not enjoy the pros-
perity which was within their power.

Mr. Richardson said he had been but
a little amused at the opinions expressed
by some hon. gentlemen, that by the
annexation of Montreal to this Province
our brethren of British origin in Lower
Canada would have their expectations
realized. Had there ever been an
acknowledgement of a principle of that
kind on their part? On the contrary,
they had not seen in all the proceedings
of the Constitutional Society that they
are desirous of having the Provinces
united? The hon. member from Brock-
ville had said it would be doing an in-
justice to the people of Lower Canada,
that an union should be at once effected,
and that the people of the United States
would sympathize with them. They
had had experience of their sympathy,
they had seen in what manner and from
what motives it had been displayed.

The Hon. the Speaker said he had
watched with a good deal of attention
the progress of the discussion, and had
as yet taken no part, because there were
many hon. members who had given the
subject more attention than he had done
and he was desirous of hearing their
opinions. For his own part, he was
decidedly in favor of an union, (hear,
hear). He was of opinion the resolu-
tion before them, if adopted by the
House, would be as good as nothing at
all. They might ask for the annexation
of Montreal, but he was convinced they
would never obtain it. The only effect
it would have would be to throw the
question over for another year. He was
of opinion that the proposition most
likely to meet the approbation of the
Home Government would be that of
uniting the Provinces; and it should be
an object with that House to get as good
a bargain as they could. They might
as well do nothing as pass a resolution
in favor of the annexation. It was a
question which had long been agitated,
and they were no further advanced to-
wards its accomplishment than when it
was first introduced. With regard to the
mode of representation, and the intro-
duction of English laws in the English lan-
guage within the Lower Province, he did
not think that there was any necessity for
introducing those topics at present, they
might be as well considered hereafter.

The Attorney General said he regret-
ted exceedingly that any discussion
should have arisen at this period with
regard to an union of the Provinces. It
was a distinct proposition from that
which was before the committee, and he
believed it would be calculated to af-
fect their credit with the Home Gov-
ernment, by exhibiting a diversity of
opinion on the part of hon. members,
whereas they ought to be unanimous
upon any question in which they would
have the least chance of succeeding. If
adopted by a small majority, the effect
upon the Government at home would be
to convince them that a large proportion
of the Province was unfavorable to the
proposition, and it would lose its effect.
But if you give to the measure itself
those general considerations, and pro-

pose to the Home Government those
general views on which all can cordially
unite, you will obtain at least the favor-
able consideration of the matter. In any
point of view in which you can place
the subject, I think it would be disad-
vantageous to come to a decision upon
minute and particular points. You
should adopt general views (hear, hear).
He would oppose any resolution which
suggests any distinct measure. He
would not put in agitation the question
of an union, or even that we should ob-
tain Montreal, or that there should be a
general union of the Provinces. Every
one must have a preference for some fa-
vorite measure, but it would be improp-
er that petty discussions should now
arise respecting them. It is impossible
that Upper Canada can stand in the
situation she does at present, deprived
of a Sea Port, and the difficulty is how
we shall obtain it. The Report of the
Select Committee points out a variety
of modes, but he (Att'y General) could
not take upon himself to say which
would be preferable; but that Upper
Canada must have possession and control
of a Sea Port, is perfectly clear and
indisputable. For a proposition of this
kind, he would vote distinctly and un-
equivocally, and then he would leave the
rest to the Home Government. With
respect to the question of an union, he
agreed with the hon. gentleman from
Russell, that the claims which are set
forth by 100,000 of our fellow subjects
in Lower Canada demand our most at-
tentive consideration. He would be
willing to make large sacrifices on the
part of Upper Canada, in order to obtain
for the people of Lower Canada that
which they demand at our hands. He
would not be so selfish as to say we
must have everything arranged most
favorably for ourselves. He would ren-
der them assistance, though it cost us
some sacrifices. They never can be
benefitted by anything that we can do,
unless the Colonies are made British in
effect as well as in name. Now I will
tell you why I am disposed to prefer
an union of the Provinces to the annex-
ation of Montreal, it is this—if you have
Montreal only, you must then leave the
rest of the Province without a repre-
sentative form of government, or if you
allow them a representative form of gov-
ernment, you will subject our fellow
subjects residing in that Province to the
same evils they have so long had to en-
dure. He was sorry to hear hon. gen-
tlemen talk of the interests of Toronto.
He hoped no hon. gentleman would for
a moment allow his individual interests
to interfere with the duty which they
owe to the country. He hoped there
was sufficient patriotism residing in the
breast of every hon. member he was
now addressing to induce them, on oc-
casions like the present, to lose sight of
—to bury all local partialities and feel-
ings, and exert themselves to effect a
public benefit.

An Union was in his opinion, to be
preferred for the two reasons which he
had mentioned and he cared not where
the seat of Government should be
placed, provided it were within the lim-
its of Upper Canada, in fact it was a
point which he had not thought worth
his while to consider. He had stated
the principal reasons which had weight
with him on the question of the annex-
ation, and he believed they were very
formidable ones. If you take Montreal
from them the rest of the Province must
either be destitute of a representative
legislature, or else they must be sub-
jected to French preponderance. But if you
effect a legislative union, you will retain
the blessings of British institutions.
There was another objection to their
proceedings in the discussion of particu-
lar points connected with this subject,
they would hear it by and bye imputed
to them that they were legislating only
with a view to oppression that we may
concoct a scheme by which we shall be
able to bring the Lower Canadians into
a state of vassalage to the British party.
Our true object to avow is that these Col-
onies, so long as they are British Colonies
shall be governed according to British
laws and British institutions, and that the
English language should be made use of,
let the means by which this shall be
accomplished, be considered by the
Home Government. He would vote
against the resolution, not because he
was unfavorable to the proposition for
annexing Montreal to this Province,
but because he was firmly convinced
that they need only look for attention
from the Home Government, according
as they were disposed to lay down gen-
eral principles, and not insist upon par-
ticular suggestions.
Mr. Boulton said he had always ob-
served that when the subject of an union
had been discussed, those hon. gen-
tlemen who were favorable to the mea-
sure expressed their sentiments with a
great deal of warmth and zeal. He
(Mr. Boulton) would not object to an
union provided it could be obtained upon
proper grounds and he thought that
when the matter came before the British
Parliament they will be enabled to
come to a correct determination. It
would be recollected that they had ad-

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