

from time to time, or to endow therewith any public institutions he pleased. If this be denied, can any man's patent be said to be worth even the parchment on which it was engrossed? In the exercise of this right his late Majesty, George the Fourth, was pleased to endow the University of King's College, "for the education of youth in the principles of the Christian Religion, and for their instruction in various branches of science and literature."

I need not tell you, Sir, that the Church of England felt deeply aggrieved and sorely discouraged by this unrighteous proceeding. Nevertheless as a declaration of belief on the part of the authorities of the University in the Divine Inspiration of the Scriptures, and in the doctrine of the Trinity was required by the amended Charter; as the worship of God was not prohibited; and moreover, as his late Majesty King William the Fourth, in consenting to a modification of the Charter expressly stipulated, for the maintenance of a Professorship of Divinity for the benefit of the Church of England, the members of that Church (many of them not without great misgiving) determined to continue to King's College their co-operation and support, and to endeavour to make its system as effective as possible for the general benefit.

Were the enemies of the Church of England now satisfied? Let the Act 12 Vic. chap. 82, sec. 29, answer; an Act, which, notwithstanding the attempt to explain it away by the 13 and 14 Vic. chap. 29, prohibits the ministers of religion, and banishes from the Province, the teaching of religion and the worship of Almighty God according to any form whatever.

Ab Sir, it was no ungraceful compliment which her enemies unwittingly paid the Church of England, that when they banished her from the halls of King's College, they banished religion along with her; and that as she came in so they went out together.

And now that this godless measure was consummated, the duty of the Church became clear, namely, to dependance on her great Head, to endeavour to procure from her own resources a sound education for her youth, based on the principles of our holy religion, and consecrated and blessed by the worship of Almighty God.

One would have thought that now at last the Church would commend her exertions to universal favour and approval; and that the most inveterate of her former opponents would, in accordance with what are called liberal principles, have bid her "God speed," or else in silence have allowed her to proceed upon her way.

Is this the case? Far from it. Her enemies are as determined as ever, that she shall not be permitted, even in the exercise of the voluntary principle, to teach her children in accordance with their own faith; and that those who are thus confederate against her, may well be pardoned for expressing my astonishment at finding the name of one who professes to take the Honourable Peter Boyle de Blaquiere.

I believe that we shall look in vain in modern times for an instance of purer tyranny, than that which is pursued towards the Church of England in this Province in regard to University Education.

But you will say to me, hold Sir, there are reasons of a sufficient cogency to justify the course which you thus denounce; and those reasons are set forth in an Address to the Governor-General, which I intend to move in the Legislative Council, on the 8th of July, after expressing the concurrence of that House in the comprehensive views so ably expressed by the Church of England ought not to be given a Charter for her University, because it would be "to the prejudice of the National (?) University." 2nd. That the members of the Church would be more effectually identified "by their becoming affiliated with the National University," (which proscribes religion,) than by retaining a Charter for a University of their own, based on the principles of their own Church. And 3rdly, declaring in effect that such is the plan which would be satisfactory to the Clergy and Laity of this Province.

Let me then say a few words on some of these topics; the same plan of affiliation, which is now attempted to be forced on the members of the Church of England, and the inhabitants of this Province.

I yield, Sir, to no man in respect for the office of Representative of my Sovereign; but I do not think it inconsistent with that respect, to declare my disagreement with the line of policy pursued by the individual who may at any time happen to fill it; especially if such policy be at variance with the interests of that Sovereign, which his Sovereign and mine is sworn to protect. I will, therefore, say that I deeply grieve to find His Excellency the Governor-General endeavouring to disannul her Majesty from bestowing upon the Church that boon which, as appears from Earl Grey's published correspondence with the Bishop of this Diocese, her Majesty was willing so to grant; and which if conceded would not infringe upon the rights and liberties of any individual.

But, Sir, when I look for the grounds or arguments against granting a Charter to the Church University the following are the principal which I find alleged—1st. That (to quote the words of your intended motion) it would be "to the prejudice of the National University," or, as it is more clearly expressed by Lord Elgin in a despatch to Lord Grey "it might have the effect of withdrawing the members of the Church of England generally from all connexion with the Provincial University." And 2nd that the members of the Church generally do not desire it.

Sir, I submit to you and to the public that these reasons destroy each other. For first if the members of the Church generally are not opposed to the University of Toronto, and do not desire the establishment of the Church University, then it is clear that it could be granted to the former, that a Charter should be granted to the Church University, because to one would go to it. On the contrary it would be because of the advantage of the University of Toronto, to demonstrate the failure of the Church University sought to establish;—and moreover the grant of a Charter would be a complete answer to the charge of arbitrary conduct now lying at the door of those who are in the establishment of the Church University is conducted.

And but if on the other hand the members of the Church of England would freely forego all the so called advantages of the University of Toronto, with its rich

endowment, and its host of professors at from £300 to £600 or £700 a year each,—and if they would "generally" prefer to go to their own poor University solely because of the principles which it asserts, then Sir, I call on you to strike from your intended motion one or other of the clauses to which I have referred,—and to be content with declaring either that it would be to the prejudice of the University of Toronto that it should be forsaken (as it would be) by the members of the Church generally—or that as they are in favour of that Institution, they would go to it in preference to the Church University, even though a Charter should be given to the latter—a boon which it might therefore be safely permitted to receive.

In regard to your proposed reference of the whole question to a convocation of the clergy and laity of this diocese, I will only observe: 1st—That a sacred principle can never be affected by the mere vote of any body of men, however respectable,—that—"The fear of the Lord is the beginning of wisdom,"—that true religion is the basis of all sound education, and that these must continue to be truths even supposing it possible, which it is not, that the clergy and laity of this diocese should assert the contrary.

But, in fact Sir, the very reference which you desire was made at the recent meeting of the clergy and laity in Toronto, the latter of whom appeared by their representatives duly elected—when a resolution was unanimously adopted, asserting the very principle involved in this discussion, nemely, "the paramount duty of connecting religion with secular education." I propose to show in another letter that there is no satisfactory acknowledgment of this principle in the "affiliation" scheme of which you are so zealous an advocate. Meanwhile I will express my hope that you may see the unreasonableness and illiberality of the policy which would either deprive the members of the Church of England of the advantages of a University education, or oblige them to accept one repugnant to their feelings and contrary to their conscience.

I have the honour to be, Hon. Sir,
Your obedient humble servant,

ARTHUR PALMER,
Rector of Guelph, and Rural Dean.

PROTEST

As to the amendment proposed by the Hon. Mr. Ross to the motion made by the Hon. Mr. de Blaquiere, on the subject of certain papers relative to the Clergy Reserves, in the Legislative Council, on Monday the 23d June, 1851.

DISSENTIENT.

1st.—Because the address in question has been adopted as an amendment to a motion for a purpose totally different to such address, of which due notice had been given, and that no notice has been given of any intention to move the present address.

2dly.—Because the House has refused to permit the discussion on the present address to be taken at a future day; or that the members should be specially convened to consider the same.

3dly.—Because such decision virtually sets aside the standing order of this House, No. 19, which requires two days notice of any special motion; and which rule was framed to prevent the House being surprised into premature decision without due deliberation.

4thly.—Because the address in question involves the most weighty matter which could be brought under the notice of this House; namely, an application to Her Majesty the Queen, to sanction the annulling an Act of the Imperial Parliament, which provided for the maintenance of religious education for the Protestants of Upper Canada, and the support of the Ministers of the same; as to which it is fit and becoming and highly important, that every member of this House should have the opportunity of fully expressing his opinion.

5thly.—Because Her Majesty's Secretary of State for the Colonies has communicated to His Excellency the Governor General, that the British Government upon the address of one branch of the Canadian Legislature, and without any reference to this House, are prepared to require from the Imperial Parliament further legislation upon this subject, with a view to send back to Canadian Legislation, what a long experience has proved wholly incapable of satisfactory adjustment in this Province.

(Signed) P. B. DE BLAQUIERE,
G. S. BOUTON,
JAMES GORDON.

Legislative Council Chamber,
June 24th, 1851.

Colonial.

IMPORTANT DECISION OF THE COURT OF

QUEEN'S BENCH RESPECTING FOREIGN INSURANCE COMPANIES.—The difficulty found in obtaining payment from one or two of the American Mutual Insurance Companies doing business in these Provinces, and the tenacity with which they held on to the premium notes deposited with them, after the parties insured had surrendered their Policies, having induced many to contest payment of the assessment made on the notes, has brought the question of the legality of these companies to an issue. The Genesee Mutual Insurance Company of the State of New York, brought actions against persons residing and assured in the Province, for the recovery of an assessment declared on their premium notes, which actions were resisted on the grounds that the notes were illegal, and the Policies not binding on the Company. This question which is one of law, having been reserved for the decision of the Judges in Term, has now been decided against the Genesee Mutual; the judges declaring that neither that Company, nor any such Company, could legally carry on their operations in these Provinces—that they could not maintain any actions against parties on their premium notes, neither could parties here compel payment from them on their Policies. We believe, and indeed there can be no doubt but that the operations of all the American Insurance Companies within these Provinces are so far illegal, that unless they previously consent to allow suits to be taken against them in the Courts of the Province, no action for the recovery of a loss can be maintained against them. There are however some of the American Companies which have always consented to this honest course of proceeding—have always maintained as high and honourable a character as any institutions in existence, and which we firmly believe to be as safe to deal with as any others. The Atna, Hartford, and Protection of Hartford, and the Columbus of Ohio, are all old respectable Companies, which have, we understand, each one brought more money into this Town at least, in pay-

ment of losses, than they have taken out in the shape of Premiums. We also understand that the "Orleans" of the State of New York, is another highly respectable and safe Company. There are probably others equally good; but with the majority of them, the sooner all transactions are put an end to, the better.—Patriot.

ATTEMPTED ROBBERY.—On Friday night or Saturday morning, the premises of Robert Wier, Esq., in Great St. James Street, were forcibly entered by a side door, the desk forced, the cash box broken open, and its contents, which we are happy to learn were small, carried off. The thief left behind him a steel chain. We hope the police will ferret out the party or parties engaged in the robbery.—Montreal Herald.

LAND SLIDE AT NICOLET.—We learn from *La Minerve*, that on the 13th instant, a considerable portion of the bank of the River Nicolet, some paces above the bridge, and opposite the village became detached from its base, and carrying away on it a number of large trees, slid into the river, where it at present is, resembling in appearance an Island. This displacement was attended with considerable noise, which awoke the family of Etienne Trahan, who occupied the nearest dwelling to the scene, and who had been asleep during the movement. Groups of persons shortly afterwards assembled on the spot, and discovered that the base of the house of Trahan had been mostly carried away, and that the house itself hung suspended over a perpendicular precipice of nearly seventy feet. It was supported by a portion of the foundation which was stone; the other portion had been carried away with the floor of one of the rooms, on which was standing at the time an iron stove. All that the unfortunate Trahan and his family possessed was contained in the house, the cracking of the walls of which announced that it could not long cling together. Major Johnson, stationed at Nicolet, rendered important service at this juncture, assisted by the Police force, and Mr Chillas the Postmaster; and through their collective exertions saved the whole of its contents. In less than five minutes after the last article had been removed, the house fell from the precipice into the abyss. Fears are entertained that the first heavy rain will endanger the safety of the neighbouring house.

GORE POWDER MILLS.—Last week we had much pleasure in visiting these Mills by the invitation of one of the proprietors. They have been built by C. Kelly & Co., one of the most active and energetic firms in our city. The mills are situated in the Township of Nelson, adjoining the village of Cumminsville, and about 16 miles distant from here.—On the 8th of March last, one of the proprietors entered the woods in search of a site possessing the advantages of water power, which having been found, the axe was put in requisition to fell the stately trees, and make a clearance large enough to put up the requisite buildings and cut a water-race. The enterprise progressed rapidly, and on the 2nd day of May the first water was let on the wheel. The Mills consist of five different and distinct buildings, about 50 yards distant from each other, but connected by a railroad for conveying the material from one building to another as it passes through the different stages of making. They are now turning out large quantities every day, and parties can procure, of Belhouse Ireland & Co., the agents for this city, every description of powder, including coarse blasting, sporting of different sizes and the diamond grain. We cannot award too great praise to the spirited undertakers of this manufactory, the only one of the kind, we believe, in British America.—Hamilton Gazette.

PENSIONERS.—We learn by the *Mercury* that the freight ship *Hope* has arrived in Quebec with two, out of the five companies of Military Pensioners expected. They are under the command of Captain Rodgers, and will be stationed at Puvetanguishine, and in the neighbourhood of Toronto.

PUBLIC EXPENDITURE.—Certain small items among the Estimates, will perhaps interest our readers, viz. :—

For building a residence for the Governors at Toronto, and repairs to the Parliament buildings.....	£10,000
The purchase of "Spencer Wood," which is to be the residence of the Governor at Quebec	8,000
And alteration and repairs for ditto	3,000
Estimate of expense of removal of the Government from Toronto to Quebec, after this Session.....	5,000
Balance due on removal of do. from Montreal to Toronto	1,250
To indemnify certain public officers, whose salaries do not exceed £400, for losses sustained by them on the removal of the departments from Montreal to Toronto—in consequence of double rents, &c	729
	£27,976

This sum of twenty seven thousand pounds is the estimate for expenses to be incurred for the pleasure of having a perambulating Government—and is in addition to the following sums already paid :—

For repairs, alterations, &c. for the public buildings at Toronto, including freight from Montreal and other expenses incidental to the removal from Montreal (fol. 47)	£14,049
H. Thompson and others, (fol. 68.)	789
	£14,838

Making a grand total of forty-two thousand eight hundred and seventeen pounds, incurred by the folly of alternate Parliaments.—Patriot.

Mr. Barnum has acknowledged that he received \$500,000 by the Lind Concerts, and says that Jenny has realized \$350,000. The net proceeds of 94 Concerts amounted to nearly \$1,000,000. The Nightingale is expected to pay Canada a visit ere the summer is over, now that her contract with Barnum has ceased.

FLOOD ON THE MISSISSIPPI.—It seems that we in Canada have not had all the rain to ourselves. The U. S. papers are filled with accounts of destruction done to property on the great Western rivers by the sudden rise of the water. One paper states that there is scarcely a town on the Mississippi or Missouri, that is not navigable for steamboats. There have been no lives lost.

Strang, the Mormon Priest, who had seized on an Island in Lake Michigan, and ruled over it as prophet, priest, and king, is now in jail at Detroit, under charge of obstructing United States Mails, having counterfeit tools, and also stripping government land.

LAUNCH OF THE NEW STEAMER "MAPLE LEAF."—On Wednesday, the 18th inst., being the anniversary of the Battle of Waterloo, this beautiful Steamer was launched at Kingston, by J. Counter, Esq., for Messrs. D. Bethune & Co. The *Maple Leaf* is of the largest size of steamers that can pass through the locks of the St. Lawrence Canal, being 181 feet in length, and 26 feet 6 inches beam. Her model is pronounced by good judges to be the best on the lake; and as she will be propelled by an engine of great power, her speed is expected to be unrivalled on these waters. Her cylinder is 44 inches in diameter. Her machinery will be put in her with the utmost possible expedition, and she is expected to be ready to take her place upon the lake in two months.—Patriot.

To Mr. DeWitt's inquiry, recently made in Parliament, as to when the report on the Rebellion Claim would be made, Mr. Hincks replied that he really did not know. The *Montreal Gazette*, however, thinks he did, and hints that the report has been in the hands of the Government for a month past, and that their reason for not bringing it in is that the commissioners have followed their instructions, and have not given that reward to the rebels which Mr. Lafontaine intended the bill to effect.

On Tuesday the Stage Coach from Caledonia to Port Dover, met with a serious accident. It appears that when within a short distance of Cleveland's Tavern, one of the axletrees broke, causing the coach to upset; it was crowded with passengers, some whom were seriously hurt. Great credit is due to the driver who succeeded in stopping the horses, although they were very wild, otherwise several lives might have been lost.—Hamilton Gazette.

MELANCHOLY ACCIDENT.—On Monday the 16th inst. John Copeland, builder, whilst engaged in completing the new Presbyterian Kirk at Belleville fell from the scaffolding, a height of twenty feet. The unfortunate man, who was a native of Scotland, expired within an hour and a half, in consequence of the injuries he received.

MELANCHOLY ACCIDENT.—Seldom has it been our melancholy duty to record within a weekly issue so many fatal accidents as has occurred in this vicinity within the last three days. On Monday about noon, our townsmen were startled by the intelligence of a lad some eight years of age, a son of W. Darlton, a mechanic in New Edinburgh, having been carried over the Rideau Falls. The unfortunate little fellow was, as we understand, crossing the bridge near the saw-mill, reading a book on his way to school, when he fell through a hole, and was hurried along by the powerful current, his little arms being last seen raised aloft, as he passed through the immense flood waterfall. What renders this the more distressing is, that the accident was entirely attributable to the dangerous state of the bridge, and that the boy's death is chargeable on those under whose control it is, and who are, as a matter of duty, responsible for keeping it in such a condition as not to endanger the safety of the public. Within an hour after the above, before the public mind had recovered from the shock, which the peculiar circumstances of the case could not fail to inspire, a vague rumour was in circulation that three men had been carried over the Chaudiere Falls. On repairing to the scene, the writer found that this was indeed too true. From the lips of the only survivor of four, who were on the Crib of Timboe which was carried over the Falls, he learned the circumstances which are now narrated. A fresh breeze, which had sprung up while they were bringing the timber from the Bay above to the Slide, drove them outside the channel, and their oars being very inefficient and the current strong, all their efforts were insufficient to retain it. When nearing the pier that extends into the Ottawa above the Falls, one of the four, named Baptiste Beame, attempted to spring upon it, but falling between it and a stick of timber, which struck him in the back, he was carried round into the eddy below. Some men on the shore almost immediately went to his assistance when he had sufficient strength to hold by a belt, while he was towed into shore; but having been carried to Mr. Lyon's Inn, although medical aid was soon in attendance, he expired within three or four hours, his death having been caused by a rupture of the liver and consequent internal bleeding. A second, James Hawthorn, jumped off the crib, and attempted to swim towards the shore, but was whirled away by the current and swept into the abyss of waters below, yawning to receive its victim. The remaining two, Wm. Crow and Francis Vandal, clung to the timber, as their only hope of safety. On they came with the rapidity of a race-horse to the verge of the fall, between the table rock and shore, when the crib, which was sideways, dropped from the height above into the boiling waters below, breaking up in its descent with a fearful crash, and scattering in all directions. Poor Crow unfortunately hung to the frame of the crib, and his companion saw him under the bridge, with his head above water. In all probability the whirlpool above the island sucked him under the frame, but this was the last that was seen of him. Vandal clung to a stick of timber, and by an intervention of Providence, indeed miraculous, was saved, the first who has ever passed with life through the fierce waters of the Chaudiere, from among the many victims which year after year it has swallowed as its tribute. On the same day, at the mouth of the River Gatineau a boy was drowned, while higher up a man and boy in crossing at the foot of a rapid upset their canoe, and were both drowned. On Saturday last, two men on the same river, in the employ of Mr. Dole, were taking some timber off "a jam," when it gave way, and both were either killed or drowned. On Tuesday, a soldier of the Canadian Rifles, named Richard Weaver, while fishing in the canal above the head of the Deep Cut, fell out of the boat, head first, and sunk to rise no more—making the tenth that has found a watery grave in this neighbourhood within three days—a sad commentary on the uncertainty of life.—Bytown Gazette.

FATAL ACCIDENT.—Mr. Alexander McGladdery, Farmer in Eramosa, having been on a visit to some relations in the neighbourhood of St. Catharines, was, on his return thence on Sunday, the 15th instant, in company with his two daughters, thrown from his buggy in the descent of a hill near the forty mile Creek. The particulars are variously reported—that the road was under repair, and that the vehicle was, in the dark, upset into an excavation; that the horse having been driven against an angle in the descent, backed and threw the carriage over the opposite bank. One thing is certain, the unfortunate man received such fatal injury as to cause death within a brief period. One of the young women had her leg broken in two places, beneath and above the knee, besides re-