

those temporal means have we not got rid of many evils? There was a time, in the reign of Charles II., when Episcopacy was presented to the people of Scotland, but presented in connection with an arbitrary system of civil government, which was calculated to revolt the minds of men, and to throw discredit on pure religion. Is it no advantage to have escaped from that? We have also escaped from a class of prejudices which at one time prevailed, and which, though we may in some sense condemn them, yet we cannot wonder that they existed; those prejudices, I mean, which prevailed when Episcopacy was considered synonymous with disaffection to the established government. We are free from those disadvantages, and we now stand on more elevated ground, from which, as I trust, right reverend Sir, you and your brethren will never be moved. (Cheers.) It is true that in being removed from the position of an establishment we have not reaped all the advantages of another system. There are some means of popularity which others reputed Dissenters from the National Establishment may employ, but which the ministers of this Church have never called to their aid. They cannot accommodate themselves to the prejudices, the self-love, the self-interest of their flocks. They cannot flatter the last of power which lies so deep in the human heart. They cannot say, "You are judges of our doctrine; we stand here, that you may do what you desire with us." On the contrary, they must hold out the idea of the Church to their flocks—of the Church as independent of the will of man—as an historical institution delivered through countless ages from the very period when the hand of Christ himself. (Cheers.) And this cannot appeal to this self-love, which is a great power in the hands of some for procuring temporal popularity and success for an institution, they cannot resort to other weapons of as questionable a character. There is now another kind of warfare which is exercised warmly and rudely against establishments; they cannot join with those who turn themselves the friends of the voluntary principle. On the contrary, I feel convinced that not only no strength of preference for the Episcopal constitution, but that no sense, however strong, of the duty we owe it, will tempt us to lend a hand to its establishment of a principle, which must terminate in social atheism and irreligion. (Cheers.) And this sentiment I state with the same fearlessness, as I would, if it were possible, in a congregation of Presbyterians, so convinced am I that we feel as one man with regard to this principle. These right reverend Sir, are considerations on which I thought it right for me to touch, feeling myself precluded by the terms of the resolution from entering into topics arising out of the operations of the society. I have considered some of these particulars in which the Episcopal Church of Scotland has apparently sustained great loss from the removal of temporal advantages, though, as I believe, it has gained almost all that it has lost, and more than counterbalanced it. But there are other advantages which are greater than the merely negative advantages. I cannot but highly value those benefits of religious peace which distinguish this Church, that harmony and union which have brought us here in regular ecclesiastical order, in presence and with the sanction of our spiritual governors, to unite heart and hand in a cause which is so intimately connected with the prosperity of the Church. I am confident of a continuance of that order and spiritual harmony and peace, because it does not rest on any thing peculiar to times and seasons—because it is founded on an original portion of our Church polity. And when we believe that other fruits than these will ever be reaped where we shall accept of the treasure which God hath given them, instead of the empty vessel of the world, I am confident, in the present day, it is impossible not to feel that we ought to be united to tenfold energy and vigilance when we behold the distraction which is at present pervading the land, and rending the national establishment of religion. If I allude to those divisions at all, I do so from no disposition to exult in their existence. Far be it from me. On the contrary, in alluding to them, I would say that it is far easier to lament their existence than to blame the agents on this side or that. I am not one of those who believe that division or vanity on one side, or inconstancy or torpor on the other, are the causes of those distractions. On the contrary, I believe that they lie far deeper; and we who are free from them are bound to express our gratitude to God, since I enjoy the freedom under a polity which seems effectually free from them. It is said by some, that Episcopacy is a plant that can take no root in Scotland. I have looked into the history of Scotland; and I must say that I am not convinced of the truth of that statement. Let me see Episcopacy tried on its own merits, and then I will abide the issue. But when Episcopacy was mixed up with civil or secondary considerations, it did not stand on its own merits. It is well known that among the rich and noble of the land a large proportion are adherents of our Church; but it is supposed that there is something in Episcopacy peculiarly repugnant to the common people. But the nature of the people of Scotland is human nature; and the nature of Episcopacy is the nature of that scheme which God has ordained to redeem human nature. And let us not be told that it will not take root in the soil of this land. We are not left in this matter to consider mere probabilities, but the evidence we would entertain is that afforded by a number of cheering indications. Enough has already transpired since the foundation of this society, to render it impossible for any man to say at this moment to what extent Episcopacy is cherished in the hearts of Scotsmen. A highly respected clergyman has placed in my hands, since I entered this meeting, a petition signed by 120 persons, resident in and about Dalkeith. They are persons who never have enjoyed the blessing of our worship and ministry among them. They are persons not moved through the influence or solicitations of the great, the wealthy, or the noble, but by a warm attachment to the Episcopal communion. Their petition is addressed to the Duke of Buccleuch, the Marquis of Lothian, the Earl of Stair, Lord Viscount Melville, Mr. Kerr, of Woodburn; Mr. Wardlaw Ramsay, of Whitehill; Mr. Burn Callender, of Prestonhall, &c.; and it sets forth that—

We, the undersigned inhabitants of the town and neighbourhood of Dalkeith, being bona fide members of the Episcopal Catholic Church, have for a long time lamented, that (unless a considerable inconvenience) we enjoy no opportunity of worshipping God according to that form and ritual to which we are sincerely and conscientiously attached. In order to remove this disadvantage, we therefore most respectfully appeal to you, soliciting your sanction, concurrence, and assistance in the building of an Episcopal Chapel, and the establishment of an Episcopal congregation in the town or vicinity of Dalkeith, and we beg to inclose a copy of resolutions passed at a meeting of Episcopians in reference to this subject. That you would be pleased to take this matter into your serious consideration, that you would confer on the subject, and render to us your co-operation and assistance in whatever appears to you to be most desirable and effectual, is the humble prayer of your loyal and devoted, your most obedient humble servants." (Signed by 106 Episcopians.)

The appeal which they have made will not remain without a response; but it is not a proof, and a striking proof, that there exists a sentiment in favour of the polity of this Church—a sentiment of the extent and tenacity of which we have no opportunity of being aware? I look forward, therefore, with cheerfulness to the future prospects of our Church in Scotland; and it is the character and usefulness of this society, that I in a great measure anticipate the realization of those prospects. I would say in conclusion, may the co-operation of the Episcopal Church of Scotland, may the hearts of the laity in this Church, and the hearts of those innumerable persons in Scotland, who revere her polity, be moved in her behalf; may those pecuniary means which we offer, humbly offer, as human means ordained for producing divine purposes, be blessed to the production of those purposes; and may this Church be endowed with that spiritual energy, and life, and peace, on which, after all, her titles must depend; and which, we trust, while she is yet militant here on earth, will be perfected when she reaches her final state of peace and glory. (Great cheering.)

NOVA SCOTIA.

OPENING OF THE LEGISLATURE OF NOVA SCOTIA.

From the Supplement to the Halifax Times, of Wednesday, Feb. 3.

According to notice given in the public prints, His Excellency Lieutenant Governor VISCOUNT FAIRFAX, came down this day at 12 o'clock, to the Council Chamber, to open the Legislature. Guards of Honour of the 64th and 37th Regiments, and the respective bands of the Regiments, received His Excellency at the entrance, and lined the stairs and the avenue leading to the Council Chamber. His Excellency was dressed in a suit of uniform in all respects like that of His Provincial Aide-de-Camps, over which he wore a light blue sash—and was attended by his Provincial Aide-de-Camps, the Commandant, the Military Staff, and Militia Officers. In the Council Chamber he was received by the Legislative Council, standing. Being seated on the Throne, the Members of Assembly were summoned, who shortly appeared in a body, and were directed by His Excellency to return and proceed to their choice of a Speaker. After some delay in organizing the House—they returned—with the Hon. Joseph Howe at their head, who was led into His Excellency's presence by the late Speaker, the Attorney General. His Excellency having graciously approved of their choice, and the new Speaker having asked for the House liberty of speech, free access to the Executive, &c. &c., the following Speech was delivered by His Excellency, in a clear and distinct voice:—

Mr. President and Honourable Gentlemen of the Legislative Council.

Mr. Speaker and Gentlemen of the House of Assembly.

I have called you together at the earliest opportunity after the General Election, being desirous of placing myself on the first favourable occasion in direct communication with the Legislature of the Province, the Government of which I have been appointed to administer, because I feel that in my endeavours to discharge faithfully the arduous duties entailed on me by the confidence of

my Sovereign, your co-operation and support will be of the utmost importance, and productive of the best results.

I believe it to be indispensable to the prosperity of Nova Scotia, that a sufficient degree of reciprocal confidence should exist between the three branches of the Legislature, to ensure from each a fair and candid construction of the acts of the other constituent powers, as well as to induce, on the part of those, to whom, by the constitution, the exercise of the purely Legislative functions of the Government is specially confided, a disposition to aid the Representative of the crown in his efforts to give effect to the beneficent intentions of the Queen; to establish and preserve such a feeling of mutual reliance, is therefore the object of my extreme solicitude, nor have I any other than a sanguine expectation that the course I shall pursue, of maintaining inviolable the Royal Prerogative, the beneficial influence of which, on the interests of the subject, time has demonstrated, while I conscientiously exert it, whenever my duty to Her Majesty admits of my so doing, in accordance with the wishes of the community in general; making the authority with which I am invested conducive to the furtherance of measures adapted to draw forth the resources and meet the wants of the country, my labours to that end being shared by those enjoying the public confidence, and best qualified to judge of the public interests, will produce general harmony, and secure to me, from the British subjects of this Province, that sympathy and assistance which I deem necessary to enable me to do my duty to the Throne, by promoting their welfare, and thereby strengthening those bonds of loyalty and affection to our Sovereign and attachment to the Parent State, by which it is my happiness to feel assured that all Nova Scotians are now united.

Since our last meeting it has pleased Divine Providence to bless with an offspring the union of our gracious Monarch and her august Consort; you, I am confident, participate in those sentiments of exultation and gratitude, felt by your fellow subjects at home, at the birth of a Princess Royal, as at an event calculated to add to the stability of the Throne, and contribute to the domestic felicity of our beloved Royal Mistress.

I rejoice to have it in my power to congratulate you on the flourishing state of the Province in general.—It will be found, on reference to returns which I have directed to be submitted to you, that the Province has progressively increased, and that a proportionate augmentation has taken place in the revenue, while the thriving condition of the mercantile interests has had an advantageous effect on the agricultural districts of the country.

I have thought it expedient to retain in activity, to the latest period authorised by your Acts, the vessels manned and fitted out for the protection of the fisheries; it will at all times be one of the most interesting and imperative of my duties to unite with you in fostering this important branch of industry, regarding it not only as a source of commercial wealth, but as affording the means of subsistence, and I trust of comfort, to a brave, loyal, and valuable class of our fellow subjects.

We have to be grateful for a harvest, which if not superabundant, has been at least an average one, and I have the satisfaction to learn from all quarters that the grain grown, is of superior quality. I perceive, on referring to the Journals, that you have entered on an enquiry as to the best mode of affording encouragement to the agriculturists: I shall have much pleasure in contributing to the successful action of any measure you may decide on, as calculated to stimulate the enterprise of the farmer, lead to a more scientific system of cultivation, and a reward equivalent to his meritorious exertions.

I have to acquaint you that all matters committed to the Executive, by the Legislature, at the close of the last session, have been duly cared for, and all correspondence relating thereto will be communicated to both Houses without delay.

Mr. Speaker and Gentlemen of the House of Assembly.

The accounts to the 31st December are ready for your inspection. I trust you will find that the money voted by you has been honestly appropriated, and judiciously applied to the purposes for which it was granted. The estimates for the current year will be laid before you; they have been prepared with every attention to economy consistent with a proper regard to the exigencies of the public service.

It is a ground for the indulgence of encouraging anticipations as regards the future, that you enter on your Parliamentary duties with no greater amount of debt than existed four years ago, while the increase of the revenue places at your disposal means far more ample than your predecessors enjoyed, both of diminishing this burden, and of effecting necessary public improvements; of these one of the most essential which we can contemplate is the amelioration of the great lines of communication between this port and the eastern and western extremities of the Province. I am convinced you will judge it of the first consequence that these highways should be kept in a proper condition, not only because they are, by the accommodation they afford, a prime source of welfare of the agricultural classes, and of the internal prosperity of Nova Scotia, but because it has latterly become a matter of great national interest that the supervision exercised over their management should be an efficient and active one.

The British Government, ever anxious to facilitate the intercourse between the Mother Country and her trans-atlantic offspring, after having expended a very large sum in establishing a line of Steam Ships from Liverpool to our Provincial Capital, "in the confident expectation that the Colonies, on their part, would not be unwilling to improve the local communication," has proposed a plan for the more expeditious conveyance of mails and passengers between Halifax and Quebec, as well as between Halifax and New Brunswick; I have been instructed to ask your aid in furtherance of this object, and, after the resolution passed by the House in the last Session, pledging itself with regard to the expenses of the Post Office, and the liberality of the Imperial Parliament, I feel certain the appeal will not be made in vain, but, as anticipated by the Secretary of State, copies of whose letters will be placed on your table, "the exertions made by Great Britain for the purpose of keeping up a regular and rapid intercourse between the Countries, will be met by a corresponding feeling on the part of the Colony."

I am enabled, by the assistance of my Council, to offer you a measure conceived with the design of meeting the wishes of the Home Administration, nor do I doubt the readiness with which you will give a favourable reception to this Bill, while I feel certain that you will make such pecuniary provision for keeping the Roads in repair as the public funds will admit of, and as is commensurate with the utility and importance of the end in view. Mr. President, and Honourable Gentlemen of the Legislative Council.

Mr. Speaker, and Gentlemen of the House of Assembly.

Among the various subjects which have been brought under my notice, since my arrival in this Colony, the means of more generally diffusing instruction among the people has engaged my most serious attention.

It is deeply to be lamented that, in a country, the population of which is inferior to no other race in physical attributes, and where the necessities of life are so easily obtained, that a moderate degree of industry raises a man above want, while, by the constitution of society, any one endowed with knowledge and diligence may arrive at the highest social distinction, education should be so difficult of attainment, that the majority of the inhabitants are in consequence deprived of the advantages otherwise open to them by the nature of the institutions under which they live—society itself is retarded in its progress—man's individual happiness marred, and his usefulness in his relations with his fellow creatures impaired, by the want of that inestimable blessing. My examination into the working of the system at present established here, has convinced me that this inconvenience is universally felt and generally complained of; while however the extent of the evil is acknowledged by all, a diversity of opinion everywhere prevails as to the mode in which it is to be remedied, each class apprehending having to suffer from the imposition of an undue share of the sacrifice necessary to be made for its removal; the difficulty by which the question is surrounded in consequence of this conflict of opinion, as well as from the local peculiarities of certain Districts, and the variety of religious tenets prevailing in Nova Scotia, are such as to prevent my being able to propose to you, in the hope of its determination, any measure worthy of adoption.

Your knowledge of the necessities of your several constituencies, and of the different interests of the classes into which they are divided, eminently qualifies you to deliberate on the means of mitigating the privation under which they now suffer with regard to moral culture, and of bringing about, in this respect, a vast improvement in the condition of the great body of the people in the manner least likely to be oppressive on any portion of the community, recommending to your regard a subject of so momentous interest, I consider it my duty not to withhold the expression of my belief, that any Legislative Act in reference to it, to be satisfactory in its operation, must be based on the principle of general assessment, while I beg to assure you of my very zealous concurrence in any attempt you may make to ameliorate a state of things which I sincerely deplore.

A Committee of Her Majesty's Council being now engaged in revising the Criminal law, I trust, on the receipt of the report of that Committee, to have it in my power to offer you a Bill embodying all the necessary improvements, and which has already been much canvassed, will probably again furnish ground for debate, during the present Session—I allude to the Judiciary of the Province—a declaration by the Legislature of the necessity of a change in this department, and an assertion of the principle on which that change should be founded, would be met on the part of the Executive by a sincere desire to act in concert with the wishes of Parliament.

In addition to the measure relating to the Highways, of which I have already spoken, a Bill for the re-construction of the Court of Marriage and Divorce, and another for the Incorporation of the Town of Halifax, will be laid before you for your approbation.

In the preparation of these Acts, every anxiety has been felt, both by myself and by those who have assisted me to frame them, that the provisions therein contained should correspond to the exigencies of society, as established among us. It will be for you to say whether this purpose has been accomplished, and to deter-

mine whether they shall become Law. Although the tranquillity and happiness of this Country, to promote which, my best energies will hereafter be devoted, and to which, I think these, or some similar enactments, would contribute, are too near my heart for me to disguise my earnest hope that they may be deemed in the main well suited to effect the ends contemplated by those who devised them. I both expect and desire that they should be subjected to the most ample discussion and searching investigation, alike as to their principles and details.

The Speakership was decided by a Majority of two. Mr. Young withdrew, and, after several meetings of the party had been held to determine between the chances of him and Mr. Howe, there was a tie; but the youngest Member of the House, who had pledged himself to Mr. Uniacke in writing, was swayed from his conscientious intentions, to vote for Mr. Howe.

THE CHAPLAINCY.

HOUSE OF ASSEMBLY, WEDNESDAY, FEB. 3.

After a short debate Mr. Young moved that the Rev. Dr. Twiss, Rev. Mr. Scott, Rev. Mr. Sheldon, Rev. Mr. Marshall, and the Rev. Mr. Deane, be requested to officiate as chaplains.

The resolution was agreed to by a vote of 32 to 13.

Hon. J. B. Uniacke said that the Rev. gentleman belonging to the Baptist Church was an American citizen, it may be requisite that he should take the oath before officiating.

Mr. S. Chipman said that missionaries sent abroad were not required to qualify themselves in that manner.

CANADA.

Office of the Secretary of the Province, Montreal, 13th February, 1841.

His Excellency the Governor General has been pleased to make the following appointments, viz:—

The Hon. Robert Baldwin Sullivan, and John Henry Dunn, of the City of Toronto, Dominick Daly, of the City of Quebec, Samuel Bealey Harrison, of the City of Montreal, Charles Richard Oslen, of the City of Montreal, William Henry Draper and Robert Baldwin, of the City of Toronto, and Charles Dewey Day, of the City of Montreal, to be Members of Her Majesty's Executive Council of the Province of Canada.

The Hon. Robert Baldwin Sullivan, and Samuel Bealey Harrison, to be Secretaries of the said Province of Canada.

Thomas Amiot, of the City of Quebec, Esq., to be Clerk of the Crown in Chancery for the Province of Canada.

His Excellency the Governor General has been pleased to appoint Dominick Daly, Esq., and S. B. Harrison, Esq., to be respectively Her Majesty's Secretary for the Province of Canada.

Mr. Daly will conduct the correspondence for the part of the Province heretofore the Province of Lower Canada, and Mr. Harrison for that heretofore called the Province of Upper Canada.

By Command, T. W. C. MURDOCH, Chief Secretary.

Goverment House, Montreal, Feb. 13, 1841.

PROVINCE OF CANADA. SYDENHAM.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To our well-beloved and faithful the Legislative Councils of the Province of Canada, and to our Knights, Citizens and Burgesses of our said Province, and to our loving Subjects whom these presents may concern.

GREETING:—

WHEREAS we are desirous and resolved, as soon as may be, to meet our People of our said Province, and to have their advice in Provincial Parliament. We do hereby make known our Royal will and pleasure to call a Provincial Parliament; and do further declare, that by the advice of our Executive Council, we have this day given orders for issuing our Writs in due form for calling a Provincial Parliament in our said Province, which Writs are to bear date on Friday, the Nineteenth day of February inst., to returnable on Thursday, the Eighth day of April next.

IN TESTIMONY WHEREOF, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Canada to be hereunto affixed.

Witness our right trusty and well-beloved the Right Honourable Charles, Baron Sydenham, of Sydenham, in the County of Kent, and of Toronto, in Canada, one of our most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, in our City of Montreal, in our said Province of Canada, the fifteenth day of February, in the year of our Lord one thousand eight hundred and forty-one, and in the fourth year of our Reign.

THOMAS AMIOT, Clerk of the Crown in Chancery.

PROVINCE OF CANADA. SYDENHAM.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To our Knights, Citizens, and Burgesses of our said Province, and to our loving Subjects whom it may concern. GREETING:—

KNOW YE, that we being desirous and resolved, as soon as may be, to meet our People of our said Province, and to have their advice in Provincial Parliament. We do hereby, by and with the advice of our Executive Council, summon and call together the Legislative Assembly in and for our said Province, to meet at our Town of Kingston, on Thursday, the EIGHTH day of APRIL next, then and there to have conference and treaty with the great men and Legislative Council of our said Province.

In Testimony Whereof, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Canada to be hereunto affixed.

Witness our right trusty and well-beloved the Right Honourable Charles, Baron Sydenham, of Sydenham, in the County of Kent, and of Toronto, in Canada, one of our most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

At our Government House, in our City of Montreal, in our said Province of Canada, the fifteenth day of February, in the year of our Lord one thousand eight hundred and forty-one, and in the fourth year of our Reign.

THOMAS AMIOT, Clerk of the Crown in Chancery.

THE ELECTIONS.—The following we understand to be the days appointed for holding the Elections at the different places denominated:—

On the 8th of March, for Russell, Dundas; Grenville; Bytown; Frontenac; Prince Edward; York (four Ridings); Hamilton; Lincoln (two Ridings); Haldimand; Niagara; and London.

On the 15th of March, for Glenora; Stormont; Prescott; Leeds; Brockville; Lenox and Addington; Northumberland (South Riding); Toronto; Simcoe (at Barrie); Halton (two Ridings); Wentworth; Norfolk; Oxford; and Middlesex.

On the 22nd of March, for Cornwall; Lanark; Carleton; Kingston; Hastings; Northumberland (North Riding); Durham; Essex; Kent; and Huron.—British Colonist.

Messrs. Daly and Harrison have been appointed Secretaries to the Province of Canada—the former gentleman will conduct the correspondence for what was Lower; and the latter, for what was Upper Canada. Thomas Amiot, Esq., has been appointed Clerk of the Crown in Chancery for the Province of Canada.—Com. Herald.

From the Hamilton Gazette.

PRESENTATION OF A SWORD TO SIR ALLAN N. MACNAB.—

VALUE, 100 GUINEAS.

On Friday last, the Committee appointed to present a Sword to Sir Allan, the gift of the Officers of the "Men of Gore," met at Burley's Hotel, from whence, at 1 o'clock, about 62 alichs, all "filled to overflowing," proceeded to Dundurn. We suppose that 400 persons attended on this very gratifying occasion, among whom we noticed Colonel A. T. Kirby, 11th Gore; Colonel Wm. Chisholm, 2d Gore; Colonel John Chisholm, 7th Gore; Colonel George Chisholm, 8th Gore; Colonel Hamilton, Colonel Richardson, Colonel Wm. Kerr, Majors Servos, Secord, and Land; several Indian Chiefs, and a large number of gentlemen from Brantford, Ancaster, Oakville, Nelson, Trafalgar, Esquimaux, Binbrook, &c. &c.—On entering the drawing room, we were gratified at beholding a number of Ladies seated around, anxious to lend their all powerful aid in assisting on the very interesting occasion.

Colonel KERRY then read the Address as follows:—

TO COLONEL SIR A. N. MACNAB, KNT.

Sir,—We, the Officers (Volunteers) of the Men of Gore, who served under your command, during the unnatural rebellion of 1837 and 1838, could not separate after the suppression of that outbreak without resolving to present to you some testimonial of our high regard, for the gallantry and zeal displayed by you, in discharging the onerous duty intrusted to you by the Representative of our Sovereign.

And although the time for accomplishing our design has (through obstacles beyond our control) been delayed to this day, we trust that our intention will not be the less appreciated by you, as we can with confidence assure you, that our sentiments of respect and esteem have suffered no diminution; and we now beg

to tender you this Sword, and should your Sovereign or your Native Country again require your services in the field, we feel satisfied that this blade will be drawn with the same noble feeling which gave rise to its presentation, and that the Men of Gore will be found as heretofore, ready and willing to stand forward with you, in defence of their Queen and Country.

In begging your acceptance of this testimonial of our respect, we are not unmindful of your manly and straightforward correspondence with the American Authorities, during the period alluded to.

The Warriors of the Six Nations Indians, who joined you at the outbreak, and who have always so nobly displayed their allegiance to the British Crown, join with us in wishing you many years of happiness and prosperity.

To which Sir Allan returned the following Reply.

Gentlemen,—I beg to assure the Officers (Volunteers) of "The Men of Gore" who served under my command in the Home, London, Gore, and Niagara Districts, during the series of arduous military services in which they so conspicuously and devotedly participated, that I accept with pride and gratitude this most flattering mark of their kindness and approbation. I thankfully receive it, not merely as a valued token of private regard, but as a gratifying proof that my public conduct at the anxious period referred to, was satisfactory to those who had the best opportunity of observing it; but at the same time I am rather induced, exultingly to esteem myself the fortunate individual in whose person a well merited tribute of admiration and regard, in this symbol shown towards the large body of Militia-men, whom it was our proud duty to lead in those perilous times—than as deeming myself worthy of such honourable and distinguished notice. While living I shall cherish this gift among the richest prizes of my life, and dying shall bequeath it, as the most venerated heirloom which a father could transmit to his children.

Returning to the past, this warlike emblem must ever awaken recollections of exciting and heart-felt emotion, as linking with steadfast friendship—with moving incidents, and all those thrilling associations touching dear to a soldier's feelings.

Pointing to the future, it admonishes me, that should the presence of any foe—foreign or domestic, hereafter require it to be drawn in the defence of Canada—its bearer (encouraged by the inspiring confidence, and support of "The Men of Gore," and the renowned "Warriors of the Six Nations") should ever be ready, sword in hand, eagerly to unite with his co-companions in arms, to vindicate in the foremost ranks, the cause of our Country. While blessed with the power to wield it, it shall animate me faithfully to obey the calls of duty.

I sincerely pray, for peace sake, that this splendid sabre may long repose quietly in its scabbard, but if ever forced to leave it for the conflict, it will be my care to see that it returns untarnished from my hands.

It becomes us always to be prepared to repel aggression from without, while we fervently hope, that no intestine commotions will again disturb the tranquillity within; should it however happily prove otherwise—the ready to meet that emergency also. Let us nevertheless trust to, and endeavour to promote to the utmost of our humble ability, an uninterrupted enjoyment of peace, prosperity and happiness throughout the country. May we be hereafter found a more perfectly united and contented people;—wedded to those Parent Institutions, which have rendered our fatherland foremost among the nations, and loyally and affectionately attached to the Person and Government of the gracious and endearing Sovereign, who reigns illustriously over the noblest Empire in the world. May it always be remembered with a practical conviction, that we belong to, and partake of the welfare, glory and renown of the United Kingdom, and that our destiny and best interests are indissolubly connected with hers.—In short, that the population of Upper Canada is an emanation from that heroic, chivalrous and enterprising people, whose history fills the glowing volume of England's fame; and whose example, whether in peace or in war, it should be our ambition to emulate.

I beg to offer my warmest thanks to the Grand River Warriors for their kind good wishes, and to assure them of my high sense of their meritorious and gallant conduct on all occasions, and that I can never forget the prompt and efficient aid, which (headed by their old and gallant leader) they afforded the British Crown in this Province when lately menaced by enemies both at home and abroad.

Gentlemen,—For the terms of your very handsome, but undeserved encomium with which you have been pleased to address me, in executing your interesting mission, I cannot sufficiently express my deep felt acknowledgments. I can only, therefore, assure you, with all sincerity, that I have the honour to be, Gentlemen, your warmly attached, much obliged, and most obedient, humble Servant.

ALLAN N. MACNAB.

Dundurn, 5th Feb. 1841.

Sir Allan was repeatedly cheered during the delivery of this spirited reply, which was given with great animation and on its conclusion was received by the assembled multitude with three deafening rounds of applause. The splendid dining room was then thrown open, where a most sumptuous repast was provided, consisting of all the delicacies which the season could afford. Sir Allan, in his own peculiarly happy manner, called for a bumper for Her Most Gracious Majesty, and another for His Excellency the Governor General, Sir George Arthur, and Sir F. B. Head, all of which were responded to in the most gratifying manner. The entire proceedings were of the most creditable and spirit-stirring description, and reflect highly as well upon the receiver as upon the warm-hearted and honourable gentlemen who devised and carried into effect this splendid mark of their affectionate regard to a brave and deserving soldier.

The following Resolution was unanimously passed:—

Resolved:—That the thanks of the Officers of The Gore Volunteers are due, and are hereby tendered to Sir Francis Bland Head, late Lieutenant Governor of Upper Canada, for the great attention he has manifested in procuring the Swords now presented by them to their late Commanding Officers, Colonel Sir A. N. Macnab, and Lieut. Colonel Macdonell, and that the Chairman be requested to transmit the same.

Lieutenant-Colonel Macdonell's sword has been sent to him by the Committee, with a letter expressing the feelings of his old companions in arms. So soon as we get his reply, we will have great pleasure in publishing both. We will give a description of these elegant and costly swords in our next.

TO THE HONOURABLE JOHN WILLSON.

From the Hamilton Gazette of Feb. 1st.

HAMILTON, 25th January, 1841.

DEAR SIR.—I mentioned to you at the last Qr. Session that my opinion on the propriety of imposing Protecting Duties upon Farm produce imported from the United States, was, in many points, directly opposed to yours. When this important subject was discussed at the County meeting on Saturday last, I was glad to find that while I differ widely from some of your views, I could cordially agree with you in others; and I fully intended then to have explained my sentiments; but the meeting broke up sooner than I expected, and, as I had been obliged to leave for a short time, I found you going out of the Court-house on my return.

I mention this as a reason rather than an apology, for addressing you through the columns of a public newspaper. An apology is not required, because though I am not quite certain that all persons who so anxiously push on the present agitation of this question, are doing so from pure conviction, and apart from all electing views, yet I am prepared to give you full credit for acting in sincerity of heart, with singleness of purpose, and from a settled belief in the soundness of your views. Since then, the cause of truth and the good of the Province are your only objects, I trust you will give me full credit for the same principles; and therefore, no apology is necessary for commencing a discussion which is but intended to elicit that truth, and which involves no personality.

Your speech, and the resolutions which you passed at the meeting, embraced, if I remember correctly, the following important objects:—

1st.—To request the Home Government to alter the duties at present levied upon Canadian Farm produce, and to admit the same into British ports either free or at a nominal duty.

2d.—To request the Home Government to procure the total abolition of the duties at present levied in the United States upon agricultural produce exported from this Province. And

3d.—That it is both proper and necessary to levy duties for the protection of the Farmers in Upper Canada, upon Wheat, Flour, and other produce of the soil, when brought from the United States into this Province.

In advocating the last mentioned subject, you maintained that the Provincial Parliament had full power to impose any duties which might be deemed necessary, upon imports from the United States. That it had formerly imposed such, and that even now it legislated upon the question, but that of late, the Acts which it passed had not been confirmed by the Home Government.

As this is a point incidental, and not affecting the proper subject of this correspondence, I may here very shortly observe that, with all due deference to your superior experience, I cannot bring myself to believe that the Provincial Parliament have a right to interfere with Foreign Commerce (as this would to a certainty be) otherwise than by Address or Petition. And this opinion I found on the following reasons:—

1st.—That by the British Constitution the right to make all treaties, conventions and arrangements with Foreign Powers, not only for Great Britain, but also for her dependencies, rests solely with Her Majesty as the supreme Executive. Even the Imperial Parliament has no right to interfere in a primary manner, or otherwise than by address, or by refusing to pass the votes necessary to carry such treaties into effect. And the regulations of trade form, in almost every case, a most material part of such treaties. It is no doubt true that the Imperial Parliament has a right to legislate primarily upon the imposition of such duties, as may be necessary for purposes of revenue, and as bearing equally

upon the productions of every foreign country, cannot be complained of by any individual one of them. But such an imposition of duties as would virtually prohibit the productions of but one country, never has, I believe, been entertained by the Imperial Parliament, except upon motion of the executive; because such a singling out of the productions of one country, would be an invidious act, if not an act of hostility, and an invasion of the rights of Her Majesty, as sole guardian of the Foreign relations of the empire. The duties which you wish to see imposed upon American produce, are, however, clearly prohibitory, and affecting only one ally of Great Britain, and, therefore, the general argument is enforced and strengthened by the special instance.

2d.—Because I think that the right of imposing such duties is denied by the Constitutional Act.—The 46th Section says that—"the King and Parliament of Great Britain will not impose any duty, tax, or assessment whatever, payable in any of His Majesty's Colonies, Provinces, or Plantations in North America or the West Indies, except only such duties as may be expedient to impose for the regulation of commerce, and the net produce of such duties to be always paid and applied to and for the use of the Colony, Province, or Plantation, in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective general assemblies of such Colonies, Provinces, or Plantations are ordinarily paid and applied—"

"And whereas it is necessary for the general benefit of the British Empire, that such power of regulation of commerce should continue to be exercised by His Majesty, his heirs and successors, and the Parliament of Great Britain, subject nevertheless to the conditions hereinafter recited, with respect to the application of any duties which may be imposed for that purpose; be it therefore enacted by the authority aforesaid, that nothing in this Act contained shall extend, or be construed to extend * * * to give to His Majesty, his heirs or successors, any power or authority, by and with the advice and consent of such Legislative Councils and Assemblies respectively, to vary or repeal any such law or laws, or any part thereof, or in any manner to obstruct the execution thereof."

I am, my dear Sir, neither a lawyer nor a legislator, but it appears to me, that the whole scope and meaning of this section of the constitutional act is to reserve all matters pertaining to foreign trade and commerce to the supreme government. When therefore, as you state, the Provincial parliament was in former times, allowed to legislate upon these points, I think the assent of the Crown must have been given without adequate consideration, and that such assent can hardly be construed into conceding a principle which would strike at the root of one of the main props of the British constitution. I remember you stated, that the granting of this privilege could be implied from a note or memorandum attached to an imperial act of 3 & 4 Wm 4, but I really think it needs something stronger than an inference by implication to set aside so sacred an enactment as the Constitutional Act.

This preliminary epistle has grown to such a length that I must defer to my next letter the discussion of the three subjects which you propose; as to the first of which I entirely agree with you, and am perhaps inclined to push it farther than you do.

I am, dear Sir, Your obedient servant, W. SCOTT BURN.

Just Published, and for sale by HENRY ROWSELL, Bookseller and Stationer, King Street, Toronto.

CAMERON'S ANNUAL DIGEST OF DECISIONS IN THE QUEEN'S BENCH AND PRACTICE COURT FOR 1840. Price 2s. 6d. Toronto, Feb. 20, 1840. 384f.

TO SUNDAY SCHOOLS, &c.

Just published, & for Sale by HENRY ROWSELL, King-st. Toronto, NEW EDITIONS OF THE FOLLOWING:—

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BROCK DISTRICT SCHOOL.

WANTED, a TEACHER to the Brock District School. References as to Qualification, &c. to be forwarded to H. C. BARWICK, Woodstock, 15th February, 1841.

MIDLAND DISTRICT SCHOOL.

WANTED immediately, an ASSISTANT, qualified to teach Mathematics, Arithmetic, and Writing, and to make himself generally useful.

A Gentleman looking forward to the ministry might find this an advantageous opening.

Apply (if by letter post paid), to the Rev. R. V. ROGERS, Kingston, Dec. 20, 1840. 27-4f.

JOHNSTOWN DISTRICT SCHOOL AND BROCKVILLE ACADEMY.

THE Winter Vacation of this Institution will terminate on Saturday January 30th, 1841. Ten additional Boarders can be admitted. A valuable Philosophical Apparatus has been secured by the Principal. Apply to the Rev. H. CASWELL, Brockville, U. C. Dec. 28, 1840. Assistant in the Male Department is not wanted. 26-4f.

TORONTO AND HOME DISTRICT GRAMMAR SCHOOL.

THIS School will be re-opened, after the Christmas recess, on Monday the 4th of January, 1841.

Mrs. CROMBIE's Seminary will also re-open on the 6th, the Wednesday following. M. C. CROMBIE, Principal. Toronto, Dec. 28, 1840. 25-4f.

MIDLAND DISTRICT SCHOOL, THE REV. R. V. ROGERS, PRINCIPAL.

THE Christmas Vacation of this Institution will commence on the 24th inst. and end January 1st, 1841.

There are Two vacancies as Boarders. Kingston, Dec. 12, 1840. 24-4f.

ST. GEORGE'S CHURCH.

At a Meeting of the Committee, held on Thursday, January 28, 1841. It was Resolved,

"That twenty-five per cent., being the first instalment upon the Donations and Subscriptions towards building St. George's Church, be called in on the first of April next, payable to the account of the Treasurer, F. T. BILLINGS, Esq., at the Bank of Upper Canada; and that the Donors and Subscribers be requested to furnish Notes, to be given at Three, Six, and Nine Months, for the balance."

PRINTING INK.

SUCH as is used in the printing of this Newspaper, imported from London, in kegs, 24 pounds each, and for sale by the keg, at 2s. 6d. per pound, by HENRY ROWSELL, Stationer and Bookseller, King Street, Toronto. October 10, 1840. 14

BIRTHS.

At the Rectory, St. Catherine's, on the 22d instant, the wife of the Rev. A. F. Atkinson, of a son.

At Montreal, on the 12th instant, Mrs. H. S. Porteous, of twin sons.

MARRIED.

At Beechville, on the 13th instant, by the Rev. W. Bettridge, George Menzies, Esq., Editor of the Woodstock Herald, to Miss Harriet Burton, of Beechville.

On the 9th instant, in the parish Church of Belleville, by the Rev. John Grier, A.M., Rector, Thomas Chamberlain, Esq., of the River Trent, Surgeon, son of Dr. Chamberlain, of Fredericksburgh, to Jane Ann, daughter of the late Philip Barry, Esq., of Kealkil house, County Cork.

On the same day, at the house of the bride's father, Alfred Fisher, Esq., to Elizabeth, eldest daughter of Capt. Davis, all of Tyendinaga.

At Rochester, N. Y., on the 1st instant, by the Rev. Mr. Boardman, Capt. Robert Patterson, S. B. Com. Barrie, to Miss Ruth Bankhead, both of Kingston.

LETTERS received during the week ending Friday, Feb. 19:—

Rev. A. N. Bethune (2), add. sub. and rem.; H. C. Barwick, Esq. rem.; Rev. W. Arnold, add. sub.; Rev. R. Anderson; A. Menzies, Esq. rem.; Rev. Mr. Kennedy, rem. in full (omitted to be acknowledged last week).

The following have been received by the Editor:—

Rev. R. V. Rogers, rem.; Rev. S. S. Wood, rem. [the Sermon enquired about was taken from the "Christian Remembrancer"]; Lord Bishop of Toronto; Rev. S. Givins; Rev. T. S. Kennedy; Rev. W. Morse, rem.; Mr. Leary, rem. in full vol. 4; W. Gravelly, Esq. add. sub. rem.; Rev. R. Armour, rem.; Rev. Wm. Dawes; A. J. Williamson, Esq.

ERRATA.—In the account of the Jesuits in our last, for *Lazola* read *Loyola*.

In the Editorial of the same No., 2d column, 2d paragraph, for *view of piety* read *vein of piety*.