We are not unmindful of the spiritual thunder against those who "demand the desecration of the Clergy appropriations to secular purposes." Desecration! Are the title deeds of the Clergy Reserves registered in the archives of Heaven, describing the particular sect by which they shall be enjoyed, and the precise uses to which they shall be applied? Shall it be denied to a religious and moral people to appropriate the State bounty in such manner as will best promote the interests "of religion, of morals and of social order?" We have neither time nor space to follow up this preposterous assumption, but as the *Herald* is partial to authorities, we refer to recent proceedings in Prince Edward's Island. A Bill, we are informed, has passed the Legislature of that Island, and RECEIVED THE ROYAL ASSENT, "desecrating" the glebe lands of the established church to purposes of education. Will our contemporary attempt to make good his charge of sacrilege against His Most Gracious Majesty? Will he cease his clamourous vituperation of those who conscientiously believe that the best "support of a Protestant Clergy" is to be found in an educated, intelligent, and moral people?

Once already have British institutions and connection been on the verge of ruin, from the fatuity of ultra-Toryism. Let the loyal and independent members of the Upper Canada Assembly beware, lest that, which they prize above all, be endangered—perhaps lost—by identifying it with exclusive rights and pretensions which will not be endured by their free constituents.

We have extracted pretty largely from the editorial comments of two of our Upper Canada contemporaries. They are both right good Constitutionalists.

The remarks of the *Kingston Herald* we do not entirely coincide in, but we have given them a place in our columns, chiefly upon the ground of their showing the temper in which the inhabitants of that locality are inclined to view the proceedings of the House of Assembly on the Clergy Reserves and other questions. They have no idea of taking for granted that every thing their legal representatives do, is, as a matter of course, right. This feeling, we believe, is pretty prevalent throughout the Province. So let the Legislature take care.

The extracts from the *Royal Standard* refer to proceedings in the Legislative Council relative to Bank Bills, which we have before often had occasion to animadvert upon.

Last night's French *Gazette* contains an address to the charitable and humane at Quebec, on the subject of the distress prevailing at Trois-Pistoles and the neighbourhood. It states that not less than twelve hundred persons are in such a state of destitution as to be in danger of dying of hunger; and that they have no hope of relief but from the charitable assistance of persons at a distance, and particularly at Quebec, having exhausted all other resources. The address is dated at Trois-Pistoles, 19th January, and signed by P. Pouliot, Priest, and curate of the Parish; E. Tetu, J. ustice of the Peace; Paul Rioux, Captain of Militia; Elie Rioux, lieut.; Mod. Dumoulin, Priest and vicar; J. Ouellet, Captain of Militia, and J. P. We have already noticed the distress prevailing on the South Shore, at Trois-Pistoles, and further down, in consequence of the failure of the crops. We have no reason to doubt the extremity to which the inhabitants are now reduced, and to which so many respectable persons testify. We know that many other parts of this District are already reduced to a state of great suffering from the same cause. Quebec itself is far from being exempt from the common misfortune; still we should hope that steps will be taken to do something for more distant sufferers.—*Quebec Gazette.*

We make the above extract from the *Quebec Gazette*, and have no reason to doubt the truth of its representations. We pity the sufferers, but regard the existence of their distress, and its cause—want of the necessaries of life,—as a libel upon Canada. Is that part of the Province, where scarcity at present prevails, incapable of profitable culture, and of supplying the wants of its inhabitants?

If it can be so proved, why in the name of common sense are not the people induced to leave it for some more fertile portion? It would be cheaper far for the country to incur, once for all, the expense of transporting and locating them elsewhere, than to disburse every year or two considerable sums, for charity's sake, to save the proprietors of the soil,—the *nati consumere fruges*—from starvation. But we are bound to defend the soil and climate from such imputations. The fault, we believe, lies not with them; they are not the cause of these scarcities. We speak in pity when we assert that the people themselves are to blame. They are, it appears, incapable of being taught by experience. They will be the lords of the soil, and attempt to compel it and the climate to accommodate themselves to their notions. Is it then to be wondered at, that they sow and reap not, and that they are frequently visited by want and its attendant miseries?

The *habitans* of *Trois Pistoles* and neighbourhood are not singular in their dogmatic and absurd adherence to a vile agricultural system. The same cause is working its natural and inevitable effects among their countrymen in more genial and fertile parts of the Province; and the circumstances of this class, all over the country, are becoming every year more sensibly straitened. This fact is not less melancholy than it is undeniable, and threatens at no distant period to render the loss and sufferings of the inhabitants of Trois Pistoles universal.

Efforts are making to check the transport of freight from Port St. Francis to the Townships in French trains, by a preference being given by the Land Company, by Merchants, and private individuals to double sleighs. The experiment has been so far successful, and the roads in the new settlements are kept beautifully level, while those in the French Canadian portion of the country are a complete Bay of Biscay.

No distinction, let it be observed, is made between Gallo-Canadian and English drivers. Vehicles and not men carry the day. We hope the time is not far distant when a general bonfire will be made of all the trains in the country.

The last *Farmers' Advocate* calls the attention of those who are in arrears to Government for the instalments of their purchase money or quit rents, to be prepared for payment before the sale of Government Lands; and in alluding to the Treasury Order, remarks, that "this measure, while it may prove inconvenient to persons who have allowed a heavy debt to accumulate through their own indolence or penurious spirit, is calculated to do great public good."

This for the comfort of the *Vindicator*:—

"Dr. O'Callaghan is trying to comfort himself for the signal defeat of the radical party in Stanstead County, with the idea that Dr. Colby is an "alien," and is therefore excluded by the Constitution from a seat in the House of Assembly. But it so happens that Dr. C. is not an alien, as he holds a Commission as Physician and Surgeon, and also as Surgeon to the Militia."—*Farmers' Advocate.*

Measures, we perceive, are about being taken for the establishment of regular markets in Shipton and Melbourne.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—As a member of the General Committee of the Montreal Constitutional Association, and also deeply interested in the welfare of the country, I should be glad to know what the Executive Committee are about. It is reported that they are now bent upon the measure of the Union of the Provinces. I can scarcely credit the report, however much I desire to see the accomplishment of such a measure. I think none will give them credit for being sincere, as the same men opposed the measure in the former Committee; and more especially, as there are now associated with them in the new Committee, those who have all along professed themselves open enemies to that measure, as well as to every liberal principle that has ever been mooted: Tories of the deepest dye, despisers of public opinion, who would fetter their deluded followers with more galling chains, and a more oppressive servitude, than even the French faction themselves, if they had the chance. I have no doubt that some of the present members of the Committee are sincere Unionists, and men who really would be willing to see the country prosper. I would ask such men to look at the composition of the Committee, and then say whether they can possibly expect to do any good with such discordant materials. I have been given to understand that some of the Committee have already withdrawn. I should think the Committee ought to make the General Committee acquainted with the reasons assigned for all those withdrawals; both of this and of the former Committee; which have been rather studiously kept in the back ground. Why have not the gentlemen themselves said something to their constituents on the subject?

A MEMBER OF THE GENERAL COMMITTEE.

Jan. 27.

TO THE EDITOR OF THE MONTREAL GAZETTE.

SIR,—It is with much surprise, and no less indignation, that I have read an article purporting to proceed from you, but at all events inserted amongst the editorial matter of one of your late numbers, reflecting upon the Chief Justices who alternately preside in the Court of Appeals, and imputing to "an unjust rivalry" between them the reversal of such others judgments, in that Court. One would think that a paper should be very cautious to attribute to the highest judicial functionaries known in this Province a violation, and that a public one, of their solemn oath of office. One would think that, as singular coincidences are found in other departments and business of human life, it would have been well to have sought the reason of the reversals in question in some other cause than improper feeling in the dignitaries alluded to. If a character wholly unimpeached,—if a strict impartiality, which has never allowed itself to swerve from its uprightness during the worst times of political excitement, and which has received the homage of approbation from all parties,—if nearly thirty years of judicial service, in which indefatigable application has united itself with very extensive legal acquirements and strong intelligence,—could have secured a Judge from imputation,—then should the Chief Justice of this district have been exempt from it. I have not the honor of being personally acquainted with the Chief Justice of the Province, further than to know that he is in his manners a perfect gentleman, and also that he is an accomplished jurisconsult,—but I will say that, (independently of the improbability that, elevated as he is above the general population of the Province, and with so many eyes fixed upon him, he should act improperly in his judicial capacity,) the very appeal by so many eminent Advocates, from the judgments reversed by him evinces identity of opinion on the part of no mean portion of the Montreal Bar in favour of his decisions;—while the same observation, mutatis mutandis, will apply in favour of the reversals by our Chief Justice. In fact, the article in question pays an involuntary homage to the integrity of the Chief Justice, and commits a sort of suicide on the previous imputation, when it says, "we do not mean to impeach the correctness of the judgments rendered in the Court of Appeals." In the name of common sense, then, why impute those decisions to "an unjust rivalry?" For myself, I can easily account for the differences of opinion between the Chief Justices in the same causes—our Chief Justice is remarkable for a masculine energy of intellect, which seizes the prominent and material features of a case, and conforms itself to the utter letter of the law, which that conscientious judge considers himself bound to make the rule of his decisions, however he may regret that such otherwise may bear hard upon parties in some particular case. The Chief Justice of the Province appears to me to be distinguished, above most men that I have ever known, for the possession of a very fine discernment that penetrates at once into the equity of a case; and, for the purposes of justice, often decides contrary to strict, technical principles, that in my opinion, has caused the reversals in question. One of the judgments reversed was given against my clients in our Court of King's Bench; yet, though I (with the natural bias that a lawyer has in favor of his own party) thought it should have been in our favour, nevertheless, I saw in the evidence such an approach to a balance, that, although mortified by our defeat, I did not for a moment murmur against the judgment of the Court here. Our adversaries' evidence was direct and positive; ours was of greater volume, and, I thought, collectively, of greater weight, but it was less direct, and its value depended upon some nice inferences and metaphysical reasoning. Now, this was the very case in which the Chief Justices might, from the different intellectual texture which I have stated, and no doubt did, conscientiously differ. Of two other of the cases reversed, I have, from conversation with my brother lawyers and from hearing the judgments delivered, a personal knowledge; and I can declare that both the judgments here, and those in appeal, were founded on very strong grounds. That the same case may present contrary aspects, (and therefore warrant contrary decisions,) is so well known, as to have given rise to the trite saying respecting the "uncertainty of the law." And, indeed, why is it that we have recorded in our law books so many cases and decisions, if it is not that each case, so recorded and decided, presented such a doubtful aspect as that it was a matter of interest, to even lawyers themselves, to know how they had been decided. See now many reversals have taken place at home, and remark, in our own French law books, the great number of *arrêts contraires*, and you will perceive that differences of opinion, on subjects of such infinite diversity of phase as law suits, are not confined to this country. I entirely coincide with you in the necessity of a new constitution of our Court of Appeals; but I trust that you will candidly avow that you have done (I am persuaded unintentional) injustice to the personages in question—which is the more to be regretted, as whatever has a tendency to detract from the dignity of the judicial character, has also a tendency to introduce insubordination and disrespect into public tribunals. I am, Sir, your's, &c.

AN ADVOCATE.

Montreal, Jan. 27.

From the Quebec Gazette.

STATE OF POLITICAL OPINION IN LOWER CANADA IN 1837.

At the last General Election, in the fall of 1834, there were two Counties out of eight having a majority of English Electors, who returned Members pledged to the "French origin" 92 Resolutions.

It had so happened that elections have since occurred in both these Counties, viz Drummond and Stanstead; and in both of them, the majority has declared against the 92: so that the *whole* of the Counties having a population the majority of which is of "British or Foreign origin," in the language of the Resolutions, are united against the Montreal "French origin" party, who dominear in the Lower Canada House of Assembly.

But the change has not been confined to the electoral divisions of "British or Foreign origin." In Bonaventure, where the members were about equal, the majority has declared in favour of Mr. M'Cracken, a constitutional candidate. In the Upper Town of Quebec, the same thing occurred last spring. In the County of Montmorency, a candidate, who was opposed by the partisans of the dominant party at Montreal, succeeded. In the West Ward of Montreal, for which the Speaker of the House and leader of the party sits, had there been any thing like fair play, there can be little doubt but there would have been a constitutional member.

Within less than a twelve month, there have come over to the constitutional cause, majorities of the following estimated populations, viz.:

Upper Town of Quebec	8000
County of Drummond	4000
—— Stanstead	1000
—— Bonaventure	5000
Souls	27000
Population of Counties already represented by Constitutionalists	39000
Total represented	66000
Population not of French origin, included in French origin electoral divisions, whose opinions may fairly be presumed to correspond with the opinion of the 66,000 who are represented	100,000
	166,000
Total population of Lower Canada	600,000
Off as above	166,000
	434,000

Of these, probably more than one-half are in reality Constitutionalists, wishing for no change in the Established Government. Of one thing every one may be certain,—that if the 434,000, who style themselves by their representatives as of "French origin," were unanimous, they can effect nothing by physical force, of which they occasionally *bluster*, against 166,000 souls in the Province, and 700,000 in the adjoining Colonies, who are nearly all loyal and constitutional; far less could they establish a *French* origin nationality, amidst *forty* times their number of "English or Foreign origin," in the adjoining countries of North America.

This "French origin" party has enjoyed all their peculiarities under the protection of the British Government for seventy-six years, and may securely enjoy them so long as they think fit, by a loyal and peaceable conduct, together with all the common rights of British subjects in the Colony; but that they should assume, in virtue of their numerical force, to make or unmake its Constitution, and rule all its other inhabitants as they think fit, is a pretension which if persisted in, must prove fatal to themselves, as it is consistent neither with right nor might.

Sir George Gipps, and his lady, it is now said, will leave Quebec for England, on the 8th February, and, since the arrival of the December Mail, it is generally understood that Mr. Secretary Elliot will follow at the end of the same month. These movements clearly indicate that the affairs of the province will be brought before Parliament. However much it is to be regretted that they should be brought forward by a Ministry, whose stability is represented, both by public and private accounts, to be so precarious, that a dissolution of Parliament is anticipated; still there is this consolation, that our difficulties have existed, without alleviation, through so many ministerial changes, that the question will be one which can hardly, by any possibility, involve a trial of strength between parties, and therefore, if the impending dissolution does not occupy the minds of members, a decision may yet be obtained; its character, no doubt, will very much depend on the report of the Royal Commissioners, to each oral testimony as those of the Commission who will be in England, may be called upon to give.—*Quebec Mercury.*

COUNTY OF BONAVENTURE.—A correspondent in the Bay Chaleur, informs us, that the election of a member to represent this County in the Assembly of Lower Canada, vacant by the death of Mr. Tribodeau, was warmly contested by brought to a close, at New Carlisle. The Candidates were ——Fourier, and Mr. James M'Cracken. The latter gentleman, was elected, with a majority of 101, and is, we are happy to state, a Constitutionalist, and therefore opposed to the Canadian faction.—*Miramichi Gleaner, Jan. 10.*

Spirit of the Upper Canada Press.

From the Royal Standard.

We have been favoured with a copy of the "Bill to afford protection to Bankers," which passed the lower House, and which was, we believe, introduced by Mr. Sherwood. It is, as near as the circumstances of the Province will allow, a transcript of the Bill introduced by Mr. Peel in the Imperial Parliament in 1826, when, after the panic, it was thought advisable to remove the restrictions upon private Banking, which prevailed up to that time for the protection of the Bank of England; and to encourage there the introduction of Joint Stock Banks.

This Bill has been thrown out by the Hon. the Legislative Council. What the feeling of that Honorable House may be upon the subject of Banking, and upon what principles that feeling is based, it is difficult to imagine; but with the country crying out for a circulating medium, and with a Bill conferring no powers, beyond those sanctioned and found most beneficial to the Mother Country, thus we may almost say, contemptuously throwing out, it does look as if that honorable body were totally unacquainted with the feelings and complaints which are entertained, and heard, and sympathized in by every other member of this suffering community. What is to arouse these gentlemen from their apathy? Must they wait till the suffering comes to their own doors? When we look at the House, it pains us to make these observations, but the country feels the truth of the remark, and will ere long urge the Lieutenant-Governor, by every constitutional expression of their wishes, to infuse into their body some degree of greater vigour than now pervades it. This can only be done by an increase of members, and this step will, as assuredly be pursued by His Excellency, as one of those Reforms of which the country stands in need, as any other of those beneficial steps in which he has hitherto so steadily and firmly advanced. The House is bringing it upon itself, the Bill which they have introduced for the promotion of private Banks, to which we alluded a few days since, the throwing out of the Bill, the object of our present comment, and the delay, which forebodes the refusal of a similar Bill in favour of the British North American Bank, all tend to the same end. In a short time the "Bill for the establishment of the Freeholders' Bank" will be introduced, and we shall see if that evil be rejected. If it be, it will be quite clear that some interest beyond that of the public is at work, and that some influence sinister to the welfare of the Province, reigns pre-eminent in the Councils of that branch of the Legislature. Such measures, if continued, must alienate the regard and affection of the people from them, must bring upon them that suspicion which would, as dearly attached to the Constitution of our country, be the last to entertain, and we fondly, though faintly, hope that by thus openly and honestly stating the opinions of the public, which obtrude themselves upon us at every turn, we shall rouse the body of the House to assert their own Independence, and to direct the wishes of the people at large. * * * * * * * *

If they do not desist, public distrust awaits them, and but a few more such measures will make them sharers of a ruin they are now inflicting upon all around them.

From the Kingston Herald.

We have given the Report of the Committee of the House on the Clergy Reserves, but it will be seen by our extract from the *Christian Guardian*, that there is only small probability of the Report being adopted by the House. As we stated a month ago, the members who voted for Mr. Hagerman's resolution are so much divided among themselves on the question of what Churches are to receive aid, that there is no prospect of a sufficient number of them agreeing in any measure that will command a majority in the House. The 21 members who voted against that resolution, will oppose any and every plan to dispose of these Reserves in accordance with it, and their votes joined by a few of the yeas will negative every measure brought before the House for applying the Reserves to religious purposes. The 21 are not strong enough to carry their own measure of applying the reserves to extinction, but they are strong enough, aided by the divisions among their opponents, to frustrate any other plan. It would seem that this vexing question is as far from settlement as ever. Yet longer delay will only make the matter worse. Some members must give way, but who it is hard to decide.

At the same time it must not be concealed that great dissatisfaction prevails among a great portion of the people with the vote of the House on this subject. In this District, most of those persons whose votes at the last elections turned the scale in favour of the constitutional candidates, express their displeasure at the vote for applying the Reserves to religious purposes, and positively state that they will not elect such members again. We think that the dangers which they apprehend from this disposition of the Reserves are wholly imaginary. They believe that if he ministers of religion receive aid from these reserves, it will render them completely subservient to the Government, and less careful of their people's interests than if they depended on them alone. These objections have but little force. The aid that would be derived from the reserves would still leave the Clergy mainly dependent on their people, and that aid might be so employed by devoting it to the erection of places of worship, &c. as to avoid interfering with the relation between ministers and people. —Indeed, to employ this aid in this way, would benefit the people more than their ministers, by relieving them from a heavy charge which they have now to meet in the erection of places of worship.

The persons whom we have mentioned are also dissatisfied with the profuse grants of public money voted by the Assembly. They instance the increase of salaries voted to the officers of government, the grant to roads, &c. In relation to the supply bill there appears to be some misapprehension. Mr. Elmsley, in the Legislative Council, stated that the increase of salaries amounted altogether to £2,253 8s. 11d. But Mr. Macnabb, who brought in the supply bill, stated to the Assembly that the only increase was the sum of £300 to two of the head clerks. We know not how to account for this difference of above £2,000 in these statements, unless it be in this way. The last Assembly reduced the salaries and expenses of the Government Officers, and, Mr. Elmsley has compared the present with the reduced list, and Mr. Macnabb with the previous unreduced list, and thus the discrepancy arises. Be this as it may, Mr. Macnabb states that the only increase is £300.

The vote of £500,000 for roads and bridges seems also to be misunderstood. It was never intended that this amount of money should be immediately expended on roads, but only such portions of it as could be laid out to advantage from year to year until all was expended. It has been found by experience that the system of making small annual grants for roads has prevented the adoption of any general and comprehensive plan for placing all our roads in complete order and under efficient management. It was not known that such grants would be continued, and therefore the only sure way to patch up and smooth over the roads, for the present, became of the future. To vote money by driblets is a wasteful and expensive method. It is this that has caused the Welland Canal to be more expensive and less useful than it should have been. The present House has adopted the better method of voting at once all that is necessary to complete public works in a proper manner, and this makes their grants of public money appear so profuse as to startle some persons who do not consider the system, while at the same time the annual expenditure will be no greater than it was under the former petty and bungling mode of procedure. Another mistake in respect to the grant for roads, is in supposing that the money was to be expended in making new articular road through the Province. This proposal was made by two or three members, but it was not adopted by the House, and the money will be employed in improving the roads through the Townships in general, especially in the back Townships in which it is most wanted.

If the persons whom we mentioned in the commencement of this article, and whose motives are to be respected, though we think that they are mistaken in their views, will consider the whole case in its widest extent, and remember that the members of the present House have voted money—not into their own pockets—but to improve the country in a manner and ends worthy of its station and prospects, they will admit that they have but little ground for complaint on this account. Almost every work that has been adopted or sanctioned by the Assembly, has been petitioned for by the people; and if the former seem to be lavish in their grants, the people will reap the benefit of those grants by the expenditure of the money among them, and the general improvement of the country by those means; while many thousands of emigrants will be induced to come and settle in the Province by the certainty of finding full employment, and ample remuneration, both for labour and capital.

Commercial.

The Committee of Trade will meet this day, at two o'clock, P. M.

MONTREAL MARKETS, *January 27.*—*Wheat* and *Flour* are without variation since our last notice of the Markets. Very little Wheat is brought in, and it sells at 9s. 4d. @ 10s. ℔ minot. A lot of 500 minots good Chambly sold at 9s. 9d. *Barley* is rapidly improving in price, and prime samples command 4s. 6d. ℔ minot on the market. *Oats*, which are this year very inferior, bring 2s. 2d. @ 2s. 6d., as to quality. There has been some stir in *Rum*; about 100 puncheons Jamaica have changed hands within a few days, at 4s. 9d. @ 4s. 10d. for 1 @ 2½, and as high as 5s. 6d. is now demanded by holders. *Leewards* are also higher;—sales of Demerara at 3s. 9d., and 4s. now asked. The price of *Whiskey* has advanced in the same ratio as foreign Spirits, 3s. 3d. @ 3s. 3½d. being now the current price, for proof, 1 @ 2. *Ashes* are lower—the highest rate for small bills of both sorts today was 34s. The Montreal Bank draws on London at 11½, and Merchants' bills for the packet were negotiated at 10½ @ 11¼ prem.

The East India Company's Tea sale, advertised for this day, was well attended, and went off briskly as follows:—

EAST INDIA COMPANY'S JANUARY TEA SALE, 1837.

Sorts.	Chests.	Price.	Sorts.	Chests.	Price.	Sorts.	Chests.	Price.	Sorts.	Chests.	Price.
Congou	1000	2s. 2d. @ 2s. 4d.	Congou	1000	2s. 2d. @ 2s. 4d.	Congou	1000	2s. 2d. @ 2s. 4d.	Congou	1000	2s. 2d. @ 2s. 4d.