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MINUTES OF THE BRITISH AMERICAN

LEAGUE CONVENTION.

1849.



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COMMISSION OF DELEGATES

REPORT OF THE COMMISSION

1849



MINUTES

OF THE

PROCEEDINGS

OF A

CONVENTION OF DELEGATES

OF THE

BRITISH AMERICAN LEAGUE,

HELD AT KINGSTON (CANADA WEST) ON THE 25TH, AND BY AD-  
JOURNMENT ON THE 26TH, 27TH, 28TH AND 31ST DAYS OF JULY 1849.

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**KINGSTON :**

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1849.

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# MINUTES, &c.

KINGSTON, WEDNESDAY, JULY 25, 1849.

The Convention met.

## PRESENT :

Aikman, Michael	Barton.	Forsyth, John R.	Kingston City.
Armstrong, Arthur	Lloydtown.	Fraser, R. D.	Edwardsburgh.
Appleby, Levi A.	Shannonville.	Fitzgibbon, J. Gerald	Hungerford.
Anderson, A.	Godmanchester.	Fraser, Alexander	Perth.
Burnham, Asa A.	Cobourg.	Ford, D. B. O.	Brockville.
Boyer, George	Newcastle.	Frizzell, Wellington	Tyendenaga.
Boswell, John C.	Cobourg.	French, B. Gordon	Osnaburgh.
Bethune, Donald	Toronto City.	Fidlar, Edward	Belleville.
Boucher, R. M.	Seymour.	Filleter, George	Thurlow.
Boggs, G. W.	St. Thomas.	Gugy, B. C. A.	Montreal.
Bowes, J. G.	Toronto City.	Gowan, Ogle R.	Elizabethtown:
Bradford, William G.	Oxford County.	Gapper, R. C.	Richmond Hill.
Breakenridge, J. B.	Kingston City.	Gamble, William	Etobicoke.
Brooke, William	Hatley.	Gamble, John W.	Vaughan.
Boynton, William	Reach.	Greene, James	Barnston.
Brookes, Charles	Lennoxville.	Greene, John	Kitley.
Bottom, William H.	Kemptville.	Greene, Edward	Leetis (rear).
Brouse, George	Matilda.	Glasford, Paul	Yonge (rear).
Bowman, William	St. Johns.	Hamilton, James	Flamboro & Beverly
Bogart, G. C.	Belleville.	Horton, Nicholas	Elizabethtown.
Benson, Charles O.	Rawdon.	Hunt, Lawrence H.	Talbot District.
Bockus, Charles	Yonge (front).	Holly, Joseph	Weston.
Brouse, Edward	Mountain.	Hamilton, A. C.	Grantham.
Carroll, Peter	Flamborough East.	Hatt, John O.	Hamilton.
Covernton, James	Charlotteville.	Hamilton, David	Escott.
Corbit, W. E. T.	Georgiana.	Herchimer, Chas. L.	Belleville.
Campbell, Francis	Chinguacousey.	Higgins, Thomas	Rawdon.
Crawford, George	Brockville.	Harris, J. G.	Trafalgar.
Crawford, John	Lansdowne (rear).	Hooper, A. F. G.	Camden.
Caverhill, John	Georgetown (south)	Hooker, Alfred	Augusta.
Corby, Henry	Belleville.	Hevey, Robert	Augusta.
Campbell, Alexander	Napanee.	Johns, Solomon	Marmora.
Clark, Samuel	Camden.	Johnston, Arthur	Wolford.
Chrysler, John P.	Williamsburgh.	Jones, Ormond	Crosby South.
Dixon, Thomas C.	London.	Kendrick, John	Lansdowne (rear).
Duggan, John	Scarborough.	Kelso, William H.	Rawdon.
Deedes, Edmund	Oxford County.	Lee, James	Erin.
Douglas, John	Oxford County.	Langton, John	Celborne District.
Deykes, Thomas	Kingston City.	Lougee, J.	Compton.
Dunne, J. H.	Quebec.	Leavitt, John G.	Bastard.
Ermatinger, Edward	London.	Lazier, Richard	Tyendenaga.
Esson, Robert	Napanee.	Leech, Robert	Crosby South.
Flanagan, John	Kingston township.	Moffatt, Hon. George	Montreal.

Montgomerie, H. E.	Montreal.	Parkin, William	Elmsley.
Mack, William Gordon	Montreal.	Peden, Robert	Kitley.
Miller, Daniel G.	Huron.	Peden, William	Beckwith.
McLean, John	Guelph.	Ruttan, H. Jones	Cobourg.
Morris, Alexander	Elizabethtown.	Rowlands, Samuel	Kingston township
Macdonald, Norman	Elizabethtown.	Reid, Robert	Belleville.
Merrigold, C.	Brantford.	Strachan, John	Huron.
Macdonald, Rolland	St. Catherines.	Stanton, James	St. Thomas.
MacKinnon, John	Carleton County.	Switzer, Benjamin	Streetsville.
Marr, Benjamin	Markham.	Scobie, Hugh	Toronto City.
Macdonell, Arch. J.	Kingston township	Smiley, Robert R.	Hamilton.
Macdonald, Hon. J. A.	Kingston City.	Sloan, D. G.	Melbourne.
McKay, W.	Nelson.	Slabback, James	Whitby.
McLean, Alexander	Cornwall.	Stacy, Henry	Matilda.
Mair, Thomas	Yonge (front).	Stuart, Andrew	Quebec.
McClellan, W. B.	Bastard.	Stevenson, D. B.	Hallowell.
Macdonald, W. S.	Gananoque.	Throop, R. H.	Newcastle.
Mulvagh, Henry	Kitley.	Thomson, Samuel	Burgess.
Macdonald, James	Laprairie.	Urquhart, John	Lancaster.
Murney, Edmund	Belleville.	VanKoughnett, P. M.	Toronto City.
Monro, George	Fingal.	Vansittart, John G.	Oxford County.
Macdonald, Hon. J.	Leeds (front).	Wetenhall, James S.	Glanford.
Macdonald, Alex.	Williamsburgh.	Walton, J. S.	Sherbrooke.
McGillis, John	Charlottenburgh.	Wilson, Thomas	Quebec.
Neil, Francis	York Mills.	Wilson, Hugh B.	Saltfleet.
Powell, William F.	Carleton County.	Wright, Frederick	Belleville.
Pope, J. H.	Eaton.	Wright, Arthur	Belleville.
Parsons, Edmund H.	Hinchinbrooke.	Young, John	Hamilton.

On motion of Mr Gowan, seconded by Mr Wilson, of Quebec, the Reverend James Green offered up prayer.

On motion of the Hon. John A. Macdonald, M.P., seconded by Mr Scobie of Toronto, the Hon. GEORGE MOFFATT was unanimously called to the Chair.

Mr Moffatt accepted the nomination, and made his grateful acknowledgments for the honor conferred.

On motion of the Hon. John A. Macdonald, seconded by Dr Hamilton of Flamborough, W. GORDON MACK of the city of Montreal, and WILLIAM BROOKE of Shipton, Esquires, were appointed joint Secretaries.

Mr Mack returned thanks for self and colleague, and in their joint names accepted of the office conferred.

On motion of Mr Montgomerie of the city of Montreal, seconded by Mr Gowan, the following Rules of Order were adopted:

I. That the Convention do meet at Ten o'clock each forenoon during its Session.

II. That Fifty Delegates do constitute a Quorum to proceed to business.

III. That upon the appearance of a Quorum, the Chairman shall take the Chair, and call the Convention to order; and should there not be a Quorum at the appointed hour, the Chairman shall be authorized to adjourn the meeting during pleasure.

IV. That immediately after the Chairman shall have taken the Chair, the meeting shall be opened by prayer, should a Clergyman be present, and the Minutes of the preceding day shall then be read by the Secretary, to the end that any mistake therein may be corrected by the Convention.

V. That the Chairman shall preserve order and decorum, and shall decide questions of Order, subject to an appeal to the Convention, to be decided without debate.

VI. That the Chairman may take part in any debate, or vote on any question; and shall also give a casting vote when the Convention is equally divided.

VII. That when the Chairman is called upon to explain a point of order or practice, he is to state the Rule applicable to the case, without argument or comment.

VIII. That every Delegate, previous to his speaking, shall rise from his seat uncovered, and address himself to the Chairman.

IX. That when two or more Delegates rise at once, the Chairman shall name the Delegate who is first to speak.

X. That every Delegate who shall be present when a question is put, shall be required to vote thereon.

XI. That when the Chairman is putting a question, no Delegate shall walk out of or across the house; nor when a Delegate is speaking shall any Delegate hold discourse to interrupt him, except to order, nor pass between him and the Chair.

XII. That a Delegate called to order shall sit down, unless permitted to explain; and the Convention, if appealed to, shall decide on the case, but without debate: if there be no appeal, the decision of the Chair shall be submitted to.

XIII. That no Delegate shall speak disrespectfully of the Queen or any of the Royal Family; nor shall he use any improper language against the proceedings of this Convention, or against particular Delegates; nor shall he speak beside the question in debate.

XIV. That each Delegate may, of right, require the question or motion in discussion to be read for his information, at any time of the debate, but not so as to interrupt a Delegate speaking.

XV. That no Delegate shall speak more than once on the same question, without leave of the Convention, except in explanation of a material part of his speech which may have been misconceived; but that he is not to introduce new matter.

XVI. That the Chairman may, at any time, desire the Convention

to be cleared of strangers, and may suspend any debate then in progress until the Convention be so cleared.

XVII. That a motion to adjourn shall always be in order.

XVIII. That no motion shall be debated or put, unless the same be in writing and seconded.

XIX. That after a motion is read by the Chairman, it shall be deemed to be in possession of the Convention; but may be withdrawn at any time before decision or amendment, with permission of the Convention.

XX. That when a question is under debate, no motion shall be received unless to amend it, or commit it, or to postpone it to a certain day, or for the previous question, or for adjournment.

XXI. That the Previous Question, until it is decided, shall preclude all amendment and debate of the main question; and shall be in the following words: "*Shall the main question be now put?*"

XXII. That all questions shall be put to the Convention in the order they are moved.

XXIII. That it shall be the duty of the Chairman, whenever he shall conceive that a motion which he has received and read, may be contrary to the Rules of the Convention, or the law of the land, to apprise the Convention thereof immediately, before the question on such motion is put, and to cite the Rule (if any) applicable to the case.

XXIV. That in all unprovided cases, resort shall be had to the Rules, Usages, and Forms of Parliament, which shall be followed, until this Convention shall think fit to make a Rule applicable to such unprovided cases.

On motion of Mr Gowan, seconded by Mr George Crawford of Brockville, a Committee of five members was appointed to draft a Constitution for the government of the League, consisting of Messrs Montgomerie, Gamble, James Hamilton, Forsyth, and Rolland Macdonald, with power to report.

On motion of Mr Montgomerie, seconded by Mr Throop, Messrs Thomas Wilson, J. R. Forsyth, H. Scobie, D. Hamilton, and James Macdonald, were appointed a standing Committee on Finance.

On motion of Mr Montgomerie, seconded by Mr Armstrong, it was Resolved, That when this Convention adjourns, it do adjourn to meet at 3 o'clock P.M. to-morrow, when the doors shall be thrown open to the public.

On motion of Mr Montgomerie, seconded by Mr Merrigold, it was Resolved, That the Convention do resolve itself into Committee of the Whole to-morrow morning upon the order of procedure.

On motion of Mr Rowlands, seconded by Mr Duggan, the Convention adjourned.

THURSDAY, 26th JULY.

The Convention met, and Prayers being read by the Rev. H. Brent, the minutes were read.

Mr Rolland Macdonald, from the Committee of the Whole on the Order of Procedure, reported that the Committee had made some progress, and asked leave to sit again. The Report was received, and leave granted accordingly.

The Convention then resolved itself into Committee of the Whole, and Mr Macdonald of Grantham was called to the chair.

After some time spent in Committee, the Convention resumed, and Mr Langton moved, seconded by Mr Aikman—

That Mr S. Thompson has been duly admitted to a seat in this Convention as a Delegate from the Township of Burgess. Carried.

The Chairman left the chair, and the Committee resumed.

The Committee rose, and the Convention having resumed, reported that in their opinion it was expedient to take up a proposition submitted by Mr Wilson of Quebec.

The Report was adopted.

Whereupon it was moved by Mr Wilson, seconded by Mr Gamble of Huron—

That it is essential to the interests and liberties of the people of Canada that the Legislative Council should be elected, and not appointed by the Crown.

Moved in amendment by Mr Ermatinger, seconded by Mr Rolland Macdonald—

That all the words after the word "That" in the original motion be struck out, and the following inserted: "The British American League is composed of a large portion of the inhabitants of Canada who have always been firm in their allegiance to the British Crown, and who still desire that Canada shall remain a dependency of the British empire. Devoted in their attachment to the principles of monarchical government, and revering the mixed forms of government established by the British Constitution, they only desire the enjoyment of the immunities and privileges for which that constitution provides when the government is fairly and honestly administered for the benefit of all classes of the community.

"The members of the British American League, although resident in a distant province of the empire, consider themselves entitled to protection in the enjoyment of their political, social and commercial rights, equally with their fellow-subjects in the British Isles. They seek no more; they will not be satisfied with less."

Half-past 7 o'clock P.M.

At a quarter before 7 o'clock the Convention was, on motion, adjourned till half-past 7.

The Chairman took the chair, and the business of the Convention was resumed.

Moved by Mr Montgomerie, seconded by Mr David Hamilton, That Mr John Green be admitted to a seat as a Delegate from the Branch of the League at Kitley. Carried.

The debate having been resumed on Mr Ermatinger's amendment, was, after some discussion, carried.

Moved by Mr Gowan, seconded by Mr Munro—

That the Resolutions submitted by Mr Gowan be the first order of business at to-morrow's session. Carried.

Moved by Mr Murney, seconded by Mr Fitzgibbon—

That our deliberations be with closed doors. Which on a division was negatived.

After which the Convention adjourned.

FRIDAY, 27th JULY.

The Convention of Delegates of the British American League having met this morning at ten o'clock, and the Chairman having taken his place, the minutes of the previous day were read and confirmed, prayers being first offered up by the Rev. J. Green.

The Committee appointed to draft a Constitution reported progress, and asked leave to sit again, which on motion was granted.

Mr Gowan moved, seconded by Mr Aikman, that it be Resolved—

That it is essential to the prosperity of the country that the Tariff should be so proportioned and levied as to afford just and adequate protection to the manufacturing and industrial classes of the country, and to secure to the agricultural population a home market with fair and remunerating prices for all descriptions of farm produce. Carried.

Moved by Mr Gamble, seconded by Mr Murney—

That this Convention do now adjourn until three o'clock. Which was carried, and the Convention adjourned accordingly.

3 o'clock P.M.

The Chairman having taken the chair, the business of the Convention was resumed.

Mr Gowan moved, seconded by Mr Brouse, that it be Resolved—

That the present expenditure of the civil government is disproportioned to the resources of the Province, and that great

economy and retrenchment may be safely introduced in the management of the public affairs of the country, without impairing the efficiency of the public service. Carried.

Mr Gowan moved, seconded by Mr Aikman, that it be Resolved—

That in the opinion of this Convention all the inhabitants of Canada have an equal right to the protection of good government, not merely in the suppression and punishment of disorder, but also in the guidance and direction of the public affairs of the country, both executive and legislative, and which guidance and direction should conduce to public quiet, which is the sure and only foundation upon which public prosperity can rest, and true fealty and allegiance to the crown, and to the institutions of the country, be maintained. Carried.

Mr Gowan moved, seconded by Mr Strachan, that it be Resolved—

That the guidance and direction of the public affairs of this country have not been such as to conduce to public quiet, public prosperity, or true fealty and allegiance to the crown and institutions of the Province, but that on the contrary, public feeling has been excited, and is now excited to a state unexampled in this country; the foundations of political, social and moral order are shaken to their centre; the Queen's representative, and the Executive of which he is the head, have been brought into contempt; the commercial, agricultural, and all the industrial and productive interests of the country have been paralyzed; and the connection between the colony and the Parent State placed in imminent peril. Carried.

Moved by Mr Gamble, seconded by Mr Gowan, That this Convention do now adjourn till half-past seven o'clock. Which was carried, and the Convention adjourned accordingly.

Half-past 7 o'clock P.M.

The Chairman having taken the chair, Mr Gowan moved, seconded by Mr Vankoughnett, that it be Resolved—

That as isolated and individual exertion would be utterly inadequate to cope with the evil tendencies of misgovernment, and the evil energies it has arrayed against public order and the public peace, and as these evils cannot be effectually counteracted without the active, bold and persevering co-operation of all good subjects, which co-operation to be effectual must be the result of a regular and systematic union of individuals, this Convention considers it expedient that the loyal and well-disposed part of the community, without reference to creed or country or political party, should form themselves into Associa-

within their respective cities, towns, townships, and other ties, for the purpose of general concert, and that the Select Committee appointed to draft a Constitution for this Convention be further instructed to prepare a Constitution and all other necessary forms for all such Associations. Carried.

Mr Gowan moved, seconded by Mr Wetenhall, that it be resolved—

That this Convention seizes the present opportunity of declaring its attachment to the crown, and the unfaltering desire of its members that the administration of the public affairs of the country may be such as to root more firmly in the hearts of the loyal inhabitants a settled purpose and desire to secure the long connection of the colony with the parent State; and that it is the firm and deliberate opinion of this Convention that the longer continuance of the Earl of Elgin as the representative of the crown in Canada cannot conduce to that attachment to the Sovereign, or that peace in the country, which is essential to the unity and integrity of the empire.

The motion was carried.

Mr [unclear] was then moved by Mr Vankoughnett, seconded by Mr [unclear], that it be Resolved—

That this Convention is of opinion that the Bill passed during the last Session for the payment of the Losses incurred in the late Rebellion of 1837-38, involves (notwithstanding the interpretation put upon it by the British Government) a principle so insulting to those who have at the risk of life and property maintained their loyalty to Great Britain—a principle subversive of all order and good government, that it must give the unqualified condemnation of all men, whatever may be their political opinions or party prejudices, who agree in opinion with this Convention that the effect of the Bill will be but to carry out the intention and objects of those who framed it, viz., to reward the treason of rebels out of the pockets of the loyalists. That though this Convention entertains the view above expressed, it has yet received with great satisfaction the declaration drawn forth from the British government, the appeal lately made to her Majesty, that the Bill referred would not receive her Majesty's sanction, could her Majesty understand that its effect would be to pay rebels, while at the same time this Convention regrets that her Majesty should have been advised to adopt so erroneous a construction. Carried.

Moved by Mr Langton, seconded by Mr Throop—

That the first question to-morrow morning shall be the Union of the British American Provinces. Carried.

On the motion of Mr Vansittart, seconded by Mr Montgomerie, the Convention then adjourned.

SATURDAY, 28th JULY.

The Convention of Delegates of the British American League having met this morning at ten o'clock, and the Chairman having taken his place, the minutes of the previous day were read and confirmed.

The Committee appointed to draft a Constitution made their Report, which was laid on the table, and it was

Moved by Mr Montgomerie, seconded by Dr Hamilton—

That the Report and accompanying draft of Constitution be taken into consideration immediately after the first order of the day. Which was carried.

Moved by Mr Rolland McDonald, seconded by Mr Parsons—

That this Convention is of opinion that the attempt recently made by the government in the Provincial Legislature to increase representation in the Parliament of Canada upon a partial and illiberal basis, and thus to give an undue preponderance and influence to one section or portion of the population for the purpose (at the expense of justice) either of rewarding that portion of the population for the indiscriminating support given by its representatives to the present government, or of consolidating the power of the government itself, and securing the domination of a party for party purposes, was a gross attack upon the spirit of the Constitution, and upon the rights of the inhabitants of this colony, more especially as upon that same portion of the population have been conferred, in another shape, increased electoral privileges, while at the same time the inhabitants of Upper Canada have had limited the elective franchise which for years they had enjoyed. Carried.

Moved by Mr Duggan, seconded by Mr Rolland Macdonald, that it be Resolved—

That in the opinion of this Convention an Union of all the British North American Provinces would most materially conduce to the prosperity of these colonies and to the integrity of the British empire.

Mr Willson of Saltfleet moved in amendment, seconded by Mr Carroll of Flamborough, to strike out all the words after "That" in the original motion, and insert—

"Most of the political evils under which the British North American colonies have labored are traceable either directly or indirectly to the absence of a proper and efficient system of colonial administration in England, and that the best method

of supplying this defect and of affording a constitutional means for the colonists to express their wants, and enforce their rights and interests, would be by Colonial Representation in the Imperial Parliament, whereby the British empire would become bound together under one great Federal Government, with England for its head."

After a short discussion, on motion of Mr Hatt, the Convention adjourned till 3 P.M.

At 3 o'clock P.M., the Chairman took the chair, and the business of the Convention resumed.

After some discussion, Mr Willson received permission to withdraw his amendment, and it was then moved in amendment by Mr Breakenridge, seconded by Mr Vansittart, to strike out all the words in the original motion after the word "That," and insert the following—

"The political grievances which at present afflict this Province, as well as the necessity which exists for extending commercial intercourse with our sister colonies, thereby creating a large home market for the consumption of agricultural products and domestic manufactures, and the importance of consolidating the interests and strength of the British population of North America, having given rise to the question of an Union of all the British North American Provinces, it is in the opinion of this Convention of the utmost importance that such a proposal, involving a scheme of immense magnitude, and pregnant with the most important consequences to the interests and destiny of these colonies, is deserving of the most careful and thorough investigation.

"That in order that this investigation may be efficiently made, this Convention do select ten of its members, four of whom shall be a quorum, with the request that they may meet in the city of Montreal at some such early day as may be agreed upon before the close of the navigation, such gentlemen from the Lower Provinces as may then and there assemble to deliberate upon and discuss the said proposal.

"That in order to procure the attendance of such gentlemen from the sister Provinces, the Secretary of this Convention forthwith transmit to a few of the prominent and influential individuals in each of such Provinces, a copy of this Resolution, at the same time inviting their immediate action thereon, in the election of Delegates to meet in Montreal, at the time and for the purpose intimated in a previous Resolution; and that the Committee of this Convention appointed for the conference be requested to prepare a Report upon the subject thus refer-

red to them, and to submit the same to this Convention, in order to its consideration.

Moved by Mr Wilson, seconded by Mr Gamble—

That the Convention do now adjourn to half-past seven o'clock, which was carried, and the Convention adjourned accordingly.

At half-past seven, the Chairman again took the Chair, and the business of the Convention was resumed.

After further discussion, Mr Duggan received permission to withdraw his motion, and Mr Breakenridge's amendment being put as the original motion, was unanimously adopted.

The Convention then proceeded on motion to appoint the Delegates above provided for, which resulted in the election of the Hon. George Moffatt, Montreal; J. W. Gamble, Esq., Vaughan; O. R. Gowan, Esq., Brockville; J. B. Breakenridge, Esq., Kingston; P. M. Vankoughnett, Esq., Toronto; H. E. Montgomerie, Esq., Montreal; Rolland Macdonald, Esq., St. Catherines; G. Crawford, Esq., Brockville; Andrew Stuart, Esq., Quebec; John Young, Esq., Hamilton.

Moved by Mr Montgomerie, seconded by Mr Deedes—

That the consideration of the Report of the Committee on the Constitution be postponed till Monday morning, to be then the first order of business. Carried.

Moved by Mr Gowan, seconded by Mr Breakenridge, that it be Resolved—

That the Resolutions adopted by this Convention, be referred to a Select Committee to draft and report an Address or Addresses to the Inhabitants of this Province, formed thereon, and that the said Committee consist of Messieurs J. W. Gamble of Vaughan; Charles Bockus of Montreal; George Crawford of Brockville; Thomas Wilson of Quebec; W. S. Macdonald of Gananoque; Hugh Scobie of Toronto; H. E. Montgomerie of Montreal; J. S. Walton of Sherbrooke; Rolland Macdonald of St. Catherines; John O. Hatt of Hamilton; Hon. J. A. Macdonald of Kingston; Messrs Paul Glassford of Brockville; Francis Neil of Yonge-Street; P. M. Vankoughnett of Toronto; the Rev. James Green of Barnston; Messrs Hugh Willson of Saltfleet; Edmund Murney of Belleville; D. B. O. Ford of Brockville; R. R. Smiley of Hamilton; Alexander McLean of Cornwall; Robert Henry of Maitland; George Brouse of Matilda; Edward Ermatinger of St. Thomas; W. F. Powell of Bytown; J. G. Vansittart of Woodstock; Alexander Fraser of Perth; John Langton of Peterborough; Asa A. Burnham of Cobourg; Alfred Hooker of Prescott; Edmund Deedes of

Woodstock ; John R. Forsyth of Kingston ; David B. Stevenson of Prince Edward ; John Duggan of Scarborough ; John Strachan of Huron ; C. Dixon of London ; A. C. Hamilton of Niagara ; and the mover.

Moved by Mr Gowan, seconded by Mr Wilson, That the Convention do now adjourn until Monday morning at ten o'clock. And the Convention adjourned accordingly.

MONDAY, 30th JULY.

The Convention having met again this morning, pursuant to adjournment, the Chairman took the chair.

After Prayers had been offered up by the Rev. H. Brent, the Secretary read the minutes of the proceedings of the Convention of the previous day, which were confirmed.

It was moved by Mr Parsons, seconded by Mr Rolland Macdonald, that it be Resolved—

That the Governor-General, in appointing to the Legislative Council twelve new members within a few months, to enable the Administration to carry out measures the principle of which had not been previously affirmed by the Assembly, nor petitioned for, nor even canvassed by the people, has departed from constitutional usage, and created a precedent which has disturbed, and would, if persisted in, totally destroy the utility of the upper House, by taking away from that body its power to operate as a check upon the popular branch, and making it the mere tool and mouth-piece of the party in power.

That, in the opinion of this Convention, the conduct of her Majesty's Secretary for the Colonies, in transmitting to the Governor-General blank mandamuses for Legislative Councilors, to be filled up in this colony at the suggestion of the ministry of the day, is open to grave censure, inasmuch as it has rendered that portion of our Constitution which declares that such appointments shall be made by the Sovereign of none effect, and has entailed upon this colony a violation of its Constitution, which, had it attacked that of the Imperial Government, would have rendered the guilty party subject to the pains and penalties of a successful impeachment ; and that this Convention solemnly protests against these acts as totally subversive of the political rights of the people, and as calculated to diminish that loyalty to the crown and that respect for the authority of the Imperial Government which they desire to see descend undiminished to their children, and to be the distinctive marks of this colony throughout all time. Carried.

Moved by Mr Langton, seconded by Mr Hamilton—

That in the opinion of this Convention, the unequal pressure of local taxation in Upper Canada is a source of general and just discontent, and that an entire revision of the present Assessment Law is essential for carrying out those local improvements upon which the prosperity of the country mainly depends.

Moved in amendment by Mr Scobie, seconded by Mr Hatt—

That all the words after "That" in the original motion be struck out and the following inserted:—"While this Convention readily admits that the Assessment Laws in force in Upper Canada are susceptible of improvement, and should be so amended as to adapt them to the condition and circumstances of the inhabitants of that part of the Province, they are constrained to give expression to their decided opposition to the measure introduced into Parliament of an inquisitorial nature, by which it is proposed to render liable to assessment all household furniture, moneys, goods, chattels, debts due from solvent debtors, whether on account, contract, note, bond, or mortgage, public stocks or debentures, and stocks in moneyed corporations, whether such stock or debentures be or be not Canadian, also such portion of the capital of incorporated companies as shall not be invested in real estate, with the accompanying machinery, by means of which it is proposed to ascertain the amount of such personal property, prying into the condition of every man's affairs." Which amendment was carried.

Moved by Mr Macdonald of St. Catherines, seconded by Mr McDonnell of Williamsburg—

That it be Resolved, that a vote of thanks be given by this Convention to the Mayor and City Council of the city of Kingston for the use of the Hall so kindly afforded by them for the sittings of the Convention, and that the Secretary do transmit the same to the Mayor. Carried.

Moved by Mr Gamble of Vaughan, seconded by Mr Duggan,

That the Convention do now adjourn till 3 o'clock P.M.

And the Convention adjourned accordingly.

At 3 P.M., pursuant to adjournment, the Chairman took the chair, and the business of the Convention was resumed.

Mr Macdonald of St. Catherines, proposed that the Constitution, as drafted by the committee for that purpose appointed, should be read and considered, article by article, which was done.

The Report, as amended, was as follows:—

## CONSTITUTION.

1st. The name of this Association shall be "The British American League."

2d. Its object shall be to promote, by every constitutional means, the social, political, manufacturing, commercial and agricultural welfare of the country.

3d. The Association shall consist of a Central Society, with District or County and Branch Societies.

4th. Any Society formed in any locality in support of the objects of the Association, and consisting of one hundred or more members, shall be considered a Branch Society.

5th. In any District or County containing four or more Branch Societies, a District or County Society may be formed, to consist of the representatives of the Branch Societies therein, appointed in accordance with the succeeding Rule.

6th. Branch Societies shall be entitled to send to the District or County Society one representative for each fifty members.

7th. The Central Society shall be located at the Seat of Government, and shall consist of its Office-bearers, and of the Presidents and Vice-Presidents of each District or County Society. Seven members to form a quorum.

8th. The Office-bearers of the Central Society shall be a President, six Vice-Presidents, a Corresponding Secretary, a Recording Secretary, a Treasurer, and an Executive Committee of ten members, to be appointed in the first instance by the Convention, and thereafter by the members of such Central Society, on the first Wednesday in July in each year, with the power of filling up all vacancies that may occur in the interval.

9th. The Central Society shall be authorized to frame for their own government such by-laws in accordance with this Constitution as they may consider necessary, and shall have power to collect from each District or County Society such equitable assessment as may be necessary to defray expenses.

10th. This Constitution shall not be altered or amended, except at the Annual meeting of the Central Society, or at any general meeting of the League.

Moved by Mr Duggan, seconded by Mr Bethune—

That the Report, as amended by the Committee, be adopted as the Constitution of the League. Carried.

The Report of the Committee on the Constitution, to whom was referred the subject of Constitutions for the Branch Societies of the League, was received and read, and it was

Moved by Mr Duggan, seconded by Mr Throop—

That the Central Association be authorized to prepare and issue forms of Constitutions for District and County or Branch Societies respectively.

Moved by Mr Willson of Saltfleet, seconded by the Hon. J. A. Macdonald, that it be Resolved—

That the question of representation in the Imperial Parliament be referred to the Committee already appointed to consider the propriety of a Federal Union of the British North American Provinces, to report thereon. Carried.

Mr Vankoughnett moved, seconded by Mr Gamble—

That the following gentlemen be added to the Committee already appointed to consider the question of an Union of the British North American Provinces, viz: Messrs Willson of Saltfleet; Wilson of Quebec; Vansittart of Woodstock; Duggan of Toronto; Dixon of London; Walton of Sherbrooke. Which was carried.

Moved by Mr Wetenhall, seconded by Mr Ruttan, that it be Resolved—

That this Convention should not terminate its proceedings without sending an Address to her most gracious Majesty expressive of their loyalty and attachment, and embodying therein the substance of the Resolutions already passed by this Convention on the present and late aspect of the affairs of this Province, and that Colonel Gogy, Edward Ermatinger, Thomas Dixon, P. M. Vankoughnett, Esquires, and the Hon. J. A. Macdonald of Kingston, be a Committee to draft the same.

Mr Vankoughnett, seconded by Mr Forsyth, moved an amendment, which was withdrawn after some discussion, when Colonel Gogy moved the previous question, which was carried on a division.

The Convention was then on motion adjourned for half an hour.

At 6 o'clock P.M., the Chairman took the chair, and the Convention proceeded to the election of Officers of the Central Society for the ensuing year, under the 8th article of the Constitution, which resulted in the selection of the following gentlemen:—

**PRESIDENT:**

The Hon. GEORGE MOFFATT of Montreal.

**SIX VICE-PRESIDENTS:**

1. The Hon. WILLIAM ALLAN of Toronto.
2. JOHN YOUNG of Hamilton, Esquire.
3. J. R. FORSYTH of Kingston, Esquire.

4. THOMAS WILSON of Quebec, Esquire.
5. Colonel PRINCE of Sandwich.
6. The Hon. WILLIAM MORRIS of Montreal.

## SECRETARIES :

WILLIAM GORDON MACK of Montreal, Esq., Corresponding Secretary.  
 HELDER ISAACSON of Montreal, Esquire, Recording Secretary.

## TREASURER :

H. E. MONTGOMERIE of Montreal, Esquire.

On motion of Mr Vankoughnett, seconded by Mr Vansittart, the Hon. J. A. Macdonald of Kingston, Mr Wilson of Quebec, and Mr Gowan of Brockville, were appointed a Committee to recommend to the Convention the names of ten gentlemen who should form the Executive Committee of the Central Society.

Moved by Mr Duggan, seconded by Mr Brouse—

That during the further sittings of this session of the Convention, twenty members do form a quorum, the business of the session, with the exception of the adoption of the Address and some merely routine matters, being finished. Carried.

The Committee appointed to select ten gentlemen for the Executive Committee of the Central Society, made their Report, and named

Ogle R. Gowan of Brockville, Esquire,  
 J. W. Gamble of Vaughan, Esquire,  
 John McGillis of Glengarry, Esquire,  
 Daniel Gorrie of Montreal, Esquire,  
 David G. Sloan of Melbourne, Esquire,  
 George Duggan of Toronto, Esquire,  
 J. G. Vansittart of Woodstock, Esquire,  
 John Langton of Peterborough, Esquire,  
 William Stewart of Bytown, Esquire,  
 R. Harvey of Maitland, Esquire.

On motion of Mr Macdonald of St. Catherines, seconded by Mr Parsons, the Report was adopted.

Moved by Mr Macdonald of St. Catherines, seconded by Mr Deedes—

That the Committee on the Address be discharged, and that Messrs Gowan, Breckenridge, Gagy, Scobie, and Gamble of Vaughan, be a Committee to report an Address. Carried.

Moved by the Hon. J. A. Macdonald, seconded by Mr Parsons—

That this Convention desires to convey to those members of the Houses of Lords and Commons who so ably and effectively came forward to advocate the cause of the loyal people of this Colony during the late discussions in the Imperial Legislature,

the grateful sense which it entertains of their conduct, and to assure them that their generous and manly interference in our behalf has done much to allay the irritation naturally existing amongst us, and to convince us that we may confidently trust to the kindly feeling and the justice of the people of England, whenever our wrongs are properly laid before them. Carried.

Moved by Colonel Gogy, seconded by Mr Scobie—

That the exertions of Sir Allan McNab and the Hon. William Cayley on behalf of their suffering countrymen are gratefully appreciated by this Convention.

Moved by the Hon. J. A. Macdonald of Kingston, seconded by Mr Gowan, that it be Resolved—

That a Special Committee be now appointed, with instructions to prepare and to publish in pamphlet form a correct report of the Delegates present, the branches they respectively represent, and the proceedings adopted at this Convention, and that the said committee consist of Messrs Rowlands, Archibald John Macdonell, J. R. Forsyth, J. B. Breakenridge, and Ogle R. Gowan. Carried.

Moved by the Hon. J. A. Macdonald of Kingston, seconded by Mr Flanigan, that it be Resolved—

That when the Convention adjourns, it shall stand adjourned (unless otherwise ordered by the Central Committee) until the first day of the meeting of the Provincial Legislature, and that the proclamation convening the Legislature for the despatch of business shall be held to be a summons for the Convention at the same time and place. Carried.

Moved by Colonel Gogy, seconded by Mr Gamble—

That the Convention do now adjourn till to-morrow at 2 P.M. Which was carried, and the Convention adjourned accordingly.

#### TUESDAY, 31st JULY.

The Convention having met at 2 o'clock P.M. this day, pursuant to adjournment, the Chairman took the chair. The Secretary read the minutes of the Convention of the previous day, which were confirmed.

The Committee appointed to draft the Address, presented their Report, which was laid upon the table.

On motion of Mr Parsons, seconded by Mr Dixon, the Address was then read.

Moved by Mr Gowan, seconded by Mr McLean—

That the Address be adopted and be signed by the Chairman and Secretaries on behalf of this Convention. Which was done.

The Address is as follows :

## ADDRESS

*Of the British American League to the Inhabitants of Canada, adopted 21st July 1849, in General Convention at Kingston.*

## FELLOW COUNTRYMEN:

Events so momentous as those which have given birth to this great Provincial Association have been hitherto unparalleled in the history of this Colony. From the early settlement of the United Empire Loyalists in this Province until a recent period, its people have evinced an attachment to the Parent State unsurpassed by that of any other Colony of ancient or modern times. During a long period, checkered by adversity and prosperity, the people of Canada have in war rallied around the flag of their forefathers, and in peace have endeavored to cement the union with their Fatherland by the strongest ties of amity and interest. In return for this devotion, the British Government long extended to the Colony a commercial preference in her markets.

The harmony which so long existed, interrupted by an abortive Rebellion, was again restored at its close, and the progress of the Colony became almost unexampled under the fostering influence of a wise Imperial legislation. But unhappily for Great Britain—an empire whose Colonies are the strong arm of her power—she has recently opened her ports to foreign nations upon equal terms with her Colonies; thus virtually excluding us from her markets, by throwing us into a ruinous competition with those to whom her ports are more immediately and cheaply accessible.

In her promulgation of Free Trade principles, she has lost sight of the interests of her Colonies, with the view of obtaining from all nations reciprocal Free Trade, and thereby inundating the world with her manufactures.

This new policy of the empire has recently produced in Canada its inevitable results. Unprotected by an adequate Tariff, we have continued to consume a vast amount of British manufactures, whilst our produce, the principal source upon which we rely for their payment, rarely entered the English markets except at a sacrifice. The result has been a monetary pressure, extensive bankruptcy, and general distress.

Coincident with these disastrous circumstances, a storm arose in our political horizon, which has threatened and still threatens to shake the foundations of our social fabric.

The Legislature, ruled by a faction (which for the retention of place and power, has kindled afresh the animosity of rival races), has legalized the principle of Rebellion, and has prepared to increase the Public Debt, at a moment of great financial embarrassment, by provision for the payment of the Traitors of 1837 and 1838. These grievances roused thousands from a state of torpor and inaction. Your fellow-subjects, convinced that a crisis had arrived when it behoved every inhabitant of Canada to exert himself for the regeneration of his country, and to

rescue it from Commercial and Political thralldom, met, and by combined action established "THE BRITISH AMERICAN LEAGUE."

This body extended its ramifications throughout every part of the Province. It established a system of Representation, by which Delegates were to be sent to a General Convention at Kingston. That Convention, assembled by the free election of the Leaguers, according to an established Constitution, after this exposition of its origin, now appeals to you to co-operate with the League in the great objects it has in view for the welfare of our country.

#### INHABITANTS OF CANADA :

You are nominally enjoying the privileges of a free constitution—you are in reality chained down by circumstances which wrest from you the exercise of these privileges. You are told that you are fostered by a liberal and prudent government—in reality your efforts for the encouragement of home industry have been checked, in too many instances, by hasty and inconsiderate legislation.

The true elements of your country's wealth—the certain indices of her prosperity—can only be developed by the adoption of measures which will fill her cities with the busy hum of industry make her streams the outlet of that wealth which will be poured forth from the loom and the foundry, the teeming harvests of her soil, and the produce of her primeval forests.

For the attainment of these results it is essential that a Tariff carefully and considerably adopted, should be so proportioned and levied as to afford just and adequate protection to every industrial class—the agriculturist, the manufacturer, the mechanic—so as to build up the prosperity of the farmer and the artizan side by side with the growing wealth of the manufacturer—so as to create a Home Market for Home Industry, and enrich together consumer and producer. The present Tariff is utterly inadequate to produce results so manifestly essential to the interests of our country.

#### THE PRESENT GOVERNMENT IS PLEDGED TO FREE TRADE PRINCIPLES.

The public expenditure is conducted with a reckless disregard of economy. The excessive salaries of public officers, now increased in number, together with the lavish expense of the Legislature, are entirely disproportioned to the financial resources of a young and overburthened country, and unnecessary to the efficiency of the public service. The authorized publications of this Convention, when laid before you, will disclose the facts on which we found this important assertion.

The fostering protection of a good government, to which you all have an inalienable right—which should be the guardian of the public peace, the bulwark of social order—has been daringly displaced by the dominion of race and faction, introducing the elements of civil discord.

A law has been passed by the present ministry, so monstrous in principle that it has excited strong abhorrence and disgust in the minds

of the loyal people of this colony. That measure, in its naked deformity, has met with no approval. It has been carried merely because the British members of the government dared not to oppose the determined will of the French leader. By sanctioning that measure his Excellency the Earl of Elgin has brought the royal authority into contempt, has disturbed public tranquility, and it is our firm opinion that his continuance in his high position cannot conduce to the public peace or prosperity.

An insidious attempt made by the present Ministry to increase the French Canadian representation in Parliament, by so arranging the electoral districts of Lower Canada as to distribute the British inhabitants in small numbers among overwhelming bodies of the French, we regard with the most profound apprehension, as calculated to perpetuate that civil discord which has tended so much to the ruin of this great Province.

A gross violation of constitutional usages has been perpetrated, and a precedent sought to be established, which, if it be made a precedent, will have forever destroyed the independence and utility of the Legislative Council. That body according to true Constitutional Law has distinct legislative functions. It is not intended as a mere Register of the Decrees of the Legislative Assembly. But the Government now in power, in order to carry a particular measure, and in open violation of this principle, suddenly elevated to that House a number of persons of doubtful merit, and previously unknown in public life.

By our Constitutional Law Her Most Gracious Majesty is alone invested with the authority to make appointments to the Legislative Council—a law which, if carried out, would effect a salutary check over the unscrupulous use of power in the Colony—notwithstanding which Her Majesty's principal Secretary of State for the Colonies transmitted to the Colonial Government, blank writs of Mandamus, thereby surrendering up into improper hands his Sovereign's high Prerogative.

The present Ministry have also attempted to force upon the country a measure by which numbers of influential men would be deprived of the Elective Franchise; while that same Franchise in Lower Canada was by law extended to a particular class to whom in the Western part of the Province the like privilege was denied.

#### INHABITANTS OF CANADA :

Fearlessly asserting the truth of our declarations, and appealing to Heaven for the justice of our cause, we lay before you these statements on subjects which have engaged our attention. For the most part new to the discussion of public affairs, and not invested with legislative powers, this assembly can only deliberate upon such things as seem to be for your welfare. The attainment of that welfare must be confided to the individual energies, exertions, and enthusiasm of every man among you who would rather behold his country flourish under paternal, than droop under the withering influence of factious legislation.

Before recommending to you the great questions you should adopt as your watchwords, we earnestly exhort you to shake off now and forever that apathy and indifference which at several momentous crises in public affairs has paralyzed your energies, and which it would seem that moments like these, when all minds are unsettled, can alone arouse to exertion. Perfect in every part of the country a complete and permanent organization. Let every Branch Society of this League become a deliberative body, so as to prepare its future delegates for the deliberations of this Convention. Endeavor to soften down political asperities and sectional animosities, and to unite all men for the welfare of this our common country.

Three subjects among those which have engaged our deliberations stand prominently forth, demanding your earnest attention.

By the first of these, an Union of all the British North American Provinces, it has been proposed in this Convention to lay the foundations for making this country a great nation upon a solid and enduring basis.

Impressed with the weight of such a measure, but uncertain as to the sentiments of the sister Colonies, this Convention has proposed a conference with those Provinces by a delegation of some of its members. Meantime it recommends this great question to your mature deliberations.

The second great movement in which we invite your co-operation is that for retrenchment and economy in the public expenditure.

The third is that still more great and vital movement we are prepared to make in favor of Protection to Home Industry.

Inscribe these glorious rallying cries upon your banners; glorious, because they will elevate your country from failure to success—from ruin to prosperity. They will eventually unite with you all honest men—all men of reason and true patriotism.

Keep them before you in your assemblies; procure for them the assent and advocacy of your neighbors; support no man at the hustings who will not pledge himself to wise and salutary retrenchment—who will not agree to raise his voice in favor of protection.

So shall you elevate this your country into a great nation of freemen, fostered by and in amity and connection with Great Britain—preserving her time-hallowed institutions—adopting her *old* trade principles, under which she has flourished for centuries, and her people have grown the richest on the face of the globe—those great trade principles which in the neighboring Union have also been adopted, and have established that mighty and prosperous nation.

Forsake these principles—neglect this advice—then prepare to behold your country, notwithstanding the great advantages which God has given her—her boundless forests, a source of exhaustless wealth for ages—her noble lakes and splendid rivers, the natural highways of a mighty nation's commerce; notwithstanding her unlimited water-power—her extensive tracts of rich arable land—her immense mineral resour-

ces—her industrious and intelligent population ;—prepare, we say, to behold your country reduced to a state of misery, degradation, discord and poverty.

To endeavor to avert such calamities is the duty of every freeman—of every lover of his country ; and it should also be deemed his highest privilege.

Rouse yourselves, then, to action—organize—agitate these questions—and rescue your country from present and impending evil.

(Signed) G. MOFFATT, *Chairman.*

(Signed) Wm. GORDON MACK, }  
 (Signed) W. BROOKE, } *Secretaries.*  
 Kingston, 31st July 1849.

Mr Breakenridge moved, seconded by the Hon. J. A. Macdonald, that it be Resolved—

That the very grateful thanks of this Convention are justly due, and are hereby respectfully presented, to the Hon. George Moffatt for the amenity of manner, the dignity of deportment, and the ability and impartiality with which he has presided over the deliberations of this Convention.

Mr Moffatt made his acknowledgments.

Moved by Mr Scobie, seconded by Colonel Fraser—

That the thanks of the Convention be tendered to the Secretaries for their very efficient services during the session.

Mr Brooke returned thanks for himself and colleague.

Moved by Mr Chrysler, seconded by Mr Esson—

That the Convention do now adjourn.

And the Convention adjourned accordingly.







