as issued within the past year on this subject; and which are thus stated,

"The principal motives which, independently of political considerations, determined the establishment, of the French colonies, were,

1. "To procure for the productions of the soil, and for the manufactures of the kingdom, marts which would be constantly open, and which were independent of the uncertain dispositions of the foreign powers with respect to France.

2. "To ensure to these productions of the markets, a defence from all foreign competition.

3. "To obtain, by means of exchange, and without the exportation of specie, eommodities which France did not produce, but which were necessary for its consumption; and to sustain also our (the French) commerce from being obliged to apply to the foreigner for the supply of those commodities.

4. And, finally, to give employment to the national navigation, and to the industry attached to it.

"As the colonial establishments ought to fulfil so much better their destination, as they consume more French produce, and as they send to their mother-country a greater quantity of commodities of their growth, at the same time that they favoured that part of colonial agriculture which served to produce food for our exchanges, they exclusively reserved to France the right of supplying its colonies with provisions, and with all things they were in want of, and prevented these establishments from selling their harvests to any but the mother-country. They required them, moreover, to raise commodities in return for manufactured produce; and they furthermore reserved to the national navigation, the transport of all that which served for the exchanges between the colony and France.

These principles were the original basis of the commerce of the cultivated colonies, as that of simple acts of exchange, either at the periods when these establishments were cultivated by companies, or in latter times, when the state took their administration on itself.

It was, however, at the different establishments of France in the Archipelago of the Antilles, that this exclusive reciprocal regime was applied with most order and uniformity. Thus St. Domingo, Martinique, Guadaloupe, and the other French islands of America, were subject in an absolute manner, so that the mother-country might supply their wants of every kind. The prohibitive dispositions which regulated their commercial transactions during this period, were principally combined in a regulation of the king, dated 20th August, 1698, and in

letters patent of the month of October, 1727. But France having lost Canada in 1761, and ceded Louisiana in 1762, the Antilles ceased to be supplied sufficiently with certain articles of the greatest necessity, such as live animals, wood for building, &c., and they ceased to have markets sufficient for their sirups and their tafias.

The commercial legislation of these islands then underwent some modifications ; namely, foreign ships were allowed to enter into certain ports of the Antilles, to import specified commodities or merchandise, and to export sirups and tafias.

The number of ports lawfully open to the foreign commerce, and the species of foreign merchandise capable of being admitted there, varied from 1763 to 1778.

During the duration of the war, from 1778, to 1783, neuter ships were successively admitted, repulsed, and re-admitted into our colonies of America.

After the re-establishment of peace, the commercial transactions of these 'islands were replaced under a legal régime, by a decree of the council of state of the 30th August, 1784 ; conceived in the same spirit as those which had been before published on this business, from 1763 to 1769. In 1826, the commerce of the French colonies was placed under new regulations.

The island of Bourbon, and French Guyana, having become, much later, agricultural colonies, they have not participated in this legislation, and the preceding statement is not wholly applicable to their commercial regime, either formerly or at present. This will be explained in the statements having particular reference to these two dolonies. The same observation is applicable to our possessions in India and Africa.

It is equally reserved for the particular statements of Martinique and Guadaloupe, the detailed analysis of' the dispositions of the ordinance of the 5th of February, 1826.

We give here, as a general statement, an extract from the tarifs of France, showing the duties levied in the mother-country,* on the prin-

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* It will be seen from this and other statements that the primary-object of France is to protect her colonial trade against competition with foreign trade ; indeed, to put it as nearly as possible on a footing with the coasting trade of the mother-country. This is making the colony in reality an integral portion of the parent state, and a participator in all its rights, privileges, and duties,-ED.

cipal commodities admitted to the colonial privilege, and the duties charged on these same commodities when brought by the foreigner.

NAME OF PROVINCE.	Sugar per 100 kilog.			Coffee per 100 kilog.	Cotton (in wool) (per 100 kilog.)	Cocoa (per 100 kilog.)	Cloves (per kilog.)	
	Raw Sugars, excepting White.	Raws, White Sugars.	Refined of all Colours.				Cloves.	Griffes.
	fr. c.	fr. c.	fr. c.	fr.			fr. c.	
Importations by French ships. From Martinique and Guadaloupe	45 00	60 00	70 00	60			0 75	0 18
Importations by French ships. From French Guyana	45 00	60 00	70 00	60	5fr.	40f.	0 60	0 15
Importations by French ships. From Bourbon	38 50	53 50	61 00	50			0 50	0 12
Foreign importations by French ships. From India	80 00	90fr.		78	10	. .	1 00	0 25
Foreign importations by French ships. From elsewhere out of Europe	85 00	95		95	20	55	1 80	0 45
Foreign importations by French ships. From countries to the W. of Cape Horn.	. . .	. . . . .		. .	. . .	50	. .	. .
Foreign importations by French ships. From Turkey	. . .	. . . . .		. .	15	. .	. .	. .
Foreign importations by French ships. From the entrepôts	95 00	185		loo	. . .	95	2 00	0 50
Importations by foreign ships and by land	Loo 00	120		105	25 & 35	LO5	3 00	0 75

By an ordnance which came into operation, 10th September, 1839, the following duties were enacted on French Colonial Sugar imported in French vessels, raw, other than white.

	Per 100 kilogrammes.-Francs, cents.	
From Bourbon	26	50
From America	33	0
White From Bourbon	35	10
From America	30	60
Clayed (Terre,) of all shades.		
From Bourbon	40	0
From America	58	0
Foreign Sugars, in French Vessels, Raw, other than White.		
From India	55	0
From other countries out of Europe . .	60	0
From the bonding wares . . .	70	0
In foreign vessels	75	0

Raw, White, or Clayed, without any distinction of Shades, or mode of Fabrication, in French vessels.

	Per 100 kilogrammes.—Francs.	cents.
From India	65	0 ,
From other counties out of Europe . .	70	0
From the bonding wares	80	0
In foreign vessels	95	0

The excise duty levied on beet-root sugar in France is 18½ francs per 100 kilogrammes.

Some other productions of the French colonies, such as cocoa, pepper, pimento, gums, &c., are equally admitted into France at a moderate duty, sufficient to give them the advantage over foreign productions of a similar nature. These articles of produce being confined to certain colonies, we must refer to the notice which concerns each of them individually, in order to show the tarifs of the mother-country.

The commercial opinions on the colonial tariff is fully seen by the following extract of the official report by the French minister, from whom we have been quoting.

"The difference established by the tarifs between the duties imposed on the productions of our colonies, and foreign productions, constitutes the protection, which the former stand in need of, to be sold in our markets in preference to foreign produce.

This protection exists only according to a principle of reciprocity, since the productions of the soil and manufactures of the kingdom experience, for the most part, in our colonies, an exclusive privilege of consumption ; and the little foreign merchandise allowed to be admitted, cannot be furnished by France, or is stopped at its entrance into our colonies, by duties sufficiently heavy to preserve national commodities of a similar nature, from experiencing any disadvantage.

It is, moreover, but just, that productions grown by the French, should obtain on a French territory in our market, the protection which is sufficient to defend them against the competition of foreign productions of a similar nature. It is according to the same principle that a regulation to protect French manufactures exists.

It is as well to observe, that the French. establishments on the other side of the sea,. are, according to this report, less favoured by the departments of continental France, since these latter may obtain from the foreigner many articles of consumption, which the others may only receive from the mother-country ; and this monopoly is the principal cause of the increase of the expense of production, and which prevents our colonial produce competing with foreign produce. It is, therefore,

on these principles the colonists at present request that indigenous and colonial sugars should be subject to equal duties, in order to render these two commodities equal in the national market."

The article " French Colonies," in our next number, will commence with Martinique, to be followed by Guadaloupe, Cayenne, Bourbon, Algiers, &c. after which we shall proceed with the Spanish and other European colonies.

CANADA: FALSE PRINCIPLES OF GOVERNMENT THE CAUSE OF ITS SUFFERING.

A FALSE principle in the organization of a government is like an error in a geometrical problem-the longer it is worked, the more difficult it becomes, and, until first principles be re-examined, truth is unattainable. Most fully has this axiom been manifested in Canada.

The fine portion of the North American continent termed Canada (*Kanata* in the Indian language, a collection of huts) was discovered for the English government A.D. 1497, by the two celebrated mariners, John and his son Sebastian, Cabot, who had received a commission from Henry VII. to discover a north-west passage to the East Indies. The French subsequently settled on the banks of the St. Lawrence river, A.D. 1534; and after various successes and reverses, a government was formed in 1608, the constitution of which was modelled on the feudal principles of the Normans, the country being divided into fiefs or seigneuries, to be held as feudal tenures, and as a compensation for military services, when required. The conduct of the French settlers in Canada against the then adjacent British settlements led to the conquest of Quebec by General Wolfe, A. D. 1759, and to the final extinction of the French colonies in that portion of the North American continent.

By the treaty of Paris, A, D. 1763, Canada was ceded to the British crown ; the liberty of the Roman Catholic religion was granted to the Canadians, then numbering about 65,000, and permission to sell their property and emigrate, at any time within eighteen months from the ratification of the treaty. There was little disposition on the part of the Canadians to emigrate into the interior : their couduct to the Indians, whose soil they had occupied, was terrific, and produced the most demoniac recriminations on the part of the aborigines. Charlevoix, in his history of *La Nouvelle France,* (Canada), says of the Indians, " Ils ouvrirent le sein des femmes enceintes pour en arracher

le fruit qu'elles portoient ; ils mirent des enfans tout vivent à là broche et contraignirent, les meres de les tournour pour les' faire rotir !' And, according to Colden, (p. 79,) the Indians whom the French took prisoners in the battle of Skenectaday were *cut into* pieces, ***and boiled to make soups for the Indian allies who accompanied the French.*** The French settlers therefore gladly availed themselves of the British permission to remain in their rich seigneuries on the fertile banks of the St. Lawrence.

On our occupation of Canada, we found that the government of the colony had been confided to a military ruler, and an intendant or king's financier, (M. Bigot,) who, together with his creatures, had plundered the colonists of 12,000,000 livres, by the issuing of card or paper money, the bills of exchange for which the king of France dishonoured ; and the only compensation received by the Canadians for £4,000,000 . paper currency, (its amount at the conquest,) was four per cent on the original value.

Nor was the political state of the Canadians much better than their financial : the government was the worst form of a colonial military despotism. One of the first steps of England was, by proclamation, 7th of Oct. 1763, to appoint a governor (Guy Carleton) and council, who were authorized to erect courts of judicature according to law and equity, and, as near as might be, in conformity with the statutes of England, with an appeal home. In 1774 the population of the province, including British and French, was about 90,000, and the statute of the 14th George III. was passed, the object of which was to provide a council for the management of all the affairs of the colony, (except taxation,) in which the French Canadians were eligible to a seat. So far so good ; but then came the evil-namely, creating a separation of classes in a ***British*** possession. . French laws, and trial in civil cases according to those laws, were enacted ; and English laws, with trial by jury in criminal cases, were ordained..

At the termination of the American war, which ended in the establishment of England's former colonies as the " United States," a large number of loyalists, attached to the constitution and government of England, took refuge in Canada, particularly in the upper parts of the province, where land was freely accorded to them. The accession of this body of settlers, and the state of the neighbouring republic, led to a determination on the part of the British government to give a constitution, a term which was then the rage of the day, to Canada. The Quebec act of 1791 was passed ; the province was divided into two parts, Upper and Lower Canada; a £10 franchise given to the electors ;

a council named by the secretary of state for the colonies ; and a governor representing the crown.

Even in those days of constitution-mongering, nothing could be more practically rash, or theoretically absurd, than this celebrated act of 1791. Instead of merging the feudal French Canadians into the surrounding free Anglo-Saxon race, a line of imaginary demarcation was drawn, that the less civilized and foreign race might possess the finest portion of the land along the great river St. Lawrence, the central city of Montreal, the strong fortress of Quebec, and the valuable fisheries and sea-coast frontier of the gulf and shores of the St. Lawrence ; while the active and free British race were driven to the back woods and swampy borders of the great lakes and inland waters-actually cut off from any outlet to the sea. How such an unjust measure could have been tolerated is really inexplicable ; we must only suppose that it was intended to keep up a Gallic race in Lower Canada, as a barrier to the aggressions of the adjoining republicans, or perhaps as a safeguard, should the British settlers and United-States refugees in the upper province incline to the example of their New York neighbours.

But the second error was still worse than the first, which had some Machiavelian ideas in extenuation. To an ignorant, feudal, and hitherto despotically governed people, a franchise nearly equal to universal suffrage was granted; twenty-one counties were marked out, and fifty representatives authorized to be returned for the formation of a commons' house of parliament. No steps were taken to neutralize this preponderance of democratic power, Mr. Pitt's idea of constituting the seigneurs as an hereditary chamber, with additions from time to time, as in the British House of Lords, was scouted by Mr. Fox and his party. No sufficient control was held by the crown or its representative over the public purse ; no municipal institutions founded ; no measures adopted for gradually breaking in on the feudal tenures ; no steps taken to educate a Roman Catholic population, addicted to every kind of superstition, and incapable of reading or writing — the sole idea seemed to be the creation of a democratic assembly -in fact, to give to. the vessel of the state the greatest possible quantity of sail, and the least possible quantity of ballast, and then commit it to the mercy of the winds and waves, without rudder, compass, or pilot.

This evilly-constructed constitution (of 1791) consisted of fifty popular representatives, in a *house* of assembly ; of fifteen members in a *legislative council*, appointed by mandamus from the crown ; of an *executive council* of eleven members, appointed by the crown; and of a governor, (generally a soldier,) with the supposed authority of the

sovereign, The result may readily be imagined : a few active, ambitious, and daring men soon arose among the French Canadians, who foresaw that, in the course of time, the nationality which had been so unwisely fostered by the home authorities must be swamped by the superior intelligence, wealth, and energy of the British settlers. Every effort was therefore made to get all the legislative power into the hands of the French, and, consequently, the entire control of the public revenues, even those legitimately belonging to the crown.

In its foolish liberalism, the government of 1791 made no provision for the payment of the civil officers of government, for the judges of the land, or for the due execution of the most important duties of the state. The majority in a *provincial* assembly was allowed to act with a despotism never conceded to the majority in the *imperial* parliament; and, as might. be anticipated, the governor, the executive, and the legislative councils were soon thrown into hostilities with the French party, who carried everything in the lower house, by the most artful and false appeals to the prejudices and fears of a . simple-minded, generous, and high-spirited, but credulous people.

The war in which England was engaged up to 1815, not only on the continent of Europe, but also with the United States, left neither leisure nor inclination for the remedy of the evil committed by the act of 1791 : temporary expedients were resorted to ; an English party set up against a French ; largesses, in the shape of immense tracts of land, and pluralities of offices, were given to the supporters of government ; mutual recriminations were encouraged ; governor after governor recalled ; commissions of inquiry were issued ; repeated dissolutions of refractory assemblies tried ; the colonial office in England entered on no bold, manly, and decided course ; traitors were patronized ; sedition winked at; the very officers of the government, and the judges of the land, left for years without their salaries, while the coffers in Quebec were filled with accumulated revenues ; rebellion was openly preached, the leaders of it terming Canada " our country-our lands-our revenues—our ports and fisheries," and " Une separation immediate d'avec la mère-patrie le seul moyen de conserver notre nationalité."*

The history of the recent rebellion is well known. Without the slightest practical grievance,—less taxed than any civilized people in the world, in the perfect enjoyment of all their social and religious rights, and with abundance of all the necessaries and comforts of life—

* Vide *Minerve*, (a Canadian French journal of Messrs. Papineau, Viger, &c.) of the 16th of February, 1833.

the mass of the French Canadians, ignorant of the very nature of the treason they were committing, and instigated by a few mercenary and cowardly leaders, broke into a simultaneous insurrection in November, 1837, with the avowed intention of expelling those from Canada to whom the country belonged by virtue of original discovery, by right of conquest, and by legitimate cession — a government whose acts were not wise, because they were too lenient, and whose very faults were an excess of liberality, and a mistaken generosity. If the leaders of the rebellion, Messrs. Papineau, Viger, &c. had not been blinded by their vanity, their ambition, and their cupidity, they might have foreseen the utter impossibility of accomplishing their insane attempts by fraud and violence.

After a great sacrifice of life, an immense waste of property, and an incalculable amount of misery, this wretched, culpable, and destructive rebellion is at an end, and with it the so called "constitution of 1791," the parent of the subsequent struggles, anarchy, and crimes.

We have not adverted to the condition of Upper Canada ; the evil of an overpowering democracy, as enacted also for the upper province, has not been without its effects, but among an intelligent race of men like the Upper Canadians the evil has been less apparent ; it has been subdued by an union among the wise and the good in the province, and the momentary insurrection of 1837 was confined to a few hundred poor deluded people, who had been deceived by the rebel Mackenzie, who, with two or three others, was playing the same game in Upper Canada, that Papineau was enacting in the lower province. The sufferings of Upper Canada have not been caused by disaffection among the brave and loyal inhabitants of the province, but from the flagitious proceedings of. American republicans on its frontiers, who seemed to think that murder, arson, and every species of villany, were justifiable for the destruction of the British monarchy. We shall, however, have another opportunity of treating of the international relations between England and the United States ; and we return to the subject of Lower Canada, to make some remarks relative to the alleged causes of its present state.

The Earl of Durham, in his Report, ascribes, at the outset, the rebellion of Lower Canada to the division of races, and the incompatibility of the English and French existing in peace, especially if the latter were to preponderate in the government of the province. But his lordship's subsequent remark completely negatives this as the *sole* cause of the evil, and more justly ascribes it to a "*defective system of administration, commencing at the* very *source of power ;*" and to

"*an entire wunt in the colony of any vigorous administration of the prerogative of the crown.*" (Report, p. 37.) Here we have the clue to the whole question, and completely corroborative of the opinions with which we opened this article — namely, the impracticability of working the constitution of 1791 with an ignorant, feudal, and inactive race of people, and no sovereign power in the government.

The passage in Lord Durham's Report on this point is so important, that we quote it entire.

"The defective system of administration in Lower Canada commences at the very source of power; and the efficiency of the public service is impaired throughout by the entire want in the colony of any vigorous administration of the prerogative of the Crown. The fact is, that, according to the present system, there is no real representative of the crown in the province; there is in it, literally, no power which originates and conducts the executive government. The governor, it is true, is said to represent the sovereign, and the authority of the crown is, to a certain extent, delegated to him; but he is, in fact, a mere subordinate officer, receiving his orders from the secretary of state, responsible to him for his conduct, and guided by his instructions. Instead of selecting a governor, with an entire confidence in his ability to use his local knowledge of the real state of affairs in the colony in the manner which local observation and practical experience best prescribe to him, it has been the policy of the colonial department, not only at the outset to instruct a governor as to the general policy which he was to carry into effect, but to direct him, from time to time, by instructions, sometimes very precise, as to the course which he was to pursue in every important particular of his administration. Theoretically irresponsible to the colonial legislature, the governor was, in effect, the only officer in the colony who was at all responsible; inasmuch as the Assembly, by centering their attacks on him, and making him appear the sole cause of the difficulties of the government, could occasion him so much vexation, and represent him in so unfavourable a light at home, that it frequently succeeded in imposing on him the necessity of resigning, or on the colonial minister that of recalling him. In order to shelter himself from this responsibility, it has inevitably, and I must say very justifiably, been the policy of governors to take care that the double responsibility shall be as light as possible, to endeavour to throw it as much as possible on the home government, and to do as little as possible without previously consulting the colonial minister at home, and receiving his instructions. It has, therefore, been the tendency of the local government to settle every thing by reference to the colonial department in Downing-street. Almost every question on which it was possible to avoid, even with great inconvenience, an immediate decision, has been habitually the subject of reference; and this applies not merely to those questions on which the local executive and legislative bodies happened to differ, wherein the reference might be taken as a kind of appeal, but to questions of a strictly local nature, on which it was next to impossible for the colonial-office to have any sufficient information. It had become the habit of the colonial-office to originate these questions, to entertain applications from individuals, to refer those applications to the governor, and, on his answer, to make a decision. The governor has been enabled by this system to shift responsibility on the colonial-office, inasmuch as in every important case he was, in