

It appears that for the more effectual protection of the fishing grounds Canada has agreed to place a steamer, and Nova Scotia two small vessels, in the Gulf of St. Lawrence to enforce the terms of the fishery convention of 1818 to their full extent, while New Brunswick is to place a small vessel in the Bay of Fundy for the like purpose. The catch of mackerel off the eastern coast of Nova Scotia has been very great this season.

The crops in Canada West never looked better than they did last week. There is a promise of an abundant harvest. Large quantities of hay have been made, and the meadows have yielded a very large crop.

The Montreal Branch of the Catholic Defence Association has forwarded £135 towards the erection of the Catholic University in Ireland.

The detachment of the 79th Highlanders stationed at Grosse Isle, having been relieved by a company of the 54th Regiment, returned to town in the Quarantine steamer this day, in order to embark with the rest of their regiment for England.

A SUNKEN FRIGATE.—The *Boston Advertiser* says that a company of men are employed near Stony Point, in attempting to recover a large sum of money, which was supposed to be lost in the British ship of war *Hussar*, which was sunk 80 years ago in passing through Hell Gate, after having struck upon a rock called the Pot. It is said that the adventurers have succeeded in clearing away the rubbish which surrounded the wreck, and have recovered a large number of guns and a quantity of ammunition, and have approached the spot where the treasure is supposed to be deposited.

MELANCHOLY ACCIDENT.—An interesting boy, the only surviving son of our esteemed fellow-citizen James Baker, Esq., was drowned on Tuesday afternoon at Mr. McPherson's wharf. It is supposed that he fell overboard from a small boat on which he was amusing himself. The attention of persons on the wharf was first attracted to his hat, which was swimming on the water, and procuring a boat and hook the body was recovered in a short time, but not before life was entirely extinct.

"The more believers love God, the more they love one another; as the the lines of a circle, the nearer they are to the centre, the nearer they are to each other."—*Charnock*.

We cut the above sentiment, with its very beautiful and apposite illustration, from the columns of the *Toronto Examiner*. The *Examiner* is a strenuous advocate of Church spoliation, and is even more savage than the *Globe* against the little school-boy riots that took place opposite the door of the St. Lawrence Hall the other night. Does the *Examiner* think that the sentiments he records as emanating from the different speakers in that Hall, breathing, as they did, hatred, disloyalty, treason—or at least what would have amounted to treason a few years back—and all uncharitableness, are in any way accordant with the above-mentioned beautiful sentiment of *Charnock*? We see it and read it and feel its truth; but, like a fly in a lump of amber, we wonder how it got there—that is, into the *Examiner*.—*Montreal Courier*.

We have ascertained that the trial of Samuel Elie dit Breton, for the murder of Ignace Terrien, at St. Gervais, which occupied eight days of the present Term, and resulted in his acquittal, cost the country £363—not including the service of the Crown subpoenas, nor the costs of the subpoenas, nor sundry concomitants, making the total fall not much short of £400! So much for economy in the administration of Criminal Justice under Responsible Government.—*Quebec Mercury*.

THE AZTEC CHILDREN.—These are decidedly the two most interesting specimens of dwarfs we have ever met with—not even excepting the celebrated General Tom Thumb. Whether they be Aztecs or not, may be hard to tell, but it can hardly be doubted that they belong to the Indian race of Central America—their contour resembling many of the heads found among the Indian sculptures, depicted in Stephens' incidents of travel in Central America. The boy, the older of the two, has the bones of the face, particularly the nose, so largely developed, as to give his head the appearance of that of an idiot—but a close examination proves that though the frontal region is small, it is very far removed from the idiotic formation. He is slight, but active, and singularly observant and imitative. The head of the girl, the younger child, is much better, and her whole appearance is indicative of greater strength both physical and mental. There is a striking difference in their hair, that of the boy being quite black and straight, while the girl's is inclined to curl and is a very dark brown. They enjoyed exceeding the company of other children in the room, being as full of fun as any of them. Their happy appearance and their fondness for the good tempered looking gentleman who has taken them in charge, is sufficient proof that they are well and kindly taken care of. A more pleasurable exhibition has rarely been made in Toronto, and we strongly recommend all our friends to see them, and particularly to take the children, if they like to give them an hour's real amusement.—*Patriot*.

POTATO ROT.—We are sorry to hear that this disease prevails to a great extent throughout the Country, the late heavy rains are supposed to have promoted it, the loss in many instances is the entire crop, in other respects the farmer has much to be thankful.—*Western Planet*.

We observe that about 300 emigrants from the Isle of Skye have arrived in Sherbrooke, Eastern Township. They propose in the meantime to labour on the railroad, and will no doubt be found valuable for that purpose.

BLUE ROSE.—The horticulturist of Paris says a correspondent of the *New York Express*, have succeeded by artificial crossings in obtaining a natural rose of a blue color, which is the fourth color obtained by artificial means; that and the yellow or tea rose, the black or purple rose, and the striped rose, being all inventions, and the result of skilful and scientific gardening.

An inquest was held yesterday afternoon upon Mr. Joseph May, late Surgeon of the *Clara Symes* and the body was opened and examined by Dr. Marsden, at the request of the Coroner and Jurors, who returned a verdict of "Died of Apoplexy on the Lungs." There was also an inquest in the morning of the same day upon the body of a man (name unknown) found drowned at L'Ange Gardien.—*Quebec Chronicle*.

The wire intended for that portion of the Quebec and Halifax line extending across the St. Lawrence at Cap Rouge was landed yesterday from the *Clara Symes* of Liverpool. It is expected that the electric communication between this city and the United States will be opened via *Halifax* in the course of next month. *Mercury*.

The freight-ship *Hertfordshire*, with the 54th regiment on board, arrived here yesterday morning, after a quick passage of 19 days from Antigua.—The troops, which are intended to replace the 79th Highlanders now stationed on the citadel, were landed early this morning.—*ib.*

TO CORRESPONDENTS.

We have received "The Church in the World" which shall meet with our earliest attention.

ACKNOWLEDGMENTS.

LETTERS received to Wednesday, August 6, 1851.—Rev. J. R. Tooke, rem. vol. 15; Rev. T. Green, rem. vol. 14; P. W. Ruitan, Esq., North Port, vol. 15; J. D. Cameron, Haldimand, vol. 15; W. Inman, Esq., rem. vol. 15; C. J. Campbell, Brockville, vol. 15; Rev. J. McIntyre, rem. vol. 15; Rev. T. Bousfield, Picton, rem. vol. 15; for 3 subscribers: Rev. G. Hallen, rem. vol. 15; Rev. T. A. Young, rem. vols. 14 & 15. S. J. Scovil, Esq., St. John's N. B. rem.

THE CHURCH.

TORONTO, THURSDAY AUGUST 7, 1851.

THE IMPERIAL GOVERNMENT ON THE CLERGY RESERVES.

We have procured a copy of the despatch from the Home Government on the Clergy Reserves, laid before the Provincial Legislature on Monday. By that despatch it appears that "it has hitherto been impossible for her Majesty's servants to submit to that House a measure for giving effect to the wishes of the people of Canada on this subject, as expressed by their representatives, and that the remaining portion of the present Session would not afford a sufficient opportunity for the discussion of a measure of so much importance, and upon which it is probable there may be so much difference of opinion."

Thus it will be seen the socialists and infidels of Canada who would sacrilegiously rob religion of the means for its advancement amongst us, are foiled for the next year. In the meantime a General Election will give the Christian population of all denominations, an opportunity of returning to Parliament, men, as their representatives, who on this vital question will express their determination "not to live without God in the world," and who will, by their resistance to the Canadian socialist, justify the Imperial Parliament in refusing their sanction to such a sacrilegious and revolutionary project, without the possibility of its being said that they did so in opposition to the wishes of the people of Canada.

The following is a copy of this important despatch:—

DOWNING STREET, 11th July, 1851.

MY LORD,—In my despatch of the 27th of January last, I stated to your Lordship that in consequence of an Address to Her Majesty, of the House of Assembly, which you transmitted to me in your despatch No. 193, of 19th July, 1850, it was the intention of Her Majesty's servants to recommend to Parliament that an Act should be passed giving to the Provincial Legislature full authority to make such alterations as they may think fit in the existing arrangements with regard to the Clergy Reserves, provided that existing interests are respected.

2. I have now to inform your Lordship, with reference to the above communication, that from the meeting of Parliament up to the present time, business of so much urgency has occupied the attention of the House of Commons, that it has hitherto been impossible for Her Majesty's servants to submit to that House a measure for giving effect to the wishes of the people of Canada on this subject, as expressed by their representatives; and that the remaining portion of the present Session would not afford a sufficient opportunity for the discussion of a measure of so much importance, and upon which it is probable that there may be so much difference of opinion.

3. In these circumstances, Her Majesty's servants are compelled to postpone to another session the introduction of the Bill to which, in accordance with the intention they expressed, it is their intention to ask the assent of Parliament.

4. It has not been without great reluctance that we have decided upon thus delaying the proposal of a measure for which it appears that much anxiety is felt by the people of Canada; but, on the other hand, it has appeared to us that it would be better to incur even this delay, greatly as we have regretted it, than to bring the subject under the consideration of Parliament, until it should be in our power to do so in the manner best calculated to ensure the success of the measure which we shall propose.

5. I trust that it will be practicable to submit that measure to Parliament early in the next session.

6. I have to instruct your Lordship to communicate this despatch to both Houses of the Parliament of Canada.

I have, &c.

(Signed) GREY.

THE BURIAL SERVICE.

A case of no small interest and importance in which the Lord Bishop of Quebec was the respondent, has recently been decided by the Judges at Quebec. We shall state the leading facts with as much conciseness as possible.

On the formation of a burial ground, at the above-mentioned city, styled the Mount Hermon Cemetery, difficulties presented themselves to the setting apart a portion of the land for the special use of the Church of England. So formidable did

these difficulties appear that measures were originated under the unanimous sanction of the select vestry of the Cathedral, for the purpose of acquiring a place of sepulture to be exclusively devoted to members of the Anglican communion.

Before matters had come to an extremity, however, fresh negotiations were opened, and the result was that the Church of England had a portion of the ground within the cemetery appropriated to her sole use, and so capable of consecration agreeably to her formularies. That solemn service was performed accordingly, and the section of the cemetery in question became to all intents and purposes a church-yard.

In the interval some members of the Church had acquired lots in the unconsecrated portion of the ground, and several interments, according to our ritual were made therein. To prevent the recurrence of such irregularities the Bishop enjoined his clergy to confine their ministrations to the section of the cemetery set apart, as above-mentioned. Anxious, however, to accommodate all parties his Lordship expressed his willingness to consecrate any of the detached lots, comprising them all in the "sentence of consecration." This privilege was embraced, in at least one instance, as we are informed by the *Quebec Mercury*. An interment was authorized by the Bishop upon a promise given that the ground should be subsequently consecrated, whenever matters should be ready for the service.

Such was the state of things, when a Mr. Christian Wurtele applied to have his deceased child interred according to the rites of the Anglican Church, in an unconsecrated portion of Mount Hermon cemetery. Mr. Wurtele, we presume is a member of our communion, but he can be little more than a nominal one, judging from the fact that his deceased son had been baptized by a dissenting teacher, of what denomination we are not told.

The Bishop without animadverting upon the above-mentioned irregularity (to use no stronger term) agreed to extend to Mr. Wurtele the privilege which he had conceded to others, viz.: that the corpse should receive church burial, on an assurance being furnished that the grave should be consecrated when opportunity presented.

Christian Wurtele, it would appear, possesses a very strange idiosyncrasy. He could bring himself to permit the sacrament of baptism to be administered to his child by a dissenter, and yet object to the same individual committing the lifeless remains to its native dust! Nay, more, with all his latitudinarianism, he would make no allowance for the convictions and opinions of others. This anomalous "Christian," whilst insisting upon his son being interred by a clergyman of the Church of England in an unconsecrated ground, point blank refused to promise that the lot should be afterwards consecrated!

In these circumstances what could the Bishop do? Plainly there was only one course which he could follow with propriety. He refused to accede to the unreasonable, and we must add insulting and intolerant requirement of Wurtele. Had he acted otherwise, he would have degraded himself alike in the estimation of Churchman and Dissenter, and permitted his sacred office to be trodden under foot by scorn and contempt.

Though a miserably poor Churchman, Mr. Wurtele is a thorough-going *Erastian*. In his estimation, the Bench of Bishops, is a tribunal vastly inferior to the Queen's Bench! Accordingly (in the words of our before-named contemporary) he "proceeded to serve a Notarial protest upon the Clergyman who had declined, in consequence of the Episcopal directions, to officiate, and also upon the Bishop himself; and finally petitioned the Court for a Mandamus making it compulsory upon the Bishop to afford unconditionally the ministration desired!"

On Saturday, the 19th ult., the case was argued before their Honours Mr. Justice Duval, and Mr. Justice Meredith. Mr. A. Stuart appeared for the petitioner, and as the *Mercury* states, went over "a considerable range of argument, which he brought to bear with great closeness and earnestness upon his point." The Lord Bishop pleaded his own cause, stating as a reason for so doing that there were "certain points of a peculiar nature, and certain details of fact connected with the origin and history of the case, with which no person could have the same familiar acquaintance as himself." "On His Lordship's behalf, the Hon. H. Black followed professionally, and adduced many pregnant and learned authorities which he urged with the fullest effect."

The judges pronounced their decision upon Monday the 21st ult., in the following terms:

"Having heard the petitioner, Christian Wurtele, and the Right Reverend George Josaphat Mountain by their counsel respectively; considering that the said Right Reverend George Josaphat Mountain was and is ready and willing to bury Charles, infant son of the petitioner, in any Church-yard or burying-ground attached or belonging to any church of the Communion of the Church of England in the parish of Quebec, or in any consecrated ground within Mount Hermon Cemetery in the petition of the said Christian Wurtele mentioned;—It is ordered that the prayer of the petitioner be and the same is hereby dismissed with costs."

Their Honours coincided to the very letter in their estimate of the case, and both entered fully

into its merits. Judge Meredith delivered his reasons in a written form, and as the document is at once learned and elaborate, and well merits a careful perusal, we have inserted it in another portion of our paper.

There is matter for sincere congratulation in this decision. It establishes, that so far as the civil power is concerned, the Church cannot be forced to stultify herself at the imperious behest of every unstable weather-cock who professes to belong to her communion. Christian Wurtele is the representative of a class, alas! too numerous, who fain would degrade the Church of the Living God, into a sorry creature and appendage of the State, and constrain her by *Mandamuses* to become the pamperer of men's whims and fancies, instead of acting as their counsellor and guide. Unenviable is the position into which this misguided person has thrust himself. The most rabid sectarian must needs cry shame upon the man, who claiming to belong to a religious body, would seek to stultify her authority, by calling into requisition the racks and thumb-screws of the secular power!

Since writing the above, we have received the *Quebec Mercury* of Saturday, from which it would appear that Mr. Christian Wurtele had made a fresh attempt to effect his object. Our contemporary says:—

"The particulars connected with the second application of Mr. Wurtele to the Bishop of Quebec, mentioned in two other papers of this city, are as follows. The application was in the form of a notarial protest served upon his Lordship, demanding the performance of the burial service for his child in the Cathedral Church. The Bishop, thereupon, signified his readiness to cause that part of the service to be read in the Cathedral which is appointed to be read within the Church upon condition that the portion appointed to be read at the grave should be read in a place of which the choice would be conformable with the judgment of the Court, and upon the further condition that proof should be exhibited of the baptism of the child, such proof not appearing in the Registers of the Church of England."

THE LAITY ON TRINITY COLLEGE.

The Hon. P. de Blaquiere had the hardihood to assert lately, in his place in the Legislative Council, that the great majority of the Clergy and Laity were opposed to the establishment of Trinity College. This assertion excited no little surprise, after the unanimous expression of opinion on the subject by the clergy and lay delegates when assembled in this city. In a recent number we gave a resolution adopted by the Carleton Place Branch Union, repudiating such sentiments, and a formal letter addressed to the Hon. Mr. de Blaquiere upon the subject. We this day give a similar resolution, adopted by the "Smith's Falls" Branch Union, and we have no doubt that wherever it is thought worth while to notice the assertion of the Hon. Gentleman, a similar resolution will be come to.

On referring to our report of the meeting of the Smith's Falls Branch Union, at which this last resolution was adopted, there were some observations made by Mr. Mattheson, illustrative of the voluntary system, and of the extent to which those "pharasaical brawlers" in the Executive are desirous for the maintenance of religion, and the diffusion of Christian Knowledge. Mr. Mattheson stated, "that having heard that the Ministry had come forward as most strenuous advocates of the voluntary principle, he paid them a visit when at Toronto, soliciting subscriptions to erect a church. Mr. Hincks was furious that any one should ask money for such a purpose, when they were laboring to reduce his salary. Mr. Lafontaine was the only one who subscribed, while Mr. Price and the rest stated, they gave nothing to any Church!" and yet these are the men who would leave religion solely dependent on the voluntary offerings of the people.

THE VOLUNTARY PRINCIPLE.

In a recent debate upon the Provincial Penitentiary Bill, Mr. H. J. Boulton

"Moved to recommit the bill again &c. &c.—to amend by striking out in the 17th clause, the provision relative to the Protestant and Roman Catholic chaplains, and insert a provision leaving it open to the Ministers of all denominations to render spiritual assistance to the convicts in the Penitentiary. The section as it at present stood, in his opinion, contained a provision which was most absurd. To say that all those who profess Presbyterianism, Universalism, the principles of the Baptist persuasion, and other Dissenters, were to be instructed only by a Church of England Minister, was casting a slur—an unwarranted insult—upon all those different dissenting persuasions. It was a farce. (Ironical laughter.) Yes, Yes, a mockery.

"After some further remarks. Mr. PRICE, replied generally to the observations of the hon. member who spoke last.—He thought that if there were not established Chaplains whose services were to be entirely devoted to the spiritual wants of the convicts, it was possible that owing to the multiplicity of the engagements pressing upon the local clergy, the inmates would not receive such attention in this respect, as if there were paid Chaplains to attend to their religious instruction."

The Commissioner for Crown Lands, who we believe is likewise an amateur "preacher," had decidedly the worst of it in the foregoing discussion, when tried by his own doctrines. Voluntaryism, the idol of whom he is a Priest, repudiates everything in the shape of state support to religion. With a flourish of her brazen trumpet she proclaims her ability and willingness to meet all demands