

GUELPH



HERALD

AND LITERARY, AGRICULTURAL AND COMMERCIAL GAZETTE.

VOL. IV—NO. 2.

GUELPH, CANADA WEST, TUESDAY, JULY 2, 1850.

WHOLE NO. 158.

Business Directory.

GUELPH HERALD
Printing Establishment,
North West Corner of the Market Square.

EVERY DESCRIPTION OF PRINTING,
—SUCH AS—
Business Cards, Insurance Policies,
Circulars, Posters,
Pamphlets, Way Bills,
Catalogues, Blanks,
Funeral Letters, Bill Heads,
Hand Bills, Stage Bills,
Book Work, Cards,
&c. &c. &c. &c.
Neatly-executed, with the utmost expedi-
tion and upon moderate terms.

A CARD.

JAMES LYND,
IMPORTER OF
DOMESTIC DRY GOODS,
AND DEALER IN ALL KINDS OF
COUNTRY PRODUCE,
MARKET SQUARE, GUELPH.
April 1, 1850. 145

REMOVAL.

DR. W. A. LIDDELL.
HAS removed to the house lately occu-
pied by F. H. KIRKPATRICK, Esq.,
adjoining the residence of the Rev. A.
PALMER.
N. B.—Continues to attend patients in
the country.
Guelph, June 1, 1850. 154

MARRIAGE LICENSES.

THE Office of the Distributor of Mar-
riage Licenses is removed to the Store
of Messrs. BULL & LYND, corner of
Wyndham street, immediately below Mr.
Sandilands.

RICHARD FOWLER BUDD,
Agent for Granting Marriage Licenses.
Guelph, Oct. 15, 1849. 121tf

H. GREGORY.

ORNAMENTAL PAINTER & GLAZIER.
BUNDAS.

IF The above is prepared to execute, on the
most reasonable terms, Banners, Flags, Devices,
&c. in a style that cannot be excelled on this
Continent.

TRANSPARENT WINDOW SHADES.

X. P. Old Paintings renovated and touched up.

MR. W. GEO. PATTERSON,
Civil Engineer and Architect,
M. INST. C. E. I.
Late of the Irish Board of Public Works.

MR. P. will superintend the Erection
of Mills in any part of the Province,
and furnish Draughts, Estimates, and Specifi-
cations for Bridges, and all kinds of
Buildings, Engines, &c.
N. B.—Surveying and Levelling.
Office—Next Door to Thorp's Hotel.
Guelph, May 21, 1850. 152-4f

ROBERT OSBORNE.

Watch Maker and Jeweller,
VICTORIA BUILDINGS, KING ST.,
HAMILTON.

Gold and Silver Watches, Silver
Spoons, and Wedding Rings, always on
hand. Orders from the country punctually
attended to.

JOHN STREET FOUNDRY.

E. & C. GURNEY & A. CARPENTER,
Manufacturers of

Cooking, Parlor & Plate Stoves
Of all Sizes and Patterns.
ALSO—Straw Cutters, Corn Shellers,
Turning Lathes, Paint Mills, Pipe Boxes,
&c. Castings made to Order.

CAREY'S

PATENT THRASHING MACHINES.
The most approved in the Province
always on hand.
John Street, Hamilton. 12

JNO. P. LARKIN.

**WHOLESALE DEALER IN STAPLE AND
FANCY DRY GOODS,**
Corner of King and John Streets,
HAMILTON.

Country Merchants supplied on
liberal terms at the lowest Montreal Prices.

C. L. HELLWELL & Co.

BOOKSELLERS & STATIONERS,
KING ST., HAMILTON,

Keep constantly on hand, Writing Paper and
School Books of all descriptions. Books
of all kinds procured from New York, Boston, and
Philadelphia, on short notice; and most
by Catalogue price. 27

M. F. MARCON.

**LAND AGENT, CONVEYANCER,
AND NOTARY PUBLIC,**
GUELPH.

Agent for the Canada Company, and Bank
of Montreal.

Business Directory.

J. LAMOND SMITH,
Conveyancer, Notary Public,
AND
**GENERAL AGENT,
FERGUS.** 149-1y

JOHN HARRISON,
Joiner, Builder & Cabinet-Maker,
GUELPH.

Plans, Specifications, Estimates, &c. for Buildings.
The different Artificers' Work usually employed
in building, measured or valued, on the most
reasonable terms.

MISS MARY CAMPBELL,
Milliner, Dress and Habit Maker,
All orders made up according to the Latest
New York Fashions.
Residence—First Door West of the
Wesleyan Chapel.
Guelph, Feb. 4, 1850. 137-4f

THOMAS GORDON,
LAND AND GENERAL AGENT,
OWEN SOUND.

**THE COLONIAL
LIFE ASSURANCE CO.**
AGENT FOR GUELPH,
WILLIAM HEWAT, Esq., District Treasurer.

T. R. BROCK,
Conveyancer, Accountant, and
**GENERAL AGENT,
No. 1, MARKET SQUARE,
GUELPH.**

MR. J. DAVIS,
Barrister and Attorney-at-Law
NOTARY PUBLIC, &c.,
GUELPH,
WELLINGTON DISTRICT, C. W.

ANDREW GEDDES, ESQ.,
Government Agent for the District of
Wellington,
CROWN LAND OFFICE, ELORA.
On the regular Mail Road from Guelph to
Owen's Sound.

ARCHIBALD MACNAB,
PROVINCIAL LAND SURVEYOR,
SYDENHAM VILLAGE,
OWEN'S SOUND.

**THE PRINCE ALBERT INN,
Market Square, Guelph,
BY JOHN-JONES.**
Excellent Yard and Stabling for the
accommodation of horses, teams, &c. 1

JAMES GEDDES,
Attorney-at-Law, Conveyancer, &c.
ELORA,
WELLINGTON DISTRICT.
February 27, 1849. 36.

THE Undersigned have entered into
Partnership in the practice of the
LAW, under the name and firm of
Ferguson & Hurd.
OFFICE—MARKET SQUARE, GUELPH.
A. J. FERGUSSON,
EDWARD E. W. HURD.

**THE CANADA
Life Assurance Company**
AGENT FOR GUELPH,
T. SANDILANDS.

W. FELL,
ENGRAVER AND PRINTER.
Opposite the Building Society's Rooms,
KING STREET, HAMILTON.

NOTARIAL PRESSES.
Notary and Office Seals, Professional and Business
Cards, Door and Coffin Plates, and every descrip-
tion of Engraving and Printing.

**OFFICE OF THE CLERK OF THE WATER-
LOO COUNTY COUNCIL** open on every
Tuesday, Wednesday, Thursday and Fri-
day, between the hours of 10 A. M. and
3 P. M.
Clerk's House,
Guelph. 34-1y

To all whom it may Concern.

MARRIAGE LICENSES may be had
upon application at the office of the
Distributor in **FERGUS,**
A. DINGWALL FORDYCE.

A. D. FERRIER,
CONVEYANCER, NOTARY PUBLIC,
AND
General Agent.
Waterloo County Clerk's Office, Guelph.

Poetry.

LAND OF MISTS AND HEATHER-BELLS.

The wine is red, the lamps are bright,
And gems and jewels glance,
Where Ladies with their Loves to-night
Are mingling in the dance.
But still the music's softest swell
No gladness bring to me—
The land of mists and heather-bells
Is far beyond the sea!

I've sought the grove where fire-flies gleam
'Mong rins of red and gold,
To banish from my mind the dream.
But still the days of old—
The glens, the moors, the mountain-fells,
Come back again to me;
The land of mists and heather-bells,
Beyond the Northern sea.

This land is rich with all the hues
And treasures of the Spring;
Around my path, 'mong meadow-downs,
The ceaseless insects sing;
But still my hugging spirit dwells
With one who walk'd with me
'Mong misty moors and heather-bells,
Beyond the Northern sea.

Deferred Articles.

MONTREAL, June 15th.
*Great Fire in Griffintown this After-
noon.*—About 4 o'clock, a fire broke out
in a carpenter's shop, in Nazareth street,
destroying in its wake about fifty houses,
and the Episcopal Church of St. Ann's.—
It is still extending its ravages towards
the Canal, and it is impossible to say when
it will be got under. An immense quantity
of lumber has been destroyed.

MONTREAL, June 17th.
The fire in Griffintown, on Saturday,
consumed nearly 200 houses. After rag-
ing about three hours, it was subdued
in the vicinity of the Forwarding Stores,
at the Canal, which, together with the Gas
Company's Works in the neighborhood,
narrowly escaped. The exertions of the
fatigue Company of the 20th Regiment
were most effectual in checking the pro-
gress of the fire in that direction.—In
the consternation at the time many families
lost the whole of their furniture. A re-
spectable woman named Livingston, was
burned to death in endeavoring to secure
her property; and another woman named
McDonald, is reported missing. The *Eina*
Mutual and Quebec Insurance Companies
exist, it is said, losers to a considerable ex-
tent by this disastrous occurrence. The
Episcopal Church is insured in the *Eina*
for \$200, and in the *Quebec* for \$150.
His Worship the Mayor is about to call a
public meeting to consider measures for
the relief of the sufferers.

HEZZA FOR RETRENCHMENT!—We are
told that the Special Committee on the
Public Expenditure, met on Saturday, and
proceeded to business; and that after a
sharp discussion, they set to work to re-
turn in good earnest, cutting down the
members pay from 20s. to 10s. per diem,
the Speaker's salary from £1000 to £500;
and, *horribile dictum!* the Governor Gen-
eral, from £7777 to £3500. The Inspec-
tor-General and Mr. Morrison quitted
the room in disgust! Breakers ahead.—
Patriot.

NEW ORLEANS, June 14.
We have received intelligence from
Havana as late as the 10th inst., which
states that the Spanish Government, in
reply to the representations of the Ameri-
can Consul, after passing through forms of
trial, had liberated the American prisoners,
who were to return to the U. S.

NEW ORLEANS, June 15.
We have received intelligence from
Havana as late as the 10th inst., and are
happy to state that the Spanish government
had yielded to the representations of our
Consul, aided by other American authori-
ties, and after passing through the forms of
a trial, had liberated the American pris-
oners taken on board the brigs *Georgiana*
and *Susan Loud.*

BUFFALO, June 17.
Aerial Steamboat Disaster.—A tele-
graphic despatch from Cleveland, this morn-
ing, says that the steamer *Griffith*, on her
way from Buffalo to Toledo, when about
20 miles below Cleveland, at 5 o'clock this
morning took fire and burned to the water's
edge. The mate who swam ashore, reports
only 30 saved, and those saved them-
selves by swimming to shore. Captain
Roby, wife and child, are among the lost.
There were between two and three hun-
dred on board. The accounts differ as to
the loss of life. The last report gives the
number lost at 260.
The western lines are working badly, and
we are unable to get further particulars.

DR. WEBSTER.—The Supreme Court
opened this morning, and delivered their
opinion in the case of Dr. Webster, to the
effect that every form necessary to con-
stitute a legal trial had been complied with.
They were unanimous in dismissing the
petition. It was the general impression
in Boston, that the Governor would next
month, fix the day for the execution of
Professor Webster—and that there is no
possibility of the prisoner escaping from
the extreme penalty of the law.

A man and woman were hanged by
Lynch law in Missouri on the 9th of May,
for an attempt to kill a Mrs. Allen. The
mob took them about a mile from the town
of Liberty, and then suspended them from
a tree.

BY-LAWS

Of the Municipal Council of the Township of Nichol,
passed March 22nd, May 18th, and June 1st, 1850.

BY-LAW No. 8.

WHEREAS it is expedient and necessary to provide by
By-law for the removal of all Fences which may be
placed on Highways or Road Allowances:
Be it enacted by the Township Council of the Town-
ship of Nichol, held under and by virtue of An Act 12th
Vic. cap. 81, intitled An Act to provide by one general
law for the erection of Municipal Corporations, &c., in
Upper Canada, and it is hereby enacted by the authority
of the same,

1. That, in the event of any Fence being placed upon
any Road or Concession Line in the Township of Nichol,
the Overseer of Highways shall represent the same to the
Township Council, and, acting under the authority and
responsibility of said Council, shall request the owner to
remove said fence; and in case of refusal or dispute, the
matter shall be referred to at least three Fence-viewers,
and if it shall be considered necessary to employ a Sur-
veyor to adjust the matter in dispute, the Township
Reeve shall have the power to appoint the same, and the
party found to be in error shall pay all costs, suits, charges,
and expenses, which may have been or shall be in-
curred thereby.

2. And be it enacted, That, should it be decided that
said Fence has encroached upon the highway or road al-
lowance, and that it is necessary that the same shall be
removed, and should the owner neglect or refuse to re-
move the same within ten days after the date of the
decision, a fine of five shillings per day shall be imposed
for every day afterwards that said fence shall remain
unremoved—said fine to be recovered by distress of
goods and chattels.

JOHN WATT, *Town Reeve.*
JAMES McQUEEN, *Township Clerk.*
Fergus, Nichol, June 1, 1850.

BY-LAW No. 9.

*For preventing the desecration of the Sabbath in the Town-
ship of Nichol, and for prohibiting bathing in the
dam and other parts of the river, in the village of
Fergus and Neighborhood.*

WHEREAS it is expedient and necessary to prevent the
desecration of the Sabbath in the Township of Nichol, and
to prohibit persons from bathing in the mill dam and other
parts of the river, in the village of Fergus and its neigh-
borhood:

Be it enacted by the Township Council of the Town-
ship of Nichol, under the authority of the Act 12th Vic.
cap. 81, intitled An Act to provide by one general law
for the erection of Municipal Corporations, &c., in Upper
Canada, and it is hereby enacted by the authority of the
same, That all persons found bathing in the mill dam,
or other parts of the river in Fergus or its neighborhood,
or sailing in boats on rafts, or firing guns, or engaging
in any games, on the Sabbath day in the Township of
Nichol, on conviction before a Magistrate, shall be liable
in the fines and penalties aftermentioned, that is to say,

1. All persons convicted, upon the testimony of one
credible witness, of sailing in boats on rafts, firing
guns, or engaging in any amusements or sports on the
Sabbath day, within the Township of Nichol, shall be
liable in the penalty of one pound currency for the first
offence, and in the penalty of two pounds currency for
every subsequent offence—to be recovered by distress of
goods and chattels under warrant of a Magistrate.

2. And all persons convicted, upon the testimony of one
credible witness, of bathing in the mill dam, or other
parts of the river in Fergus or its neighborhood, or in
any exposed situation, after the hour of seven o'clock
A. M., shall be liable in the penalty of ten shillings cur-
rency for the first offence, and one pound currency for
every subsequent offence—to be recovered as aforesaid.

3. And be it enacted, That all fines so recovered shall
be paid over to the Township Treasurer for Township
purposes; and that in the event of offenders possessing
no goods or chattels as aforesaid, they shall, at the dis-
cretion of the Magistrate, be liable to be imprisoned for
not less than one week, or more than one calendar month.

JOHN WATT, *Town Reeve.*
JAMES McQUEEN, *Township Clerk.*
Fergus, Nichol, June 1, 1850.

BY-LAW No. 10.

*To provide for the remuneration of the Township Council-
lors of the Township of Nichol, and certain
Officers appointed by them and acting under their
authority.*

WHEREAS it is expedient and necessary to remunerate
the members of the Municipal Council of the Township
of Nichol, and certain officers appointed by them:

Be it enacted by the Municipal Council of the Town-
ship of Nichol, held under and by virtue of 12th Vic.
cap. 81, intitled An Act to provide by one general law
for the election of Municipal Corporations, &c., in Upper
Canada, and it is hereby enacted by the authority of the
same,

1. That each member of said Municipal Corporation,
for every day he may attend a meeting of said Cor-
poration, shall be entitled to receive the sum of five
shillings currency.

2. That the Clerk shall receive the sum of twelve
pounds ten shillings per annum.

3. That the Treasurer shall receive the sum of five
pounds per annum.

4. That the Superintendent of Common Schools shall
receive the sum of five pounds per annum.

5. That the Assessors shall receive a sum equal to
three pounds for every hundred pounds rated on the
Assessment Roll.

6. That the Collector shall retain a sum equal to three
pounds ten shillings for every hundred pounds he may
collect for all Township purposes.

7. That the Auditors shall receive the sum of five
shillings each for every day they are employed in the
duties of their office.

JOHN WATT, *Town Reeve.*
JAMES McQUEEN, *Township Clerk.*
Fergus, Nichol, June 1, 1850.

Provincial Parliament.

Abridged from the British Colonist.
HOUSE OF ASSEMBLY.

DEBATE ON THE CLERGY RESERVES.

TUESDAY, June 18.

Mr. Price, in moving the Resolutions which we published a fortnight
since, observed, that it would have been more in accordance with his
wishes could the question have been made a Cabinet measure, and brought
into the House by a Bill; but he had taken the only course that was open
to him. Although the principle involved in the question was of the ut-
most importance—one from which he would never recede—he could not
say that it was the most vital question to Canadian interests which existed,
because, although particular denominations were more highly favored
than others, the Clergy Reserves were not given them in perpetuity—they
were only receiving a portion of the interest on the sales, and the
power of revocation was still in the hands of the people. For this reason,
he held that the immediate settlement of this question was not of such
high importance at present as some others. The House could not legally
pass a Bill, because the Imperial authority had passed a measure on the
subject at our request; though the act was not exactly in accordance
with our wishes, there had been no voice raised against it, and it had been
in operation for the past ten years. It had to be sure not been considered
a settlement of the question by the people, but by their silence they had
given their tacit consent to the right of Great Britain to legislate on the
subject. If the bill proposed went home, the lawyers were of opinion
that even if it received the Royal assent it would be null and void, and
could not be enforced. He believed that such a bill could not pass that
House; he should be obliged to vote against it himself, and he was sure
now speak of the claim of the Church of England to the whole lands set
apart by the constitutional act for the maintenance of a Protestant Clergy.
The constitutional act set apart one-seventh of all the lands to be sur-
veyed in Upper Canada for the support of the Clergy, and he would now
proceed to show the magnitude of the property thus devoted. The whole
number of acres set apart was 2,395,657. Of these there had been sold
under the Act 7th and 8th George IV. 530,913, and under 3rd and 4th
Victoria, 568,540; 1,090,453 sold, and 1,296,584 remaining undisposed
of. The lands were sold for the large sum of £720,756.
Mr. Sherwood [Toronto.]—All swallowed up by the Crown Land
office; they charged 40 per cent. for collection.
Mr. Price said that since the present Government came into power, they
had only charged 6 per cent. for collection, but this sum of £720,756
was over and above all expenses. Of this amount, up to the 31st Decem-
ber, 1849, £333,899 4s. 4d. had been paid, leaving still due £386,856
15s. 11d. With the interest on this amount when collected, they would
have, from the lands already sold, a million pounds; and when all the
lands were disposed of, the proceeds would probably amount to the large
sum of two millions. If they looked at the population of Canada in 1849,
they would find that a very small proportion of the population were inten-
ded to be benefited by this large sum. Out of the 723,000 people, the
Church of England had 171,751, and the Church of Scotland 67,909,
making a total of 239,660, and these two churches were to get the large
share having comparatively little to the good of the other. The
Roman Catholics £700 a year for their population of 128,707, and the
Wesleyans also a miserable pittance for their 90,363; but allowing these
as provided for, there were still 262,611 who were entitled to the
benefit of this property. The sum of £2,090,000, when realized,
would, at 6 per cent, give 1000 Clergymen £120 per annum, and they
would have the charge of only 720 men, women, and children each, a
tax of 7s. 6d. per head. This would be the richest endowment in the
world, considering the population and comparative wealth of the country;
and the well-being of the interests of religion that clergymen should be
continually combating for a division of the spoil. Had the Clergy Re-
serves never been dreamt of, he believed that the Church of England
would have been more numerous, better supported, and more wealthy
than she was at present; these churches which had no State assistance,
supported their ministers with far more liberality than those of the Church
of England, even with their appropriation. It had been said that the
members for Lower Canada were not interested in this question; he
could show that they were very deeply interested, because the support of a
city of had had in view the good result to be derived from the support of
Protestant Clergy, although it was part a Catholic country. The num-
ber of acres set apart was 934,052, and the quantity sold 363,939, leaving
570,113 unsold. The amount of money received on the sales was £744,
226 2s. 11d.; remaining due £16,705 18s. 5d. The expenses of the
Government had therefore as good reason to wish that the question
Canada had therefore as good reason to wish that the question
of the Clergy Reserves should be settled as that of the support of
discharging their duty on this matter. He did not think it necessary for him
to go over all the declarations of opinion by the Parliament of Canada, in
favor of the devotion of those lands either equally to all denominations
the province, or to general purposes, or education. On every occasion
which it came up, similar resolutions had been passed. Reports of
Committees appointed on the subject, taking the same view, he might
read, but he did not wish to trespass too long. It was not only Parlia-
ment composed of a majority of Liberals who did so, but also the
large preponderance of Tories. He wished that to be borne in mind,
that it was no party question in those days; the change was advocated
by men of all parties; among them, Mr. Sampson, a strong Conservative
now dead, had moved a resolution to appropriate them to education, and
Mr. Ryker, then member for Lincoln, was one of the strongest opposers
of the bill. To promote the welfare, or to make for Toronto had said later
view of almost everybody, but through his influence a change was
worked, and many who had formerly been for giving the lands for general
purposes, were now in favor of allowing the Home Government to settle
the matter. The bill was sent home, and was so well supported that a
despatch from Lord John Russell, stating the reasons why it had not received the
Royal assent, which were chiefly that the law officers of the Crown had
advised that the Act was unconstitutional, and that it would indefinitely post-
pone the settlement of the question, and that the Provincial authority, he
was the most competent to legislate on the matter. He thought that it
had been shown that the people of Canada have invariably insisted on
as the Home Government had acknowledged, their right to settle this
question as they pleased, and if they asked to have that power given back
to them which they had surrendered to the Imperial authority, he was
sure it would be granted. The hon. member for Toronto had said lately,
that it was in obedience to public opinion that he had introduced a particu-
lar measure; he trusted that hon. members would pay regard to public
opinion in this matter also—not public clamor, which died away in an
hour; but that quiet, decided public opinion formed on a full acquaintance
with the subject. To promote the welfare, or to make for Toronto had said later
religious condition of the Province, they were bound to support it; they
were bound to support it on the great principle of equal rights to all,
of whatever creed or denomination. He wished to go to Great Britain to
ask the power to dismiss the root of bitterness which had grown up in
and their midst, which had set church against church, father against son,
son against father; to bring back to harmony and peace the land in which
he dwelt. In a short time he trusted that this subject would be removed,
never more to be a cause of strife. He had been told that it was not wise
to suggest that we should secure to the present incumbents their endow-
ments during their lives. He thought that the proper course had been
taken; it was proper that they show the people of Great Britain that they
intended to pay respect to the claims of individuals, many of these incum-
bents having been brought from England on the faith of the Government
settled on the Upper Canadians, or their Assembly, were opposed to its settle-
ment, but because every effort to do so was frustrated by the efforts of the
Church, who through the Legislative Council. All the vexations—all
the responsibility from that, ought to rest on the heads of those persons.
Hon. Mr. Boulton condemned the Government for not making this a
Cabinet measure, and took credit to himself for his previous liberal views
on the question. Politically speaking, the introduction of these resolu-
tions was one of the greatest pieces of clapnet he had ever seen. If
this address passed, would not one of the Attorneys General be required
to give his opinion upon it to the Home Government, and Mr. Price's
Resolutions might be strangled by one of his colleagues. They might
as well try to cover an elephant with a gauze veil as to disguise this pro-
ceeding with the sophistry that was used. Considering the practical ad-
option, by the Ministry, of the double majority system, one government
or Upper and another for Lower Canada, he concluded by denouncing
as a mockery the bringing forward of this abortive thing—the string of
resolutions.

Col. Prince had often listened to this sort of thing.—The object of this
move was, to produce political capital for the next election; for the ques-
tion had for years been made the sticking-horse of all political parties.
This question convulsed Upper Canada for years, and it had now been
settled, and he contended that we had no right ever to discuss it. The
Government had disgraced themselves by not making this a Cabinet
question; they had permitted one of their members to bring up this
question; they evaded all responsibility; but he should regard it as
a measure. They said that we had no right to legislate
and so far he agreed with them; but they put forward
ber with these resolutions, the object of which was to in-
perial settlement. Having referred to the passing of the