

she imagines that any of these things can compensate for want of attention to the minutiae of social conduct. The source of religion is the heart, and it radiates through the system; and though its diverging beams strike upon remote objects, they must fall first on those that are nearest to the centre.

The domestic circle may exhibit some of the most beautiful developments of female piety, and it affords opportunities to the youngest christians to evidence their religion.—Few, perhaps, are the children who do not mourn over deficiencies in filial piety; who do not recall, with tender sorrow, the poor return they made to an ever wakeful love; and who, though they may have rendered all that decorum required, do not sicken at the recollection of what they might have done, but failed to do,—to soothe, to comfort, and make glad the hearts that now have ceased to beat.

There may be, indeed, many more exciting occupations—many more striking developments of religion—than the quiet discharge of filial attentions; there may be a consciousness of much greater sacrifice in the exercise of a diffused benevolence than in the routine of private duty; but though the first must not be undervalued, it is scarcely as much an indication of real piety as the other. For it is when we see religion cementing natural ties, and maturing family affection,—prescribing the little kindnesses, and the trifling sacrifices, which contribute so much to domestic comfort, teaching to forego pleasure and society for the sake of ministering to infirmity, and cheering the sad and solitary hour—that we feel her to be most attractive, and learn to appreciate her real worth.

Christian love, as it ascends first to its fountain, is conducted from thence, in due proportion, into every legitimate earthly channel.—See, in the good daughter, listening to her parents' counsels,—valuing their instructions,—seeking their society,—ministering to their comfort,—and, lastly, soothing their infirmities, and closing their eyes, the earliest exemplifications of christian social love. See her again in after life—blessing and being blest—the friend of her husband, the joy of his home—the messenger of good to all who feel her sweet and gentle influence. See her in her family; the tender nurse, the patient instructress, the sympathising and forgiving counsellor, receiving back from her children the recompense of her own filial affection!

Nor, in such a person, is the development of the principle confined to her own home. As a friend she is kind, while faithful; constant, and yet impartial. She can appreciate true excellence, wherever she meets with it, and does not allow prejudice or party feeling to interfere with her estimate of worth. Far is it from her to indulge in harshness of expression, still farther to offer the challenge and provoke the attack; she is a "meek daughter in the family of Christ";—all her words are gentle, all her tone is feminine; and whether she relieves distress, or communicates instruction, or renders a slight courtesy, she evinces the same warm and sympathising heart, the same tender and graceful hand.—*Mrs. John Sandford, from "Woman in her social and domestic character."*

THE HORRORS OF WAR MITIGATED BY CHRISTIANITY.

Even war has lost much of its natural cruelty; and compared with itself in ancient times, wears a mild and gentle aspect. The first symptom of the mitigation of its horrors appeared early in the fifth century, when Rome was stormed and plundered by the Goths under Alaric. Those bands of barbarians, as they were called, were Christian; and their conduct in the hour of conquest exhibited a new and wonderful example of the power of Christianity over the fierce passions of man. Alaric no sooner found himself master of the town, than he gave out orders that all of the unarmed inhabitants who had fled to the churches or the sepulchres of the martyrs should be spared; and with such cheerfulness were the orders obeyed, that many who were found running about the streets in a phrensy of consternation and despair, were conducted by the common soldiers to the appointed places of retreat. Nor was a single article touched of the rich furniture and costly ornaments of the churches of St. Peter and St. Paul. This, you will observe, was a thing very different from the boasted examples of Pagan manners, the generosity of Camillus, and Scipio's continence. In either of those examples, we see nothing more than the extraordinary virtue of the individual, because it was extraordinary, equally reflecting disgrace on his times and credit on himself; this was an instance of mercy and moderation in a whole army—in common soldiers, flushed with victory, and smarting under the wounds they had received in obtaining it.

From that time forward the cruelty of war has gradually declined, till, in the present age, not only captives among Christians are treated with humanity, and conquered provinces governed with equity, but in the actual prosecution of a war it is become a maxim to abstain from all unnecessary violence. Wanton depredations are rarely committed upon private property; and the individual is screened as much as possible from the evil of the public quarrel. Ambition and avarice are not eradicated from the heart of man; but they are controlled in the pursuit of their objects by the general philanthropy. Wars of enterprise, for conquest and glory, begin to be reprobated in the politics of the present day.—*Bishop Horsley.*

ENGLISH JURORS.

From Sir James Mackintosh's Speech on the trial of Peltier.

In the Court where we are now met, Cromwell twice sent a satirist on his tyranny to be convicted and punished as a libeller, and in this Court, almost in sight of the scaffold streaming with the blood of his sovereign, within hearing of the clash of his bayonets which drove out Parliaments with contumely, two successive juries rescued the intrepid satirist (Lilburne) from his fangs, and sent out with defeat and disgrace the Usurper's Attorney General from what he had the insolence to call his Court! Even then, when all law and liberty were trampled under the feet of a military banditti; when those great crimes were perpetrated on a high place and with a high hand against those who were the objects of public veneration, which more than any thing else upon earth overwhelm the minds of men, break their spirits and confound their moral sentiments, obliterate the distinctions between right and wrong in their understanding, and teach the multitude to feel no longer any reverence for that justice which they thus see triumphantly dragged at the chariot wheels of a tyrant;—even then, when this unhappy country, triumphant indeed abroad but enslaved at home, had no prospect but that of a long succession of tyrants wading through slaughter to a throne—even then, I say, when all seemed lost, the unconquerable spirit of English liberty survived in the hearts of English Jurors. That spirit is, I trust

in God, not extinct: and if any modern tyrant were, in the drunkenness of his insolence, to hope to overawe an English Jury, I trust and I believe that they would tell him: "Our ancestors braved the bayonets of Cromwell—we bid defiance to yours. Contempsi Cætilinæ gladios—non pertimescam tuos!"

What could be such a tyrant's means of overawing a jury? As long as their country exists, they are girt round with impenetrable armour. Till the destruction of their country, no danger can fall upon them for the performance of their duty, and I do trust that there is no Englishman so unworthy of life as to desire to outlive England.

THE CHURCH.

COBOURG, SATURDAY, APRIL 13, 1839.

The recently published Report of the Earl of Durham, on which, it is supposed, the measures are to be based for "putting a speedy end to the discontents in Canada,"—has, in both Provinces, created a considerable sensation. Different sentiments, either of approbation or of censure, according to the bias of parties, will naturally be begotten by its perusal; but independent of this predisposing influence upon the judgment, it is quite possible for the same individual, in perusing this lengthy document, to be affected by both those opposite feelings. The Report possesses certainly the merit of variety,—not merely as to style and language, but as to the soundness of the views and the cogency of the arguments which are advanced. It would seem to have been constructed if not in a variety of moods, certainly under a diversity of influences from without; for the sentiments promulgated most obviously receive their shade and colouring from the character of the sources from which they are drawn.

In discussing the affairs of Upper and Lower Canada respectively, his Lordship manifests not a little contradiction in the general spirit and tenor of his remarks. In speaking of the political state of Lower Canada, and proposing measures for its alleviation, the sentiments he expresses are comparatively conservative and constitutional; but the opinions he advances in regard to the civil condition of Upper Canada, partake of that radical and revolutionary innovation which its loyal population have been so long and so vigorously resisting. In Lower Canada, Lord Durham seems to have regarded the British population as really the aggrieved party, and with this impression he has proposed some remedial measures in becoming consistency with the spirit of our unrevoked Constitution; but, in Upper Canada, the loyal and anti-innovating portion of the inhabitants are wholly overlooked, or supposed perhaps to be sunk in a state of political apathy from which it were an act of philanthropy to rouse them. The only persons, in his Lordship's view, worthy of consideration are those who, under the pretence of reform, are seeking the destruction of our monarchical form of government, and labouring by every insidious artifice for the dissolution of our connexion with the United Empire. In Lower Canada, it would appear that he accepted advice from those who entertained sound and constitutional views; while in the Upper Province, he seems to have adopted as his text-book the volumes of grievances with which, for the last ten years, our pseudo-reformers have been encumbering the world.

Our respected contemporary of the *Montreal Herald*, for example, declares that the *ipsissima verba* of his loyal and constitutional journal are to be discerned in that portion of the noble Lord's Report which refers to Lower Canada; while journals in the Upper Province whose views of policy are, in many respects, the antipodes of what are entertained by our contemporary just named, assert that their views are, *totidem verbis*, embodied in the same Report! This would lead to the belief—which facts may by and by establish—that this voluminous document is the work of many hands; or that if the hand of the noble Earl alone reduced it into its present shape, and wrought its motley materials into something of a *lucidus ordo*, yet that these have been drawn from sources most opposite and contradictory. That it should represent, therefore, so much of the appearance of patch-work, is not to be wondered at,—that

turpiter artrum

Desinat in piscem mulier formosa superiè,
—that the beginning and the end should manifest so striking an incongruity, must no longer excite our surprise.

In compliance with the suggestions of a few noisy and revolutionary agitators, and in opposition to the loudly-spoken and deliberate voice of a vast majority of the loyal inhabitants of this Province, his Lordship, amongst other recommendations, advises the direct responsibility of the Executive Council to the House of Assembly; in other words, that her Majesty's Representative should be controlled in the exercise of his functions by the voice of the people declared through their Representatives. We have no objection to the theory of such a scheme; but its practical adoption should be made dependent upon a fitting condition of society. When in Canada, we have the same social organization, the same balancing of power in the body politic, which exists in England; when we possess here the same regulators of public opinion as have been established for centuries there; when we have an hereditary peerage, a wealthy gentry, and the same powerful diffusion of commercial influences; when we have the benefit of a healthy system of education, and the full operation of the principle of an established religion, we might venture thus to entrust the destinies of the country to the "will of the people,"—we might hazard the exercise of this public opinion without endangering the prerogative of the crown, or the supremacy of the Mother country. But without such checks,—without any preparation for the wholesome and temperate exercise of so weighty a responsibility, there is nothing to be foreseen from the adoption of Lord Durham's views, but a series of collisions betwixt the governing and the governed,—a strife of party as rotary and established as the cycle of the years. With a Lieutenant Governor virtually dependent upon the popular caprice, it is easy to predict the anxiety that would soon be felt to relieve her Majesty from the trouble and responsibility of his appointment, and the natural desire that would follow to be rid of the interference of the Imperial Government altogether.

On the subject of the Church, upon which it is our more special business to notice his Lordship's opinions, he expresses himself in a manner that cannot fail to gratify the most determined and bitter of its opponents. Although the practical manifestations of Lord Durham's attachment to the principles of the Church, did not lead us to hope for any thing very satisfactory relating to its interests in any official document which he might put forth, we were scarcely prepared for the tone of radical hostility to our venerable Es-

tablishment which appears throughout that Report. How far personal feeling may have been mixed up with views professedly public and patriotic in this exposé of his Lordship's religious predilections, the world may by and by have a better opportunity of judging. It may have been discovered by his Lordship that the independence of popular caprice which an Establishment provides for its ministers, has led to a faithfulness in promulgating christian truth and duty, which to the proud and unconverted heart is far from grateful; and this discovery may have begotten that sudden preference for the Voluntary principle which the noble Earl avows, as affording some check to this uncompromising and painful boldness in the exposition of Gospel duty. Be this as it may, the question of an Established Church in contradistinction to the operations of the Voluntary system, is one in which the opinion of the Earl of Durham is not likely to effect any great or sudden revolution.

The noble Lord seems ready enough to adopt the floating rumours which, baseless as they may be, it is found convenient to propagate, of the extreme paucity of the members of the Church of England in this Province, and the consequent presumptuousness of its claims to be exalted to the honour and dignity of retaining its proper privileges and legally accorded rights. For the rash and reckless assertions which his Lordship hazards upon this point, he is probably indebted to the same sources of information upon which were predicated the late very startling and very marvellous declarations, in the House of Commons, of his Chief Secretary, Mr. Buller!

Lord Durham will no doubt surprise the people of England as much as his chief Secretary had lately astonished those of America, when he states that a majority of the middle classes in England,—from which classes, emigration to this country is chiefly to be expected,—are Dissenters from the Established Church. His Lordship has access to the fullest means of ascertaining this fact; and if he will be at the trouble of inquiry, he may also learn that the existence of Dissent both in England and Scotland has been in a great degree owing to the want of a full provision for the Established Church. And had such a provision, in any adequate degree, been brought into operation in this Province about 30 years ago,—had we then been furnished with the ministrations of the Church of England in any degree proportionate to the wants of the people, Lord Durham must have a very imperfect knowledge of the history of this Province not to know, that by this time it would have embraced in its communion a very large majority of the population. When people are left to their own resources, and the State fails to supply the religious instruction which they require, it is hardly to be expected that the Church of the State should maintain its ascendancy in their affections.

We had written thus far when our attention was called to an article in the *London Times* upon this very portion of the Earl of Durham's Report,—an article written with great eloquence and spirit, and inculcating some lessons from which we trust the noble Lord will derive improvement. We gladly present it to our readers; and they will rejoice with us at this indication of a spirit of watchfulness over our interests at home,—this prompt and manful resistance to the mischievous experiments in colonial legislation of which Upper Canada is thus proposed to be made the theatre. In and out of Parliament in the Mother Country we have watchful friends; and they who about twelve months ago saved us from the blunders of a Russell and a Glenelg, will rescue us now from the reforming mania of a Brougham and a Durham.

From the *London Times* of Feb. 25.

TO LORD DURHAM.

My Lord,—The most redeeming part of your Lordship's report is the zeal it displays in the cause of religion. The space devoted to this subject is so much larger than we had reason to expect, and so much greater than that allotted to your chaplain on your outward voyage, that it has somewhat taken us by surprise. It was feared that "the still small voice" would not be so audibly heard amidst the din of arms, or listened to with such devout attention at the Court of the Viceroy, and I apprehend it may still be doubted whether it has found that favour so important a subject demanded.—Manufacturers wisely suit the texture and quality of their wares to the taste of their customers, and the compilers of your Lordship's report have not lost sight of this worldly maxim. Men of all shades of belief and of disbelief, except the church, and of every gradation of politics, except loyal conservatives, have received their due share of commendation and encouragement. How is it, my Lord, that they have incurred your displeasure, and merited this rebuke? Have the clergy, with ill-directed zeal, joined with the Premier in expressing "their surprise and regret" at your Lordship's disregard of their feelings in your official appointments, or have cold averted looks supplied the place of benedictions? Have your Lordship's compilers sought the opportunity to ingratiate themselves with the enemies of the church here, by disseminating their favorite opinions under the sanction of your name, or did your unexpected return preclude your Lordship from calling upon the clergy for their defence against those slanders? In this instance as in most others, your Lordship has been too credulous and too hasty, but, like every ingenious man, will rejoice, no doubt, in being corrected. Your Lordship commences with an eulogium upon the Catholic clergy of Canada, extolling their exemplary lives, their loyalty, and many virtues. In this you do them no more than justice; they deserve this commendation, and I am happy to add my humble testimony in their favor. Had your Lordship's compilers exhibited in their report any proof that they really valued these qualities, which they extol so highly, and expressed their approbation of other persons equally conspicuous for possessing them as the French clergy, their impartiality would have proved their sincerity, and enhanced the value of their praise. As it is, I fear it was not so much designed for Canadian as for European circulation, for French edification as for Irish conciliation. Your Lordship next turns to the Dissenter, and alludes "to the position he occupies at home, and the long and painful struggle through which alone he has obtained the imperfect equality he now possesses," and again to "the strife from which he has so recently and imperfectly escaped." Whether his condition of equality in England be perfect or not, I do not stop to enquire; I merely ask your Lordship what this has to do with a report on the state of Canada, and what other motive could have induced your compilers to introduce it, than a desire to make that report acceptable to a party in this country, to pander to prejudice, and to add fresh fuel to the war of dissent against the church, by enlisting sectarian sympathies against her? It is your report, my Lord, and not the Colonial dissenters, to which I object.—I war with

no man's creed: but if we appeal to England, let us appeal to its judgment and not to its passions. Having thus attempted to conciliate favour by expressing your belief in their "imperfect equality" in England, your Lordship descends on the universality of the voluntary principle in America, and proclaims one of those discoveries that is to astonish the people of this country, not merely from its novelty, but its importance,—that they have no established church in the United States. From this your Lordship argues there should be no established church in the colonies, and then very wisely leaves your readers to draw any further inference they please as to England from "the apparent right which time and custom gave to the maintenance of an ancient institution." Here your Lordship's spirit of conciliation departed and having made up your mind to an assault upon the church and the clergy, you declared, as manfully as if you were resisting the rebels instead of that loyal and truly English body, "that you will not shrink from making known the light in which it has presented itself to your mind."

When you said "you would not shrink," my Lord you evidently meant to convey the idea that you were about to do something unusual, something that would deter ordinary men, and required an exercise of moral courage. The word was appropriate. Most men would revolt at the idea of presenting an *ex parte* statement, would shudder at the thought of doing an act of injustice, and shrink from an attempt to alienate the affections of a people from their clergy. Most men, my Lord, on meeting in the wilds of America with an English clergyman, would have been touched with far different feelings than those which appear to have affected your Lordship. Is it nothing to leave the home of his fathers, the friends of his youth, the refinements of life, to encounter privation and toil in a foreign land in the service of his master? Was there nothing in the mutual recollections of our common country to call up a sympathy for his exile, or awaken a respect for his sacrifice? Could you listen to his ministrations, to the well-known liturgy of your own church, the prayers of your youth, and the devotions of your riper years, so far from home, without emotion? My Lord, I envy you not the nerve that enables you "without shrinking" to represent these services as unsuited to the country, to state your preference of casual, uncertain, and irregular missionary visits, to the regular, stated, and certain offices of the church; to exalt all other sects over it; to awaken the prejudice of all against it; and to recommend the division of its property among other denominations. When you first began to feel a preference for itinerancy, which, in the beautiful language of Scripture, "leaveth her eggs in the earth, and warmeth them in the dust; and forgetteth that the foot may crush them, or that the wild beast may break them," Did you ask the clergy to solve your doubts? Did you inquire whether the church had its missionary as well as its parochial clergy, or whether they did not frequently unite the labours of both? Had you done so, my Lord,—had you read the affecting reports of these faithful and zealous men, you would have found abundant evidence that the church visiting missionary in a new country is the pioneer of a stationary ministry—"The voice of one crying in the wilderness, prepare ye way of the Lord"—that he is found on the outskirts of civilization, where he clears the field and sows the seed, and, advancing with the march of migration, leaves his appointed fellow-labourer to garner up the harvest in the house of the Lord. When you extol the benefits of a French priest to a French community, how could your Lordship assert that an English clergyman conferred no benefits on an English congregation, when you everywhere found the flock of one disobedient to their pastor, and traitorous to their Queen, while the great body of the parishioners of the other afforded the pleasing contrast of respect for the laws and fidelity to their Sovereign? With this fact before you, notorious to all men, kind, your Lordship has been made by your disingenuous compilers, to peril your character by asserting, "I know of no parochial clergy in the world whose zealous discharge of their clerical duties has been productive of more beneficial consequences than the French Canadians." I know of none, my Lord, who are more zealous, more exemplary, or more deserving of praise, but I know of none who have been more signally and deplorably unsuccessful. When your Lordship speaks with complacency of their tithes, of their having been retarded in their labours from want of money, and of the policy of a better provision for them in future, had you no remorse of conscience when you assailed your own church, represented it as having too much of the public money, as comprising none but the opulent, and lauded the policy of stripping it of its lands, to appease the craving appetite of others? More just, my Lord, as well as more generous, than those who cast lots for "the garment without a seam," you consent that it shall be rent by pieces, and distributed to each according to his necessities. Not content with making your lordship appear in the unamiable light of acting unfriendly, your compilers have represented you as willing to act unfairly. You are made to say, when speaking of the church clergyman "though he may have no right to levy tithes, for even this has been made a question, he is," &c. The evident intent of this artfully-worded clause, that dared to hint, but fears to assert, was to insinuate that a question exists in Upper Canada as to the right of levying tithes, and to convey an idea that your Lordship does not concur in the claim. If such were not the case, the mistatement would be superfluous, and your compilers are too acute and too subtle to hazard such assertions unnecessarily.

Can it be believed, my Lord, by those who value truth, that your coadjutors in preparing this report were not actuated by a malignant spirit of misrepresentation, when they are informed that a law exists to remove all doubts from jealous and rival sects upon this subject, renouncing all claims to such a right, and precluding slander from even insinuating the desire for an impost, when the power to levy it, if it had a legal existence, was annihilated for ever? Why, I may ask, was this ambiguous and deceptive clause introduced at all? and if there be sufficient reason for its introduction, why was it not accompanied by the explanation I have just given? The cause, my Lord, is obvious: the word "tithe" is too familiar a topic with agitators not to be connected on every occasion with the church, and if the declaratory act were to be mentioned, it would be impossible to conceal the still more important fact that the seventh of land, or the clergy reserves, was given in lieu of tithes; that the church was otherwise provided for, and that it was deemed proper it should not have two endowments of so extensive a description.

On the argument against the policy of establishing a dominant church in the colonies, where not only none exists, but where no one that I have ever met advocates its introduction, and on the insidious application of the word "dominant" to the church of England, as now constituted in the provinces, I shall not comment. I conceive it to be addressed rather to the movement party of this country than