

Chronicle & Gazette.

AND KINGSTON COMMERCIAL ADVERTISER.

NEC REGE, NEC POPULO, SED UTRIQUE.

KINGSTON, UPPER CANADA, WEDNESDAY, DECEMBER 16, 1835.

NO. 29.

Printed by James MacFarlane, at his Office, No. 12, Front Street, Kingston, Upper Canada.

Twenty Shillings per annum, if paid in advance. At the end of the year, Twenty-five Shillings.

EXCELLENT ENGLISH GUITAR
To be had of Wm. GUNNINGHAM, Kingston, Nov. 26, 1835. 44

Fresh Arrivals.
Just landed, by the Subscriber, from the ...
Wm. GUNNINGHAM, Kingston, Nov. 26, 1835. 44

Just Received,
...
Wm. WILSON, Kingston, Nov. 7, 1835. 88d w.

NEW GOODS.
...
E. C. BINLEY, Kingston, Nov. 1835. 40

FALL and WINTER GOODS,
...
E. C. BINLEY, Kingston, Nov. 1835. 40

FUR CAPS,
...
E. C. BINLEY, Kingston, Nov. 1835. 40

Thomas Wilson
...
E. C. BINLEY, Kingston, Nov. 1835. 40

FUR CAPS AND HATS,
...
E. C. BINLEY, Kingston, Nov. 1835. 40

JUST RECEIVED and for sale by the
...
E. C. BINLEY, Kingston, Nov. 1835. 40

PSALMS and HYMNS,
...
E. C. BINLEY, Kingston, Nov. 1835. 40

DIocese of Quebec;
...
E. C. BINLEY, Kingston, Nov. 1835. 40

NOTICE.
...
E. C. BINLEY, Kingston, Nov. 1835. 40

JUST RECEIVED,
...
E. C. BINLEY, Kingston, Nov. 1835. 40

LIST OF LETTERS
REMAINING in the Post Office at Nap-
...
ALLAN MACPHERSON, P. M.

LIST OF LETTERS
REMAINING in the Post Office at the
...
WILLIAM ROBERTSON, P. M.

WINTER GOODS.
...
J. D. BRUCE & Co.

JUST RECEIVED and for sale by the
...
E. C. BINLEY, Kingston, Nov. 1835. 40

ANNUAL REPORT of the GENERAL COMMITTEE of the MONTREAL CONSTITUTIONAL ASSOCIATION.

The termination of the period for which the Executive Committee of the Constitutional Association was appointed, imposes on the General Committee the duty of addressing themselves to the entire body of their fellow citizens who have rallied round the edifice of the Constitution.

The Committee, at their first meeting on the 28th January, proceeded to elect, by ballot, an Executive Committee, according to the Rules and Regulations of the Association; and have received from them the following detail of their proceedings:—

REPORT.
On taking communication of the proceedings since the formation of the Association in January last, the Executive Committee now report:—That at the general meeting, held at the Theatre on the 26th March last, the Chairman then reported to the Association the proceedings of that Committee up to that period, and it is therefore considered unnecessary here to repeat them.

Mr. Walker, the agent appointed at the General Meeting to proceed to England, with and in support of the petitions to the Imperial Parliament, was, without delay, furnished with copious documents, information and instruction, for his guidance on his mission, and early in April last took his departure for England. An early opportunity was afforded both to him and the agent from the Quebec Association, by the Colonial Secretary, to make known to His Majesty's Government, the object and importance of their mission; and Mr. Gillespie, chairman of the North American Colonial Association in London, was appointed by that body to unite with them in urging on the Government and Parliament, the claims and complaints of the inhabitants of Lower Canada, of British and Irish origin.

The determination of His Majesty's Government having then been signified to the Agents, of sending to Canada a Commission to inquire into and to report upon the complaints and grievances of the adverse parties, they, the agents, were informed that no legislative proceedings would be resorted to in the Imperial Parliament, in regard to Lower Canada, until that Commission had reported to His Majesty's Government; but that up to the period of the departure of the Commission from London, the Colonial Secretary would be willing to receive from the Agents any communications they chose to make on the subject of their claims and complaints of their constituents; and that the Commissioners would be specially instructed to investigate and receive testimony in regard to all these when in Canada.

On the 11th August last, a communication was addressed to Mr. Walker, signifying that the Commission saw no necessity for his remaining in England on behalf of the Association, after the rising of Parliament, and from recent intelligence they have reason to think that he may be daily expected.

The Commission already alluded to, it is well known, has now been in Canada about 3 months; and a letter has lately been addressed to the Secretary of the Commission, desiring to know when and in what manner the Commissioners will be disposed to receive testimony in support of the claims and complaints of this Association.

The following is a copy of the communication:—
MONTREAL, Nov. 24, 1835.
SIR,—I have the honor to enclose, and to beg you will lay before the Honorable Commissioners, whom His Majesty has been pleased to appoint for the purpose of investigating certain grievances complained of in Lower Canada, a copy of the petition of divers inhabitants of this Province, resident in the District of Montreal, which was transmitted to England by W. Walker, Esq., Agent of the Constitutional Association of Montreal, and presented to His Majesty and to the two Houses of the Imperial Parliament, during the past summer.

With reference to that Petition, and to certain Resolutions adopted by the Executive Committee of the Association, which were laid before His Majesty's Secretary of State for the Colonial Department (and of which I have the honor herewith to transmit a copy) I am directed by the Executive Committee to state, that the Association have been informed by their Agent, that at an interview with which Mr. Walker was honored by Lord Glenelg, on the 12th of June last, His Lordship was pleased to state, that all the points adverted to in the Resolutions of the Montreal Association would be embraced in the instructions to the Commissioners whom His Majesty had been pleased to appoint. Mr. Walker has further informed the Association, that at a subsequent interview with his Lordship, to which he was admitted on the 16th of June last, Lord Glenelg repeated the assurance previously given, that the various topics of complaint enumerated in these Resolutions should be noticed in the instructions to the Commissioners.

To this letter no reply has yet been received by the Association.
[The Secretary intimated, however, that the following had been received by this morning's post.]

QUEBEC, December 5, 1835.
SIR,—I have the honor to receive and lay before the Commissioners your letter, dated 24th of November, inquiring at what time and in what manner they will be prepared to investigate the complaints of the Petitioners addressed last year to His Majesty and both Houses of Parliament, by divers inhabitants of the District of Montreal; and I am directed to acquaint you in answer, that the Commissioners are at present engaged in consideration of the conditions which it may be proper to annex to the measure of giving up the Crown Reserves; and that, in connexion with that subject, they have also before them the question of the Independence of the Judges and the creation of the Court of Impeachment. If the Constitutional Association of Montreal wish to offer any information on these points, the Commissioners will be happy to see any person or persons whom they may depute for that purpose.

In order, however, to enable the Association to decide whether it be desirable for them to make such a deputation at present, or to await some future stage of the proceedings, I am desired to apprise you, that as soon as the Commissioners shall have dispatched their Report on the matters above adverted to, it is possible that their next enquiries will relate to any improvements which may seem practicable in the system of managing the Crown Lands, and disposing of the Wild Lands and Forests;—that from thence they will proceed to the Tenures of Land generally, and to the effect which the Seigniorial Tenure may produce upon the prosperity of the City of Montreal, as well as to the subjects of the Registry of Titles, and the future Incorporation of Land Companies. Finally, that the Constitution of the Executive and Legislative Councils, and the state of the Representation of the People, are questions which it will be necessary to approach. The scope of the Commission is not confined to the subjects which I have enumerated, although, under the instructions from His Majesty's Government, they considered to have the first claim to attention.

Having thus stated the course of inquiry contemplated by the Commissioners, I am to add, that during its progress, it is probable they will remove their sittings to Montreal; and as they propose to make their Report on the appropriation of the Crown Reserves before Christmas, I am to request that you will favor me with the earliest intimation you can conveniently afford, whether or not it is likely that any gentlemen from Montreal will wish to attend before that Communication be dispatched.

I have the honor to be, Sir,
Your obedient, humble servant,
THO. FRIDK. ELLIOT.
J. G. Scott, Esq., Montreal.

The Executive Committee have been very desirous of organizing Ward Committees throughout the City and Suburbs, the utility of which would be felt in the event of any emergency arising, requiring union and strength;—but they fear that their wishes have been but partially and imperfectly carried into effect; and this Committee cannot refrain from recommending the immediate and general adoption of a system of organization.

Petitioners respectfully and numerously signed by the inhabitants of Montreal, have recently been transmitted, through the medium of the Executive Committee, and presented to the Provincial Parliament.

First—For the establishment of Registry Offices throughout the Province.
Second—For the abolition of the Feudal Tenure throughout the Province.
Third—For the continuation of the improvement of the Harbor of Montreal.
Fourth—For the improvement of the Canal navigation in this Province, on a scale to correspond with that going forward in Upper Canada.

Measures have also been taken to procure an amendment of the Act for incorporating the City of Montreal.

The Executive Committee cannot refrain from bringing under the notice of the Association the infraction recently committed on the constitution of this Province, by the Executive branch thereof, in paying, without authority of law, and for purposes tending to the total subversion of that Constitution, a large sum of money out of the Public Treasury. If one infraction of the law could justify another, they do not see why the payment of the duties by which the Public Treasury is filled should not be withheld, to prevent the recurrence of such an act of public spoliation.

of mutual defence and support; and that a Committee of seven persons be now named to alter and amend the Rules and Regulations of this Association, with the view of carrying into effect so important an object, and to report thereon at the next general meeting.

Third—That a Committee of five be appointed to draw up a Report of the General Committee, to be laid before the Association, and that it be an instruction to the said Committee to point out such objects as it may consider of importance to bring under the consideration of the Association.

In conformity with the last clause of this Resolution, the Committee have prepared, and respectfully submit to the consideration of the Association, the following observations:—
The Association cannot too frequently place before the public the principles and demands of the population of British and Irish descent, and contrast them with the acts and the demands of the dominant party in the Assembly. Constitutionalists demand ameliorations in the law, and changes in the institutions of the country, beneficial in their immediate effects, and valuable, as elevating the condition of the French peasantry, and qualifying them for the exercise of the loftier duties of freemen.

The efforts of the French Canadian leaders, on the contrary, are limited to the preservation of their ancient institutions, and to a change in the Constitution which cannot reasonably be expected, so long as the existing form of Government of the British Empire shall be preserved.

The French leaders have obtained with the unreflecting, a character for liberality by their demand that the Legislative Council should be elected by the people, instead of being, as at present, appointed by the Crown;—and the opposition of Constitutionalists to this change, has given rise to much misapprehension of their principles.

Any expression of opinion in regard to the superior adaptation to the wants and interests of society of the republican form of Government, or that of a constitutional monarchy, is not required from the Committee. Both forms of government have their advocates; each can be sustained by powerful arguments derived from history and from reason. But the Committee believe that no educated man of unprejudiced mind, will hesitate to denounce the course pursued by the French Canadian leaders, who, under the specious guise of Reformers, ostensibly desirous of a Government more intimately connected with the will of the people, are really animated by zeal for the preservation of all those peculiarities which so unenviably distinguish this Province from all other inhabited portions of North America.

The most ardent admirers of self-government will admit, that the qualification of a people for investiture with that important privilege, is a solemn consideration; and the Committee feel convinced they shall have no difficulty in repelling the charge which the duplicity of the French Canadian leaders induces them to reiterate, that the Association is "factiously and unjustifiably" opposed to the introduction of the elective principle of Government in this Province. The Association numbers amid their ranks, many of the children of Republican America, who venerate the land of their birth, and are proud of her institutions.

Enrolled in the Association is a large body of individuals who have contemplated society and the institutions of government under a variety of forms, who, witnessing the effect of despotism to degrade, and of freedom to elevate and ennoble, willingly join in the declaration that the source of power is in the people. But, who compose the Association? Are they not mainly Scotchmen, Irishmen, Englishmen, Germans, and the descendants of those from the British Isles, who sought the enjoyment of civil and religious liberty in America? And needs there any declaration that a body so composed, deem an intelligent people unfit to exercise the privilege of self-government; and yet that charge has been made, and is reiterated by the leaders of the French party, who have the hardihood to proclaim themselves the exclusive champions of free institutions within this Province!

But whilst the Association record their conviction that the intelligence of a people is the guarantee for the proper use of the elective principle, they appeal to history, in particular to the progress of the Republics of South America; to the opinions of the most eminent and distinguished Republican writers, to bear them out in the assertion that, when a population is unlettered and unenlightened, to entrust them with the unrestricted use of political power would be in fact to retard the progress of rational freedom. To resist a state of things so repulsive to the feelings of freemen, the Association have banded themselves together,—they have caused their declarations to be made known to the British people,—they have received assurances from the Imperial Government that justice shall be impartially administered; and notwithstanding that recent circumstances have violently shaken their faith in the commissioned organs of the Ministry, they yet repose quietly in the confidence, that, though deprived by an adverse majority, glorying in their foreign origin, of that power and influence which they ought to exercise, their dearest privileges, and feelings, and interests, will not be committed to the keeping of a population, which, however moral and religious, are unfit to sustain their own just rights and interests, and are necessarily totally unqualified to be entrusted with the rights and interests of others. If, in the ordinary and varied relations

of private life, we should contemptuously refuse the proposition to submit our differences to the arbitration of men ignorant of the rudiments of education, what language can we employ sufficiently indicative of our feelings, when the demand is boldly made that to such men, shall be entrusted the management of our political liberties.

The right of suffrage, almost universal, has been conferred by the Constitution on the population of this Province, and although the Association do not desire this right to be curtailed, yet they appeal to the intelligence of all communities whether it would be proper and just to divest the Constitution of a check on popular violence and precipitation where, unhappily, ignorance and prejudice characterize the majority.

Although to those resident in this Province, and intimately acquainted with the condition of the rural population, it is supererogatory to adduce proofs of the deplorable ignorance of the French Canadian inhabitants, yet our fellow-countrymen in the other American Provinces, and in Great Britain and Ireland may deem that our assertion be substantiated.

The Committee disclaim all intention of charging upon the French Canadian population, a participation in the selfish acts of their leaders; and were it not that a disclosure of certain facts was necessary to a right understanding of the position of parties, they would willingly abstain from any allusion to their peculiar characteristics. The following quotation from an address to "Men of British and Irish descent," will convey, in precise terms, all that is necessary to be said on that subject.

"The want of education among the French majority, and their consequent inability to form a correct judgment of the acts of their political leaders have engendered most of our grievances. The extent of that ignorance may be collected from the facts, that within the last two years, in each of two Grand Juries of the Court of King's Bench for the district of Montreal, selected under a Provincial Law, from among the wealthiest inhabitants of the rural parishes, there was found but one person competent to write his name; and that trustees of schools are specially permitted, by statute, to affix their crosses to their school reports.

"The political information of that part of the Canadian population engaged in agricultural pursuits is therefore derived exclusively from the few educated individuals scattered among them, who speak the same language and who possess the means of directing public opinion, exempted from these salutary checks which education alone can bestow.

"The persons who wield this mighty power are, generally speaking, Seigniors, Lawyers, and Notaries of French extraction, all of whom as will be shown hereafter, have a direct and selfish interest in maintaining a system of Feudal Law, injurious to the country, and bearing with peculiar severity on British interests.

"Our endeavours to procure relief have been represented, as a covert attack upon the customs and institutions of the Province; national prejudices have been called into action, national feelings excited, and a majority, ignorant of the nature of the contest is now arrayed against a British minority.

"Throughout the Seigniories of Lower Canada, within the limits of which are comprised the Cities of Montreal and Quebec, upon the sale of real property the feudal lord exacts from the purchaser a fine equal to one twelfth part of the price; a claim which recurs with each successive sale; thus every person who clears, or otherwise improves a farm, erects a building, either in town or country, or invests capital in landed estate, bestows one-twelfth of his outlay on the Seignior, whenever the property is brought to sale.