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ENGLISH NAVAL POWER AND ENGLISH COLONIES.

Anything that relates to the greatness of Britain, and especially anything that is calculated to impress upon the mind an adequate idea of her immense naval power, must be deeply interesting to Canadians. There are very few of us, of course, who are entirely uninformed upon this subject. Our people read from time to time of the great number of war vessels possessed by "the mistress of the seas,"—at every festive board throughout the empire may be heard the thrilling strains of "Rule Britannia," and "Hearts of Oak;" and seldom, indeed, do we hear a festive harangue into which is not introduced the hackneyed but grand old lines:

"The flag that's braved a thousand years,
The battle and the breeze."

But when we meet in American literature a tribute to the tremendous naval resources of the British Empire, the phenomenon is too striking to be passed over with a mere nod of hearty assent.—In the *Atlantic Monthly* we find one of the best articles upon this subject we have ever read, and from which we will take the liberty of culling a few facts, which we have no doubt will prove deeply interesting to a great majority of our readers. England possesses unrivalled facilities for naval production. From end to end, and from side to side it is one vast workshop, which receives every new invention, and seizes upon every appliance elicited by progressive science; and the ruling idea throughout is, Britain must remain supreme upon the Seas! Whether she turns her attention to the clothing of the world or the building of navies, there is no out-measuring her mechanical skill and activity. We are told that in 1857 England had 300 steam ships of war, carrying 7,000 guns, besides which she had as many more sailing ships, carrying 9,000

guns, an equal number of gunboats, besides a powerful navy connected with her East Indian Colonies—a total of 900 vessels and 20,000 guns! "What tremendous elements of naval power," says the writer, "are these! One does not wonder that the remark often made is so nearly true,—that if there is any trouble in the farthest port on the globe, in a few hours you will see a *British Bull-dog* quietly steaming up the harbor, to ask what it is all about, and whether England can make anything out of the transaction." Were these vast naval resources only employed in defending the spot of ground which now forms but the heart of the British Empire, they would be found far too great for the object desired, but Commerce is the great motive power which makes England what she is—without it she would sink into hopeless mediocrity. To protect a commerce which reaches to the ends of the earth, war ships are necessary. North, East, South, West, the noble watch-dogs must put boldly out to sea—they must cross the stormy Atlantic, plough the far Pacific, double the "Cape of Good Hope," and strike into almost unknown waters far beyond. This is what is required from the navy of Great Britain, and this is what is done.

And then comes a point of absorbing interest to British Columbia. Spread far and wide, as the ships of England are, and exposed to every vicissitude of battle and storm it is necessary that they should be able to find some friendly ports open to them, where repairs could be made, provisions secured, and most important of all, perhaps, coal laid in. Is this necessity met? Hear the writer in the *Atlantic* on the subject:

"The sagacity of England was never more clearly shown than in the foresight with which she has provided against such an emergency. Let war come when it may, it will not find England in this respect unprepared. So thickly are her colonies scattered over the face of the earth, that her war-ships can go to every commercial centre on the globe without spreading so much as a foot of canvass to the breeze.

"There is the Mediterranean Sea. A great centre of commerce. It was a great centre as long ago as when the Phœnician traversed and passing through the Straits of Hercules, sped on his way to the distant and then savage Britain. It was a great centre when Rome and Carthage wrestled in a death-grapple for its possession. But England is as much at home in the Mediterranean as if it were one of her own lakes. At Gibraltar, at its entrance, she has a magnificent bay, more than five miles in diameter, deep, safe from storms, protected from man's assault by its more than adamantine rock. In the centre, at Malta, she has a harbor, land locked,

curiously indented, sleeping safely beneath the guns of Valetta. But from Southampton to Gibraltar is for a steamship an easy six days' sail; from Gibraltar to Malta not more than five days; and from Malta to the extreme eastern coast of the sea and back again, hardly ten days' sail.

"Take the grand highway of nations to India. England has her places of refreshment scattered all along it with as much regularity as depots on a railroad. From England to Gibraltar is six days' sail; thence to Sierra Leone twelve days; to Ascension six days; to St. Helena three days; to Cape Colony eight days; to Mauritius not more; to Ceylon about the same; and thence to Calcutta three or four days. Going farther east, a few days' sail will bring you to Singapore, and a few more to Hong Kong, and then you are at the gates of Canton. Mark now that in this immense girdle of some twelve or fifteen thousand miles there is no distance which a well appointed steamer may not easily accomplish with such a store of coal as she can carry. She may not, indeed, stop at all these ports. It may be more convenient and economical to use sails a part of the distance, rather than steam. But, if an exigency required it, she could stop and find everywhere a safe harbor.

"What is true of the East Indies is true of the West Indies. England has as much power as we have to control the waters of the Western Atlantic and of the Gulf of Mexico. If we have Boston and New York and Pensacola and New Orleans and Key West, she has Halifax and the Bermudas and Balize and Jamaica and Nassau and a score more of island-harbors stretching in an unbroken line from the Florida Reefs to the mouth of the Orinoco. And if our civil war were ended to-day, and we were in peaceable possession of all our ports, she could keep a strong fleet in the Gulf and along our coast quite as easily as we could.

"But it is not simply the number of the British Colonies, or the evenness with which they are distributed, that challenges our highest admiration. The positions which these colonies occupy, and their natural military strength, are quite as important facts. There is not a sea or gulf in the world, which has any real commercial importance, that England has not a stronghold in the throat of it. And wherever the continents tending southward come to points around which the commerce of nations must sweep, there, upon every one of them, is a British settlement, and the cross of St. George salutes you as you are wafted by. There is hardly a little desolate, rocky island or peninsula, formed apparently by Nature for a fortress, and formed for nothing else, but the British lion has it secure beneath his paw.

"This is a literal fact. Take, for example, the great overland route from Europe to Asia. Despite its name, its real highway is on the waters of the Mediterranean and Red Seas. It has three gates—three alone. They are the narrow strait of Gibraltar, fifteen miles wide, that place where the Mediterranean narrows between Sicily and Africa to less than a hundred miles wide, and the straits of Bab-el-man-del, seventeen miles wide. England holds the keys to every one of these gates. Count them—Gibraltar, Malta, and at the mouth of the Red Sea, not one, but many keys. There, midway in the narrow strait, is the black, bare rock of Perim, sterile, precipitous, a perfect counterpart of Gibraltar; and on either side, between it and the mainland, are the ship-channels which connect the Red Sea with the great Indian Ocean. This England seized in 1857. A little farther out is the peninsula of Aden, another Gibraltar, as rocky, as sterile, as precipitous, connected with the mainland by a narrow strait, and having at its base a populous little town, a harbor safe in all winds, and a central coal depot. This England bought, after her fashion of buying, in 1839. And to complete her security, we are now told that she has purchased of some petty Sultan the neighbouring islands of Socotra and Kouri, giving, as it were, a retaining fee, that, though she does not need them herself, no rival power shall ever possess them.

"As we sail a little further on, we come to the Chinese Sea. What a beaten track of commerce is this! What wealth of comfort and luxury are wafted over it by every breeze! The teas of China! The silks of farther India! The spices of the East! What ships of every clime and nation swarm on its waters! The stately barks of England, France, and Holland! Our own swift ships! And mingled with them, in picturesque confusion, the clumsy junk of the Chinaman, the Malay prahu, and the slender, darting bangkong of the Sea Dyak! Has England neglected to secure on a permanent basis her mercantile interests in the Chinese Sea? At the lower end of that sea, where it narrows and bends into Malacca Strait, she holds Singapore, a little island, mostly covered with jungles, and infested by tigers, which to this day destroy annually from two to three hundred lives—a spot of no use to her whatever, except as a commercial depot, but of inestimable value for that, and which, under her fostering care, is growing up to take its place among the great emporiums of the world. Half way up this sea is the island of Labuan, whose chief worth is this, that beneath its surface and that of the neighbouring mainland are hidden inexhaustible treasures of

coal, which are likely soon to be developed, and to yield wealth and power to the hand that controls them. At the upper end of the sea is Hong Kong, a hot, unhealthy and disagreeable island, but which gives her what she wants, a depot, and a base from which to threaten and control the neighbouring waters. Clearly the Chinese Sea, the artery of Oriental commerce, belongs far more to England than to the races which border it.

"Even in the broad and as yet comparatively untracked Pacific she is making silent advances toward dominion. The continent of Australia, which she has monopolized, forms its south-western boundary. And pushed out from this, six hundred miles eastward, like a strong outpost, is New Zealand; its shores so scooped and torn by the waves that it must be a very paradise of commodious bays and safe havens for the mariner; and lifted up, as if to relieve it from island tameness, are great mountains and dumb volcanoes, worthy of a continent, and which hide in their bosoms deep, broad lakes. Yet the soil of the low lands is of extraordinary fertility, and the climate, though humid, deals kindly with the Saxon constitution. Nor is this all; for, advanced from it for north and south, like picket stations, are Norfolk isle and the Auckland group, which if they have no other attractions, certainly have this great one, good harbors. And it requires no prophet's eye to see that, when England needs posts farther eastward, she will find them among the innumerable green coral islets which stud the Pacific.

"Turn now your steps homeward, and pause a moment at the Bermudas, 'the still vexed Bermoothes.' Beautiful isles, with their fresh verdure, green gems in the ocean, with airs soft and balmy as Eden's were! They have their homely uses too. They furnish arrow-root for the sick, and ample supplies of vegetables earlier than sterner climates will grant. Is this all that can be said? Reflect a little more deeply. Here is a military and naval depot, and here a splendid harbor, landlocked, amply fortified, difficult of access to strangers—and all this as near to the whole Southern coast as Boston and New York are, all this within three or four days' sail of any one of the Atlantic ports North or South. England keeps this, no doubt, as a sort of half-way house on the road to her West Indian possessions; but should we go to war with her, she would use it none the less as a base of offensive operations, where she might gather and hurl upon any unprotected port all her gigantic naval power.—*Ottawa Citizen.*

THE SEA IS ENGLAND'S GLORY.

BY J. W. LAKE.

The sea is England's glory,
The bounding wave her throne,
For ages bright in story,
The ocean is her own.
In war the first, the fearless,
Her banner leads the brave:
In peace she reigns as peerless,
The Empress of the wave.

The sea is England's splendour,
Her wealth the mighty main;
She is the world's defender,
The feeble to sustain.
Her gallant sons in story,
Shine bravest of the brave,
Oh, England's strength and glory,
Are on her ocean wave.

Thou loveliest land of beauty,
Where dwells domestic worth,
Where loyalty and duty
Entwine each heart and hearth,
Thy rock is freedom's pillow,
The rampart of the brave,
Oh, long as rolls the billow,
Shall England rule the wave.

3. LORD BROUGHAM ON THE RELATION OF COLONIES.

Lord Brougham delivered an exceedingly able address at the opening of the Social Science Congress at Edinburgh on the 7th ult. In it he referred to many subjects of great interest, handling them in that masterly manner which has ever characterized this industrious, energetic and talented nobleman. We extract from the address some remarks upon the relations between the colonies and the parent State:—Some distinguished men in the literary as well as political world have lately maintained the opinion that our colonies are only a burden, and that they give us no benefits worth the expense they entail. This is a great error, and it is not now for the first time that I so describe it. Sixty years ago, while residing here, I published a work in which the whole subject was fully ex-

amined in all its branches, and a demonstration given of the benefits, political, social, and commercial, of colonial establishments, which detailed proofs that their cost falls far short of their benefits, and that the wars ascribed to them had another origin. The book was very soon out of print, and I have always refused to allow a second edition. It might now, however, be of some use, as the information contained respecting the colonies of all nations ought to be more generally diffused. The lapse of 60 years have no doubt made great changes, and the work is to be viewed as historical with regard to the facts; but the doctrines have been confirmed by all that has happened; they are entirely applicable to the present state of affairs, and are most worthy of attention from the promoters of social science. Sixty years! ay, indeed, great indeed have been the changes which in that time have visited our race—changes which all dominions, principalities, and Powers have undergone. The destroying angel has stalked abroad in the Old World and in the New, snapping the ties that bound States and their provinces together, extinguishing old monarchies and calling into existence new, hurling mighty Sovereigns from their thrones and replacing them with humble and unknown, making revolutions and changes of dynasty no longer events that startle by their rare occurrence and terrific aspects, but to be expected in the ordinary course of affairs, and as things to which habit has reconciled us. Notwithstanding these mighty changes, all that relates to colonial policy must ever remain in this country an important subject and a practical, as long as—to use the picturesque language of Lord Erskine in his noblest oration—“the restless foot of English adventure is unceasingly encroaching on so many deserts; and the tried virtue of English character is converting them into flourishing abodes of civilized life.” So rapid has been our colonial progress, that with our Australian settlement commercial intercourse has increased ten-fold in as many years; and our duty as well as our interest is so to govern it that its inevitable independence may become only a fresh ground of gratitude, of a lasting and a hearty friendship. The origin of a colony, the similarity of character and habits, the identity of language, will always make the connexion natural if the separation be effected peaceably and amicably; and what in commercial dealings may be the changes from accidental circumstances, the tendency of emigration will always be steadily in this direction.”

4. BRITISH AND AMERICAN LIBERTY COMPARED.

Governor Seymour, of New York, made a great speech at Syracuse the other day. In the course of an argument upon the tyrannical encroachments of the Federal Government, he made the following handsome acknowledgment of the true spirit of liberty that exists upon British institutions:—“The proudest Government that exists upon the face of the earth is that of Great Britain, and its proudest statesman, when he would tell of Britain’s crowning glory, did not speak of its wide spread dominions, upon which the sun never sets, did not say, as he might have done, that the beat of its morning drum made a continuous strain of music round the world. He did not speak of martial achievements, of glorious battle fields, and of splendid naval conflicts; but he said, with swelling breast, and kindling eye, that the poorest man of Great Britain in his cottage might bid defiance to all the forces of the crown. It might be frail, its roof might shake, the wind might blow through it, the storm might enter, the rain might enter; but the King of England could not enter it. All his powers did not dare to cross the threshold of that ruined tenement.* (Great cheering.)”

5. REV. H. W. BEECHER ON ENGLISH MONARCHY.

At Liverpool Mr. Beecher said:—“Did I live, had I been born and bred, in England, I think there is no question that I should feel as you feel, for I say that in no other land that I know of under the sun are a monarchy and an aristocracy holding power under it, standing armed as the bulwark of the throne—in not another land so many popular benefits accruing under the government; and if you must have an aristocracy, where in any other land can you point to men so politically, but more noble by disposition, by culture, by manliness, and true Christian piety. (Applause.) I believe that monarchy and aristocracy, as they are practically developed in England, are abundantly consistent with the great doctrine of government as being for the benefit of the governed.”

6. THE AMERICAN AND BRITISH TYPES OF GOVERNMENT.

In a late lecture on this subject in Toronto the Honourable T. D. McGee spoke as follows:—I have considered the problem of American example at its source, and it is one I do not feel disposed to

commend to my countrymen of Canada. For me it has the fatal defect of instability and inconstancy. (Applause.) It may be that, out of their present tribulation, the national character will consolidate and establish itself; but up to the present, whether in manners or in ideas there has not been that fixity of character, in the republic which—even supposing every thing there to be for the best—would justify any observer in proposing it as a model to other communities. The colony-bred men who founded the republic, were men with English ideas of law and Government. George Washington was quite as ceremonious in his official conduct as George III. He drove to open the first Congress with “buff and blue” liveries—postillions and foot-men; and in his carriage towards ambassadors and private citizens, he preserved all the gravity and dignity of a sovereign. As to the judicial office, from the highest to the lowest—from the decisions of the supreme court to the pettiest jurisdictions—the Americans of to-day have departed much farther from the ideas of their grandfathers than we in Canada have, from the English of the age of Alfred. In the legislative department of the government, new opinions, no less opposed to the old colonial wisdom have prevailed. The founders of the American system of government were statesmen who had the sagacity to see that it was essential to the stability of their new creation to combine in it the two great principles of liberty and authority. They therefore sought to lodge the principle of authority or inviolability somewhere. They had too recently suffered from the arbitrary exercise of the kingly power to place that principle in the person or office of the president. They therefore erected a tribune of twelve judges, who should hold office for life, and from whose interpretation of the constitution or from whose decision as between individual states and the general government or as between private parties and each state, there was to be no appeal. Now that tribune has been virtually superseded by the President, and the principle of imperial authority or inviolability is gone—probably for ever. What the end will be is a problem of the future. As to the other original of a free state, the British Constitution, it at least, will be allowed, even by its enemies, the merit of stability. As it exists to-day, it has existed for eight hundred—for a thousand years. (Applause.) I take the British constitutional system as the great original system upon which are founded the institutions of all free states. I take it as one of a family born of Christian civilization, and of the religion of that Germanic empire which breaking up transmitted it to other empires to mould for them free institutions. I take it as combining in itself, permanency and liberty—liberty in its best form, not in theory alone, but in practice—liberty which is enjoyed in practice by all the people of Canada of every origin and creed. (Applause.) Can any one pretend to say that a chapter of accidents which we can trace for eight hundred years, and which some antiquarians may even trace for a much longer period, will account for the permanence of these institutions? If you say that they have not in themselves the elements of permanency—if they have not the saving salt which preserves the formation of the government of a free state from one generation to another—how do you account for their continued and prosperous existence—how do you account for it that of all the ancient constitutions of Europe this alone remains; and remains not only with all its ancient outlines, but with great modern improvements and even alterations, but alterations made in harmony with the design of the first architects? (Applause.) Here is a form of government that has lasted with modifications to suit the spirit of the age for a period of 800 years; and here is another that has lasted 80 years, if it may not now be said to be disrupted by the exigencies of the present civil war. One has had a career of eight centuries, and the other of two-and-a-half generations. How is it that I account for the permanency of the institutions of the first? Because, in the first place, their outline plan whatever abuse or injustice may have been the occasional result of the system, they combine all that has ever been discovered in the science of government of material importance. The wisdom of the middle age and the present, political writers and those of a late day, have all laid down one maxim of government—that no unmixed form of government can satisfy the wants of a free and intelligent people, that an unmixed democracy for instance must result in anarchy or military despotism; but that form of government which combines in itself an inviolable monarchy and popular representation, with the incitements and inducements of an aristocracy—a working aristocracy, an aristocracy that took its share in the day of battle, and of toil and labor, of care and anxiety in the time of peace; an aristocracy of talent open to the people who by talent and labor made themselves worthy to enter it—was the highest problem of political science, the highest effort of the mind of man. (Applause.) Let us see if the British form, apart from any details of its practice, combines in itself these three qualities. If we hold that authority and liberty are necessary to free government—and one is as necessary as the other—then we can apply the touch-stone to this system and see whether it be true to the mechanism on which it stands. The leading principles of the British system is that the head of the state

* The great Pitt first gave utterance to this noble tribute to the inviolability of personal liberty in England.

is inviolable. It is necessary to the stability of any state that there should be an inviolable authority or tribunal, and under the British system is recognized in the maxim that "the king can do no wrong." It is necessary in any free government that there should be some quarter—either the head of the state or some other power—beyond which an appeal does not use an influence not subject to the caprice of whim, or even to the just complaint of the private citizen warring against the state. This is necessary to prevent reform becoming revolution, or to prevent local abuses becoming the source of general disorganization. Having placed the principle of inviolability there, and the principle of privilege in the peerage, the founders of the state took care at the same time that the peerage should not stagnate into a sunken well, an intolerable well, of pretension and arrogance. They left the device of the House of Lords, so to speak, with one gable—they left it open to any of the people who might distinguish themselves in war or in peace, although they might be the children of paupers, and some have been ennobled who were unable to tell who their parents were, to enter it and take their place on equality with the proudest there, who dated their descent for centuries. This inclined plane by which the people might rise to higher positions was left open; and this provision was made in order that the peerage should not stagnate into a small and exclusive caste which could neither be added to or subtracted from, except by the inviolable law of increase or decrease. It was for the people of the country, with the precedent of England and the example of the American republic before them, to decide which should be the prevailing character of our government,—British constitutional or Yankee constitutional. For his part, he preferred the British constitutional government because it was the best, and he rejected the republican constitutional government because it was not the best. (Loud applause.) He pointed out that we were now witnessing a great epoch in the world's history, and that the events daily transpiring around us should teach us not to rely too much upon our present position of secure independence, but rather to apprehend and be prepared for attempts against our liberties and against that system of government, which he was convinced was cherished by the great mass of the people of the Province. (Loud applause.)

"DEFENCE AND NOT DEFIANCE"

(NATIONAL SONG.)

The sun looks down with smiling beams
On Britain's lovely isle,
And blesses with his cheering gleams
Her hardy sons of toil;
Her sons whose sinews are of steel,
Whose hearts are true and brave,
Who ere they would to foeman kneel
Would fill the patriot's grave!
Though armed we be on land and sea,
And first in warlike science;
Our motto is, and e'er shall be,
"Defence and not Defiance!"

Our ships of war are clad in mail
And armed with weapons strong,
Can brave at sea each trying gale,
And haste like birds along;
But never shall their guns be heard
Unless in *honour's* cause,—
When call'd our sea girt land to guard,
Or vindicate our laws!
Though armed we be, &c.

The gory hand of war we hate,—
The carnage of the field,—
And mourn when'er compell'd by Fate
Our polish'd blades to wield:
The hand of Peace we fondly take,
And hail the joyous years
When ploughshares men from swords will make,
And pruning-hooks from spears!
Though armed we be, &c.

7. THE WRIT OF HABEAS CORPUS—ITS HISTORY AND PROVISIONS.

We purpose at this time to sketch briefly the nature and history of the Writ of *Habeas Corpus*, the most celebrated in the English law, and concerning which so much has been said of late. But first we would state for the benefit of those unskilled in legal technicalities, that a Writ, in its original signification, is a Royal writing, whereby some right, privilege, or act is authorized. Writs are either patent, directed "To all to whom these presents shall come," and have the Great Seal attached to them—or are close, directed to particular persons, and supposed to be sealed up. Among the latter are all writs issued judicially for the administration of justice.

These are issued in the Queen's name out of Chancery, or by the Judges of the Superior courts of Common Law. Such writs are either for the purpose of demanding Common rights—as those by which civil suits commence; or are *Prerogative writs* (as *Habeas Corpus*, *Certiorari*, *Prohibition* and *Mandamus*.)

From the earliest record of the English law, no freeman could be detained in prison, except upon a criminal charge or conviction, or for a civil debt. Next to personal security, the law regards, asserts, and preserves the personal liberty of individuals against all imprisonment or restraint, unless by due course of law. The language of the Great Charter (1215) is, that no freeman shall be taken or imprisoned, but by the careful judgment of his equals, or by the law of the land. And many subsequent old statutes expressly direct that no man shall be taken or imprisoned by the suggestion or petition of the King or his council, unless it shall be by legal indictment, or the process of common law. Such are the statutes of 1332, 1352, and 1355, respecting the relief of the subject from illegal confinement. Early in the reign of Charles I. the court of King's Bench, relying on some arbitrary precedents, determined that they could not upon a *Habeas Corpus*, either bail or deliver a prisoner, though committed without any cause assigned, if committed by the special command of the King or the Privy Council. The particular case on hand was the celebrated one which arose when John Hampden and four other Knights were imprisoned by order of the council, for refusing to pay the illegal tax of ship-money. The flagrant injustice, besides the acknowledged breach of at least the spirit of the law displayed in this case, brought on a Parliamentary inquiry, and produced the well-known *Petition of right*, (1627) which recites the illegal judgment and enacts that henceforth "no person shall be imprisoned or detained without cause shown, to which he may make answer according to law." The law still continued to be evaded, and it was not till 1679, that the present act was passed. "It is not to be supposed," says Hallam, "that the statute of Charles II. enlarged in a great degree our liberty, or forms a sort of epoch in our history, for though a very beneficial enactment, and eminently remedial in many cases, it introduced no new principle, nor did it confer any new right on the subject. It was not to become an immunity from arbitrary imprisonment, which is abundantly provided in *Magna Charta*, that the statute was enacted; but to cut off the abuses, by which the Government's lust of power, and the servile subtlety of the crown lawyers, had impaired so great a privilege."

The statute itself enacts, (we quote from Blackstone)—That on complaint and request in writing, by or on behalf of any person committed or charged with any crime (except treason or felony) the Lord Chancellor or any of the twelve judges in vacation, upon viewing a copy of the warrant, or affidavit that a copy is denied, shall award a *habeas corpus*, literally a writ to produce the body, for such provisions returnable immediately; and on the return being made, to himself or another judge, the party shall be discharged, if bailable, proper security being given—That the writ shall be returned and the prisoner brought up, within a limited time according to the distance, not exceeding in any case thirty days—That officers or keepers neglecting to make due returns, or not returning to the prisoner or his agent within six hours of demanding a copy of the warrant of Commitment, shall for the first offence forfeit £100, and for the second £200 to the party aggrieved—That no person once delivered by *habeas corpus*, shall be recommitted for the same offence, or forfeit £500—That every person committed for treason or felony shall, if he requires it, the first week of the next term, or the first day of the next session of *oyer and terminer*, be indicted on that term or session, or else admitted to bail; unless the Queen's witness cannot be produced at that time. These are by no means all the provisions of this important statute, but only the substance of the principal articles.

The remedies of *Habeas Corpus* are so effectual, that no man can possibly endure any long imprisonment on a criminal charge, nor would any minister venture to exercise a sort of oppression so dangerous to himself. If, however, the charge be not a criminal one, his case does not come under this statute, he must sue out his *habeas corpus* at common law. But the process is equally effective, for if the writ is not immediately obeyed, an attachment will issue. By these admirable regulations, the remedy is now complete for removing the injury of unjust and illegal confinement. A remedy, as Blackstone remarks, the more necessary, because the oppression does not always arise from the ill-nature, but sometimes from the mere inattention of government. For it frequently happens in foreign countries, and has happened in England, that persons apprehended on suspicion have suffered a long imprisonment simply because they were forgotten.

The *Habeas Corpus* has been more than once suspended in England, and recently, with respect to a certain class of offences in the United States, but our space will not at present permit us to enlarge on those events.—*Dumfries Reformer*,

8. EXTRACTS FROM DELOLME'S CONSTITUTION OF ENGLAND.

Reasons for the Relative Growth of Liberty in England and France.

In France the Royal authority was scarcely felt; the Barons could do as they pleased, and consequently when the people made any advances towards freedom, they were immediately crushed by the nobility, not by the king, on the least symptom of insurrection, and before they could unite and concert measures. But in England the case was quite different, especially in the time of William the Norman, who possessed unlimited power. In consequence of the tyrannical application of that power the Barons were roused in order to curtail that influence, and finding their own power insufficient, they were obliged to associate the people with them, and so make them partners of public liberty. This confederacy of the nobles and people forming slowly under Rufus, the 1st Henry, Stephen, and the 2nd Henry, at length broke forth in one tremendous torrent on the devoted head of John, and forced that monarch to grant that palladium of British liberty which is now the great back-work of our liberty the Magna Charta, or the great Charter.

The basis of the *English Constitution* is, that the legislative power belongs to Parliament alone; that is to say the power of establishing laws, and of abrogating, changing, or explaining them.

Salique Law.—By the Salic or Salique law, instituted by Pharamond, A. D. 424, females are excluded from inheriting the crown of France.

9. THE BROAD ARROW.

Many have doubtless inquired about the significance of "the broad arrow" which has been put upon the rebel rams. It indicates possession by her Majesty. The broad arrow is a government mark somewhat in the shape of an arrow head, which is stamped, cut or otherwise fixed on all solid materials used in Her Majesty's ships or dockyards in order to prevent embezzlement of royal naval stores. The mark was assumed at the time of the Edwards (when the arrow was considered the most powerful weapon of attack) as distinguishing the property of the King. To be found in possession of any property thus marked is a criminal offence punishable with a heavy fine.—*N. Y. Times.*

10. THE QUEEN'S DOMINIONS.

The colonies of Great Britain, having a population under 11,000,000, of which only 5,000,000 are whites, comprise 3,350,000 square miles, costing annually for management £3,350,000. They have an aggregate revenue of £11,000,000, and owe among them £27,000,000. They import goods to the annual amount of 60,000,000, half of which is from Great Britain; and export produce to the value of £50,000,000, of which three-fifths go to Great Britain. Adding 900,000 square miles for India, with a population of 200,000,000 and a trade of £71,000,000, it appears that the Queen reigns over nearly a third of the land of the earth, and nearly a fourth of its population.—*New York Teacher.*

II. Papers on Practical Education.

1. "CRITICISM ON GRAMMAR."*

Grammar ought to occupy a high place as a branch of instruction, as there is nothing that is apt to damage one more, educationally, whatever be his attainment in other respects, than a habitual use of incorrect language. On the other hand, what nobler accomplishment is there than in having, in all its diversity, an accurate, masterly and critical knowledge of the construction of one's mother language.

As is well known, English Grammar, as a science, is a system of principles and a collection of facts peculiar to the language—

* To Correspondents:—We have already received three additional communications from parties in reply to Mr. Ford's "Criticism on Grammar." As they are all written in a controversial style, we must decline to insert them. We would be happy to give them a place in the *Journal* were they in any other form. In their present shape, they would not fail to provoke further useless controversy. It has been the steady purpose of the *Journal* to discourage a controversial style of writing in its columns, and to seek to convey information direct rather than in the form adopted by our correspondents. Having now inserted one rejoinder on the subject, the controversy must close in our columns. Letters giving the result of a teacher's experience in teaching any particular branch of learning, or detailing some notable facts illustrative of school government and discipline, will gladly be inserted.

In Mr. Ford's communication on "Criticism on Grammar," some typographical errors occur. In the definition of number, the capital letter A ought to be "it" again, in this sentence, therefore, Murray's definition of numbers is incorrect: the word "numbers" should be *number*. "A neuter never expresses active," &c. It ought to be a neuter verb, &c. The Spelling Book superseded has always been approved and is still used in the Normal School.

Mr. James Jarmin's ingenious illustration of a late article in the *Journal* possesses too little general interest to warrant its insertion.

Mr. O'Doherty's article on "Whispering" will be inserted in the next month's *Journal*.

common also to other languages some of them. As an art, it is a system of rules for the practical application of these principles; and the object aimed at in this study is, in the first place, an acquaintance with the facts and principles pertaining to the science; secondly, a thorough acquaintance with the application of those rules to practice; so that he who speaks and writes in accordance with these principles, speaks and writes correctly.

These principles, however, are of such a varied and debatable nature as to evoke much diversity of opinion. The latest being enunciated by the most Rev. Dr. Trench, now Archbishop of Dublin, the author of several works which should be in the hands of every student of the English language. How it occurs, however, that he can reconcile his latest amendments of the Queen's English with any known principles of grammar, it would be hard to say. Of the two sentences quoted by your correspondent in the last number of the *Journal*, the former completely negatives a standing principle in all grammars—the latter will not bear the transposition which the sense manifestly demands. How Common School candidates for teachership would fare in the hands of the Dean is a question; as has been remarked, they probably suffer enough as it is.

In a late communication it is sought to dispense with the "potential mood," among other amendments. Before, however, this could be accepted as satisfactory, it would have to be shown, that there exists such a slight difference between the *assertive* nature of the Indicative, and the *possible* nature of the potential, the chief feature of which is *power*, as to admit of their being merged into one; till this be done the potential mood must be held as inadmissible.

Lennie's definition of a neuter verb has been objected to. Besides the one given in your last number on this subject, there is another which he gives (and a safer one). A neuter verb is one which is neither active nor passive. This is very *canny* as a Scot would say, but it leaves too wide a margin to fill in, as it may be one thing or another as one may choose to argue. As to the terms "possessive adjective," "adjective pronoun," &c., such absurdities are certainly outliving their day and call for change. They are even perpetuated in some of our latest grammars. It is also advanced that one adjective qualifies another, as a pale blue flash, &c. I must differ from (not *with* as is sometimes written) those looking upon these words in such a relation. I would suggest that such words be parsed as compound adjectives, and I have no doubt they will recommend themselves as such on reverting to the mental conception of the qualities indicated by their use. Also in *the man, this man*, it is asked, why can "the" not be an adjective as well as *this*—so it is, and it is now customary to call it a "specifying" adjective.

In Lennie's rule, "when contingency and futurity, &c.," he has been taxed with using the very mood he wished us to avoid. So far as the particle "if" is concerned, this might appear to be so; but when we reflect that it is the "word" that gives colour to the sentence, Lennie will be found to be quite correct. This, however, is a rule of no practical value, as it is in daily use both ways by the first writers and speakers of the age. In respect to a new name for the "pluperfect" tense, as has been proposed, it must be said to need it, as the present definition fails to express the meaning which the words convey. "Prior perfect" is not inapplicable—it is certainly a decided improvement on the old one. As to the assertion attributed to Keigan, that we should have no future tense in English, as time exists all at once, it may do to speak so in the abstract, but it does not so exist to us, and it is in this relation we speak of it. Keigan's assertion, therefore, is too metaphysical to be grammatical.

In saying that the future tense would be spoiled by taking away *shall* and *will* from the principal verb, as I will go—I will to go, I see no reason for saying so, as the latter expression is exactly contained in the former; but the English language has already suffered so much abbreviation and change that we are apt to lose sight of what are the true forms of speech. In fact the latter expression is the normal state of the verb, and following it out mentally, it neither weakens the force of the language nor alters its signification, if it does at all, it is certainly in favour of the latter for strength, and it will assist in proving this to be the case when we know the German verb at the present moment is the latter, "Ich will gehen" I will to go. This again will be more conclusive when we consider the intimate relation between the Teutonic forms of speech and our own language. Again, it is said, common sense tells us there are only *two* genders. In parsing grammar, however, it is very convenient to have *three*, and farther, that if nouns are not either masculine or feminine, they have no gender at all; in that case how shall we parse *children*, relations, animals, &c.

As regards other irregularities to be complained of, I would also point out the impropriety of calling it a *personal pronoun*. This can only be defended by borrowing the Scotch Highlander's use of pronouns, who, when he had pushed his stick into the side of a black man by the way side, said, *she* thoct *she* was a timmer (he thought he was of wood). We have also a class of words called

adverbs (as, very, exceedingly pretty, &c.) which can never be used to modify verbs. Their duty is in connection with proper adverbs; but how this entitles them to be called adverbs, I fail to perceive. We are also told in the 6th Rule of Lennie, that "one verb governs another in the infinitive mood," as "Forget not to do good," the verbal noun to do being the object of the verb *forget*. This cannot be the case—and the absurdity will be more apparent if the infinitive be preceded by a *passive* verb, which never takes an object after it. In all such cases, *for* is necessary as the governing word, a form of speech which, though now nearly obsolete, is to be found in the Scriptures, is still used in many parts of England and Scotland, and by many comparatively modern writers. In such a sentence as, "he is able," there is much difference of opinion as to how it should be parsed. Some say *able* qualifies *he*—others, *is able*, is the verb or *able* an adverb. In this (and all such cases) Mulligan says, rationally I think, that *able* is an *adverb*, *completing* (not modifying) the verb *is*. The best way perhaps is to take it as it is in the Latin, *potest*, which expresses in one word what is equivalent to our three, and call "is able" a verb.

As an example of American philology, Barrett on the languages is a book which has been extensively hawked about the province lately. In this one volume he proposes to teach six languages. As an example of the English, let me quote only from one instance. He takes Lennie's examples,

And fortune smiled *deceitful* on her birth, and
I, cheerful, will obey.

And asserts that *deceitful* is an *adjective* qualifying fortune, and that *cheerful* is an *adjective* qualifying I, and exultingly exclaims, "We think Mr. Lennie hath unjustly traduced the poets," (in calling them adverbs), because are not these words adjectives? Most assuredly they are—beyond dispute; and when learned grammarians thus contradict themselves, we think their principles must be at fault. Readers can draw their own conclusions between the faultiness of Lennie's principles and Barrett's Logic. W. C. Fowler, Professor of Rhetoric in Amherst College, in his work on grammar, also says, it is quite correct grammar to say "whom did you give it," "whom is it due," &c., for, "to whom," &c; also, to insult over a person.

I trust, with your former correspondent, that this matter will be taken up in some proper quarter, and result in an improvement. Should our reading books also share in the change, a thing much to be desired, let us hope they will be more welcome to our class-rooms in the matters of punctuation, spelling, grammar and syllabication than those now in use.

Preston, Nov. 28th, 1863.

ROBERT BLACKWOOD.

2. ENGLISH GRAMMAR—WHAT SHOULD WE REQUIRE IN A TEXT BOOK?

Example is better than precept. And since it is, at least, a part of the office of an English Grammar to teach how to write the English language, the first thing to be required of a Grammar is that it be written in good English: a book that is not so written should be allowed no place in the schools.

Our second requisition is, that the definitions and rules be elegantly, fully, concisely, precisely expressed. They should also be expressed in the simplest language that is applicable to the subject, if it also meet the other requirements; but no word of doubtful propriety should be admitted because it seems simple. The writer of text-books is bound first to the exact truth, next to simplicity.

Thirdly, in a Grammar due prominence should be given to the inflections of the language. These are, indeed, few in English; but are not unimportant. All necessary paradigms should be fully given; and all needful rules for the formation of the plural and of the passive of nouns, and for the comparison of adjectives should be likewise clearly given; also the signs of moods and tenses, so far as there are determinate signs, should be distinctly stated; and so, too, the composition of the several forms of the verb.

In the fourth place, inasmuch as the Grammar is adapted to teach two things, interpretation and composition, it should furnish and require exercises directed to this end. The best forms of these exercises every good Grammar must clearly and fully illustrate. In regard to composition some exercises, such as the filling of sentences partially written out, building of sentences on given words, have been found to be of so great value that no Grammar can be considered complete, which does not illustrate them.

Fifthly, that cannot be a good Grammar in which a wide distinction is not made between principles and methods. Many a Grammar is worthless because of a failure to make such distinction. Good methods are of great value, yet methods are not the essential substance of Grammar, while principles are the essential substance of it. Principles have life in themselves, methods have not. Principles are like seeds which germinate, grow and bear fruit; methods

are but trodden ways, very useful to such as must walk in them, but in themselves very barren.

Sixthly, in a good Grammar the more important principles must be distinguished from the less important. Such distinction, when made, is most easily represented to the pupil by means of different type. Such distinction and such arrangement enable the pupil to see at a glance what he needs first to learn, and help him to go on with the acquisition of what is most important, unhindered, and yet without danger of feeling that there is nothing beyond these his first attainments.

I would insist on these six things in selecting a Grammar for the youngest classes. In a book for more advanced pupils, I would look for three things more.

First, an article on composition, showing how something may be thought and said about a simple object, if one has eyes to see and hands to feel it. These lessons should teach how to observe and to record what is observed; that is, they should be what are in the best sense, object lessons.

Secondly, a Grammar for advanced classes should contain a sufficiently extended and accurate article on punctuation. In many of our Grammars this subject is treated so briefly that what is said of it is of no real practical service, as the rules given will break down, whether applied to the author's own practice, or to the selections used as parsing lessons. To account for the punctuation of a sentence, is a very convenient and usually a very satisfactory general analysis of the sentence; while the ability to punctuate what is written is very useful.

Thirdly, a good Grammar for advanced classes should contain an accurate and full article on Rhetorical Figures, for few exercises are better calculated to promote at the same time a careful study of words in their relations to each other, and in their individual, primitive meaning and history, than the determination and explanation of the figures of Rhetoric in such extracts from our best authors as usually constitute our parsing lessons.—E. C. in *Vermont S. Jour.*

3. SCOTLAND GRAMMAR SCHOOL SPELLING MATCH.

We are glad to learn that the experimental Geographical and Spelling Match, which the managers of the Scotland Grammar School proposed to make (and to which we referred in a recent number of the *Journal*) has been satisfactorily made. A correspondent informs us that so engrossed were the competitors in spelling that the geographical part of the match had to be postponed. After a keen competition the following were declared winners of the prizes: John Allan, of Richwood, 1st prize; Thaddeus Malcolm, Lucina Malcolm, and Charlotte Hay, of Scotland, 2nd, 3rd, and 4th prizes, respectively. We hope this experiment will be repeated with increased success.—[*Ed. J. of Ed.*]

JOURNAL OF



EDUCATION,

Upper

Canada.

TORONTO: DECEMBER, 1863.

* Parties in correspondence with the Educational Department will please quote the number and date of any previous letters to which they may have occasion to refer, as it is extremely difficult for the Department to keep trace of isolated cases where so many letters are received (nearly 1,000 per month) on various subjects.

ANNUAL SCHOOL MEETING, 13TH JANUARY, 1864.

For the convenience of all parties concerned we insert the provisions of the law relating to the Annual School Meeting to be held throughout Upper Canada, on the thirteenth of January, 1864.

(Extracts from the *Consolidated Common School Act, with notes.*)

Annual Election on the Second Wednesday in January.

3. The annual meetings for the election of school trustees, as hereinafter provided, shall be held in all the cities, towns, townships and villages of Upper Canada, on the *second Wednesday in January* [13th, 1864,] in each year, commencing at the hour of *ten* of the clock in the forenoon.*

* The Act of 1860 further enacts, that: 4. The poll at every election of a School Trustee or Trustees shall not close before *eleven* of the clock in

Chairman and Secretary to be appointed at Meeting.

9. The [assessed] freeholders and householders, of such school section then present, shall elect one of their own number to preside over the proceedings of such meeting, and shall also appoint a secretary, who will record all the proceedings of the meeting.

Duties of the Chairman.—His casting vote.

10. The chairman of such meeting shall decide all questions of order, subject to an appeal to the meeting, and in case of an equality of votes, shall give the casting vote, but he shall have no vote except as chairman.

Mode of recording votes at School Meetings.

11. The chairman shall take the votes in the manner desired by a majority of the electors present, but he shall at the request of any two electors, grant a poll for recording the names of the voters by the secretary.

*Copy of proceedings to be sent to the Local Superintendent.**

14. A correct copy of the proceedings of such first and of every annual and of every special school section meeting, signed by the chairman and secretary, shall be forthwith transmitted by the [chairman] to the local superintendent of schools.†

A School Trustee to be annually elected in each Section.

15. A trustee shall be elected to office at each ensuing annual school meeting, in place of the one whose term of office is about to expire: and the same individual, if willing, may be re-elected; but no school trustee shall be re-elected, except by his own consent, during the four years next after his going out of office.

Mode of Proceeding at Annual Meeting.

16. At every annual school section meeting in any township, as authorized and required to be held by the third section of this Act

the forenoon, and shall not be kept open later than four of the clock in the afternoon; In School Sections the poll shall close on the same day the election is commenced.

* A report in the following form should be sent to the local superintendent:

—————, 186—, [— Post Office.]

SIR,—In conformity with the fourteenth section of the Upper Canada Consolidated Common School Act, we have the honour to inform you, that at a meeting of the [resident assessed] freeholders and householders of School Section No. —, in the Township of —, held according to law on the — day of —, [Here insert the name or names or address of the person or persons elected] — chosen School [Trustee or Trustees] of said Section.

The other business transacted at the meeting, of which due notice was given, was as follows:—[Here insert it.]

We have the honour to be, Sir,

Your obedient servants,

To the Local Superintendent of Schools

For the County or Township of —

D. E. Chairman.

F. A. Secretary.

NOTE—The Trustees elected must be resident assessed freeholders or householders in the Section for which they are elected.

The twenty-fifth section of this Act authorizes Local Superintendents to investigate School Election complaints within twenty days after the Election.

† The School Act of 1860 further enacts that: [19. Any chairman who neglects to transmit to the local superintendent a copy of the proceedings of an annual or other school section meeting over which he may preside, within ten days after the holding of such meeting, shall be liable, on the complaint of any ratepayer, to a fine of not more than five dollars, to be recovered as provided in the one hundred and fortieth section of the Upper Canada [Consolidated] Common School Act aforesaid.

NOTE—The omission on the part of the chairman to transmit this notice, does not invalidate the proceedings of the meeting itself, but it renders him liable to a fine for neglect of duty.

the [resident assessed] freeholders and householders of such section present at such meeting, or a majority of them.

Appointment of Chairman and Secretary.

(1) Shall elect a chairman and secretary, who shall perform the duties required of the chairman and secretary, by the tenth and eleventh sections of this Act [and also by the thirteenth section of the School Act of 1860.]

Trustees' Financial Report to be submitted.

(2) Shall receive and decide upon the report of the trustees as required by the twenty-first clause of the twenty-seventh section of this Act.

Annual Election of School Trustees.

(3) Shall elect a [resident assessed] trustee or trustees, to fill up the vacancy or vacancies in the trustee corporation;* and

To decide on the manner of supporting the school for the year.†

(4) Shall decide upon the manner in which the salaries of the teacher or teachers, and all other expenses connected with the operation of the school or schools, shall be provided for.

Auditors' Report to be received.

(5) The eighth section of the School Act of 1860 also provides that the meeting shall receive the report of the auditors of school section accounts for the previous year, and dispose of the same.

School Section Auditor to be appointed.

(6) Shall appoint an auditor of the school accounts of the section for the current year.

[The seventeenth section has been superseded by the third section of the School Act of 1860, as follows:]

Who are legal Voters at School Meetings.

3. The seventeenth section of the Upper Canada Common School Act, sixty-fourth chapter of the Consolidated Statutes for Upper Canada, shall be amended so as to read as follows:—No person shall be entitled to vote in any School section for the election of Trustee or on any School question whatsoever, unless he shall have been assessed and shall have paid School rates as a freeholder or householder in such section; and in case an objection be made to the right of any person to vote in a School section, the chairman or presiding officer at the meeting shall, at the request of any ratepayer, require the person whose right of voting is objected to, to make the following declaration:

* See eighteenth section of the School Act of 1860, and the twenty-fourth section of this Act.

† It belongs to the office of Trustees to estimate and determine the amount of the teacher's salary and all expenses connected with the school; but it appertains to the majority of the resident assessed freeholders and householders of each School Section, at a public meeting called for the purpose, to decide, as authorized by the one hundred and twenty-fifth section of this Act, as to the manner in which such expenses shall be provided for, whether (1) by voluntary subscription; (2) rate bill in advance, of twenty-five cents (or less) per calendar month, on each pupil attending the school; (3) rate on property. But as the Trustees alone, as authorised by the fourth, fifth, sixth, eighth and twelfth clauses of the twenty-seventh section, determine the amount required for the support of the school, which they are required to keep open at least six months of the year, they are authorized by the tenth clause of the same section, to provide the balance, including all deficiencies, by a rate upon the property of the section, should the vote of the annual meeting not cover all the expenses of the school (over and above the cheques for the School Fund) or should the annual meeting omit or refuse to provide a sufficient sum. But for all the money received and expended by them, the Trustees must account annually to the School Section auditors, as prescribed in the eighth section of the School Act of 1860.

Form of Declaration required from School Electors.

"I do declare and affirm that I have been rated on the assessment roll of this School section as a freeholder (or householder, as the case may be), and that I have paid a public School tax due by me in this School section imposed within the last twelve months, and that I am legally qualified to vote at this meeting."

Penalty for making a false declaration.

Whereupon the person making such declaration shall be permitted to vote on all questions proposed at such meetings; but if any person refuses to make such declaration his vote shall be rejected: And if any person wilfully makes a false declaration of his right to vote, he shall be guilty of a misdemeanor, and upon conviction, upon the complaint of any person, shall be punishable by fine or imprisonment in the manner provided for in the [following eighteenth and the one hundred and fortieth section of the] said Upper Canada [Consolidated] Common School Act.

18. If any person wilfully makes a false declaration of his right to vote, he shall be guilty of a misdemeanor, and be punishable by fine or imprisonment, at the discretion of the Court of Quarter Sessions; or by a penalty of not less than five dollars, or more than ten dollars, to be sued for and recovered with costs before a Justice of the Peace, by the trustees of the school section, for its use.

Separate School Supporters not to vote at Common School Meetings.

19. No person subscribing towards the support of a separate school established under the Act respecting separate schools and belonging to the religious persuasion thereof, and sending a child or children thereto, shall be allowed to vote at the election of any trustee for a common school in the city, town, village, or township in which such separate school is established.

Penalty on Trustees for not calling certain School Meetings.

21. In case any annual or other school section meeting has not been held for want of the proper notice, each trustee or other person whose duty it was to give such notice, shall forfeit the sum of five dollars, to be sued for and recovered before a Justice of the Peace, by any resident inhabitant in the section for the use thereof.

Meetings to be called in default of first or Annual Meetings.

22. In case, from the want of proper notice, any first or annual school section meeting, required to be held for the election of trustees was not held at the proper period, any two freeholders or householders in such section may, within twenty days after the time at which such meeting should have been held, call a meeting by giving six days' notice, to be posted in at least three public places in such school section; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

** Form of Notice of an Annual School Section Meeting to be given by two qualified electors.*

SCHOOL NOTICE.

The Trustees of School Section No. —, in the Township of —, having neglected to give notice of the Annual School Section Meeting, as prescribed by the twentieth section of the Upper Canada Consolidated Common School Act, the undersigned hereby give notice to the freeholders and householders of the said School Section, that a public meeting will be held at —, on — day, the — day of —, at ten o'clock in the forenoon for the purpose of electing a fit and proper person as trustee, as directed by law.

Dated this — day of —, 186—.

A. B. } Qualified Electors
C. D. } School Section No. —.

NOTE.—The mode of proceeding at a School Meeting thus called, is prescribed in this Act. This meeting may also be called by the local superintendent. See second clause of the twenty-fifth section of this Act.

Penalty for refusing to serve as Trustee.

23. If any person chosen as trustee refuses to act, he shall forfeit the sum of five dollars;* and every person so chosen who has not refused to accept the office, and who at any time refuses or neglects to perform its duties,† shall forfeit the sum of twenty dollars, to be sued for and recovered before a Justice of the Peace, by the trustees of the school section for its use, as authorized by the one hundred and fortieth section of this Act.

Trustee may resign—Absence a forfeiture of office.

24. Any person chosen may resign with the consent, expressed in writing, of his colleagues in office and of the local superintendent.

Mode of proceeding in contested Elections in School Sections.

25. Each Local Superintendent of Schools—

(1) Shall, within twenty days after any meeting for the election of common school section trustees within the limits of his charge, receive and investigate any complaint respecting the mode of conducting the election,‡ and according to the best of his judgment confirm it or set it aside, and appoint the time and place for a new election; and may—

(2) In his discretion, at any time for any lawful purpose, appoint the time and place for a special school section meeting.

IV. Papers on the late Lord Elgin.

LORD ELGIN.—IN MEMORIAM.*

With feelings of profound sorrow we insert in this closing number of the sixteenth volume of the *Journal of Education* (the establishment of which he sanctioned) a tribute to the memory of one of the ablest Governors that ever represented British Sovereignty on this continent.

Those who take an interest in public education in Canada, will remember with what eloquence and zeal Lord Elgin per-

** The School Act of 1860 further enacts;*

11. No person shall be eligible to be elected or to serve as school trustee who is not a resident assessed freeholder or householder in the school section for which he is elected; nor shall any teacher or local superintendent hold the office of trustee; and a continuous non-residence of six months from his school section by any trustee, shall cause the vacation of his office.

† The School Act of 1860 further enacts:

18. Every person elected as trustee, and who is eligible and liable to serve as such, shall make the following declaration of office before the Chairman to the School Meeting:

"I will truly and faithfully, to the best of my judgment and ability, discharge the duties of the office of School Trustee, to which I have been elected."

Fine for default or in case of neglect to make declaration:

And if any person elected as trustee shall not make such a declaration within two weeks after notice of his election, his neglect to do so shall be sufficient evidence of his refusing to serve, and of his liability to pay the fine, as provided for in the [preceding] twenty-third section of the said Upper Canada [Consolidated] Common School Act.

‡ The School Act of 1860 further enacts that:

13. It shall be the duty of a local superintendent of schools to receive, investigate, and decide upon any complaints which may be made in regard to the election of school trustees, or in regard to any proceedings at school meetings: Provided always, that no complaint in regard to any election or proceeding at a school meeting shall be entertained, unless made in writing within twenty days after the holding of such election or meeting.

* Before receiving the lamented news of Lord Elgin's death, we had marked for insertion in the *Journal* an account of his dedication of the Memorial Cross at Cawnpore early in the year. It will be found on page 187. On that occasion he significantly referred to the early death of his predecessors. It is a sad and striking coincidence that Lord Elgin was the successor both in Canada and India of several Governors who had died one after another either while in office or immediately after having resigned it to go to England. It is melancholy to think that Lord Elgin himself, while in the prime of life, should so soon have followed these departed statesmen.

sonally sought to promote, in every way in his power, its successful establishment in the Province during his period of office. His addresses and speeches on any subject on which he addressed the public were always chaste and elegant, but on the subject of popular education, or any kindred topic, he always expressed himself in language peculiarly forcible and appropriate. His speech at the laying of the foundation stone of the Upper Canada Normal School in July, 1851, and at the Provincial Exhibition at London in 1854, are illustrative of this.

It is now nearly ten years since the departure of Lord Elgin from among us. In connection with these references to him, we feel that we cannot pay a better tribute to his memory than to reproduce from the *Journal* of that date the remarks which we then made on the occasion of his retirement from the government of Canada:—

“LORD ELGIN AND EDUCATION IN UPPER CANADA.

“One of the certain signs of the progress and general appreciation of education in a country under a system of popular government, is the voluntary, and, as it were, unofficial attention which it receives from public men. That attention is the dictate of a noble patriotism, which prompts a public man to regard every thing connected with his official position as a trust to be employed for the good of his country; it is also a spontaneous and practical homage to public conviction and feeling on a subject of all others the most vitally connected with the highest advancement and welfare of a people. The increased interest felt and evinced by public men in the Educational Institutions and progress of the country, is one of the many gratifying and encouraging indications of its real and rapid prosperity. The names on the Visitors' Books in the Normal and Model Schools, at Toronto, afford ample illustration of this fact; and the references to our educational interests in addresses of associations and speeches of individuals, on almost all public occasions, indicate a growing and wide-spread conviction on the subject.

“His EXCELLENCY the Earl of ELGIN and KINCARDINE stands conspicuous as well by his example as his position, in the lively interest which he has shown in the educational advancement of this country. Filling as he has done for several years, the highest place of trust and power, he may justly claim the distinction—and a high one we think it is—of being the first Governor of Canada who has identified himself *personally* as well as officially *throughout his whole administration* with the general education and intellectual improvement of the people of Canada. The first bill to which His Excellency assented in HER MAJESTY'S name after the removal of the seat of Government to Upper Canada, 1850, was the School Bill which constitutes the legal charter of the Educational system; he afterwards laid the corner stone of the Normal School Buildings, accompanying the act with one of his most eloquent and powerful speeches on the subject of our system of education; and one of His Excellency's last acts in Toronto has been to visit those buildings when completed, and witness and express his satisfaction with the several departments of the system therein conducted.

“We subjoin the report of the remarks made by His EXCELLENCY on the subject of education and our Educational Institutions during his recent tour in Upper Canada. The preservation in this form of LORD ELGIN'S addresses and extracts of addresses is desirable; and we are sure they will be read and re-read with interest. We hope the striking remark of His

Excellency, that “Township and County Libraries are becoming as the crown and glory of the Institutions of the Province,” will be adopted as the motto of the people of Upper Canada.

“In reply to the addresses presented to His Excellency by the Municipal Council of the Town of London, Lord Elgin remarked:—

“When I look to all that has occurred during the few years of my residence in this country; when I remember that your revenue has increased from £400,000 to from £1,200,000 to £1,500,000 a year; that your imports and exports have increased in the same ratio; that we are beginning to have an ample net work of railway extended over the country; and that the productions of Canada are now to be admitted duty free to that market which is to you the most important market in the world. (Cheers.) When I look to these circumstances, and when I remember that your educational system is expanding itself so nobly;—within these few months a member of the Imperial Parliament shook me by the hand at the railway station, and said, ‘I have been at your Normal School, and I assure you we have nothing like that in England.’ (Cheers.) When I remember the progress your educational system has made and is still making; and that *Township and County Libraries are becoming as the crown and glory of the Institutions of the Province*—when I remember, too, that out of that chaos of rules, ill-defined and half-understood, an impartial and well defined constitution, which might be termed the charter of Canadian liberty, has sprung,—when I claim that out of all that has grown from that beautiful and graceful structure of Canadian liberty, which England and America may justly be proud of, I can only refer it to the simple, straightforward, plain-sailing policy I have felt it my duty to pursue. (Great applause.) It is true, gentlemen, that in your address you allude to times of difficulty. It is right that times of difficulty should be referred to, for it is by the manner in which we deal with difficulties that we fit ourselves to deal with prosperity and happiness. But it is only for that reason we are to look back to difficulties. God forbid! that we should ever look back to them to cherish feelings of bitterness or uneasiness towards the authors of these difficulties. (Cheers.) When the Canadian farmer finds himself comfortably housed in his frame worked building with his spacious farm alongside of him, and his fields surrounded with good fences, and waving with yellow crops, all the vestiges of the old forest removed, except here and there an old pine stump which stands as a tombstone to remind him of former generations of heroes that have passed away—when he looks to that and sees his sons and daughters settled comfortably around him, I wonder whether it is with feelings of regret that he looks back to that early period when he first marched into the forest and put the torch to the stately oak, and girded the majestic maple, and rolled together the logs to make a house for himself and family to shelter them in winter. When he looks back to those days as the infancy of a glorious manhood, will he not tell those who remind him of the mists and clouds that hung around the dawn of the prosperity of Canada, that these mists and clouds were after all, but the garb of the morning, the harbingers and heralds of a bright and glorious day.” (Great applause.)

“In reply to a toast at the dinner given to Lord Elgin by the Corporation of Kingston, His Excellency, having referred to a certain class of objectors, remarked:—

“I greatly fear that these worthy persons will discover to their cost that it sometimes rains when they would wish it to be fair—that the wind occasionally blows from the East when they would prefer a zephyr, and what is worse, that Parliamentary majorities, from time to time, say ‘aye,’ when they would have them say ‘nay,’ even after the time shall have arrived when a solitary sign-post dangling here and there before the door of a village tavern, is all that remains to remind Canadians of Lord Elgin. Perhaps, indeed, there may be some with whom the disease is incurable—who, when they teach their children the history of their country, will instruct them in this wise:—‘Mark well,’ will they say to them, ‘the period comprised between the years 1846 and 1856, for it was a memorable period in the history of your country. During that period your revenues rose from four, to twelve or fifteen hundred thousand pounds a year. Your commerce increased in a corresponding ratio. Your magnificent common school system was extended and consolidated. It was in 1847 that the Normal School (the seed-plot of that system,) was established. The risk of armed collision in your internal affairs on the part of Great Britain or of sympathizers from the United States was expunged from the category of possible contingencies, because both England and America had learned to respect you as a people enjoying free institutions and knowing how rightfully to use them. Mark well then and digest carefully the history of that period; but remember that you never close the review without bestowing a hearty malediction upon that individual who was then charged by his Sovereign with the administration of your affairs, and who laboured (God knows how zealously) to achieve these results.’ (Loud and continued cheers.) There will be few, I confidently believe, to teach such a lesson, and fewer still, if it were taught, to receive it; and therefore, gentlemen, I cannot divest myself of a certain faint and glimmering hope—nay, to that hope, in this hour of despondency and regret at my approaching departure, I cling as to a sheet anchor. I cannot, I say, divest myself of a faint and glimmering hope that there may be some meaning in the allusion just now made by His Wor-

ship the Mayor to what fell from me at London, and that at some future day I may be among you again. (Tremendous cheering.) At any rate, of this you may be assured, that whenever Canada wants a friend, she will have a humble, but, to the extent of his ability, a zealous and faithful friend in Lord Elgin."

THE EARL OF ELGIN AND KINCARDINE.

From the London Times.

The public will learn with the deepest sorrow and anxiety that news of the death of Lord Elgin has been received. The public must therefore be prepared for the loss of one of the most able public servants that the country possesses.

Lord Elgin, who left us but the other day to relieve the dying Lord Canning, as the latter relieved the dying Lord Dalhousie, will in all probability never again see the land of his birth, or enjoy the honors and rest which should be the recompense of his great services. It is, indeed, a dreadful price that we pay for an Asiatic Empire. Whether the constitutions of men in these days, or their previous habits of life are less fitted to a tropical climate, or whether it be that the work and the responsibility are more oppressive than of yore, there has certainly been a mortality among the chiefs of the Indian Administration which is enough to deter men of eminence from attempting it. Every mail brings us the tidings of some one breaking down; of some one retiring for a time, or resigning altogether, on the ground of ill health; and besides the two former Governors-General whom we have mentioned, there is also Lord Elphinstone, who, in scarcely lower posts at Madras and Bombay, showed great administrative abilities, and was snatched away in the full vigor of youth.

The country has thus lost the third of a remarkable list of men, who, after having governed India with transcendent brilliancy and success, have been removed without having an interval granted them to repose in the greatness they have achieved. Lords Dalhousie, Canning and Elgin, were almost of an age; they were all at Christ Church together, and entered public life about the same time. Lord Dalhousie, at an unusually early age, was placed at the head of the Indian Empire, and governed with an ability and spirit which must be acknowledged even by those who look upon some of his measures as unjust and in their result calamitous. He returned home to linger and die, and was succeeded by Lord Canning, who, going to India with the hope of passing his term of service in the furtherance of peaceful prosperity, found himself engaged during the greater part of his reign in suppressing the most formidable insurrection in modern annals. Lord Elgin succeeded him with the general approbation of the country, founded on his able services in other departments. In 1842 he was made Governor of Jamaica, and was promoted in 1846 to the Governor Generalship of British North America, where he carried through the well known reciprocity treaty with the United States, which has been the source of such benefits to Canada. Lord Elgin's services during his missions to China are so recent and so well known that we need hardly recall them to the memory of our readers. In the spring of 1857 he was sent to the East, and though the Indian mutiny delayed operations for a time, he did not leave China until he had not only signed a treaty with the Imperial Commissioners at Tientsin, but had also broken the spell of Japanese Isolation, and, entering the harbour of Jeddo, surprised the Government into consenting to intercourse with the European world. His second embassy to China was as successful as the first; the capture of Peking was followed by the treaty of October, 14, 1860, and the way opened to that extended commerce which promises to bring the Chinese Empire under the influence of European civilization.

These eminent services pointed out Lord Elgin for the most splendid vicerealty under the Crown, and he proceeded to the East, for the third time, to relieve Lord Canning as Governor-General of India. We believe he had suffered from heart-complaint; and though he took great care of his health, particularly avoiding the heat of the sun, it was this malady which, assuming an acute form, prostrated him with the illness which has ended fatally. The Governor-General was in the North-West Provinces; he had passed the hot season at Simla, had lately been traversing some elevated tracks in the Himalayas, and had, it is said, a few days before his illness ascended to a point 13,000 feet high. It may be that this exertion was too much for a constitution, though apparently good, had suffered somewhat from repeated residence in hot climates. Lord Elgin, who was to meet Sir Hugh Rose at Lahore, was taken, it appears, suddenly and dangerously ill, and breathed his last on the 20 ult.

So falls another of the able and patriotic men by whom the empire of England has been founded and maintained. It may be some consolation to a man to know that he dies serving his country; but, on the other hand, it is bitter for him to feel that he is cut off when only in middle age, with his work half undone, and the happy pros-

pects of public prosperity and private honor clouded for ever. Lord Elgin was not destined to see the full consequences of his courage and ability in China, nor the development of Indian prosperity under his peaceful rule.—To successors we must leave the carrying out of the changes which he began, and there can be no greater disappointments to an active and ambitious spirit. It is strange to reflect that not a single Governor General remains alive, except Lord Ellenborough, who went out two-and-twenty years ago. Lord Auckland has been long since dead, Lord Hardinge is dead, the Marquis of Dalhousie and Lord Canning have both been carried to early graves. Lord Elgin, follows then at the age of 52, leaving the great but fatal prize of the official world once more in the gift of the Premier, who has seen so many recipients of it pass away.

LORD ELGIN.

(From the Toronto Globe, December 25th.)

We lately copied from the *Times* so full a record of the recent public services of this late lamented nobleman, that it is not necessary to dwell upon them here. We cannot allow the opportunity to pass, however, of saying a grateful word on behalf of a true friend of Canada. The English journals which have spoken of Lord Elgin's career have a very incorrect conception of his work in this country, though they rightly award it praise. There can be no question that he was the best administrator of public affairs ever sent to represent the Crown in Canada. He possessed in a very high degree that description of intellect which enables a man to appreciate the position and feelings of a community. He not only knew and understood individuals, but also classes of men. He delighted in social intercourse, and never showed to so much advantage as when he was addressing a mixed multitude, whom he had never seen before, but of whose feelings and prejudices he seemed to be, as by intuition, thoroughly aware. Many of our readers will recall occasions, during his career in Canada, when he crossed the border, and being cordially welcomed by our neighbours, he paid them by speeches which, while thoroughly appropriate to his own position, were calculated to gratify every instinct and feeling of the American mind, and to send the audience away intensely pleased with themselves, the orator, and the world at large. And this was accomplished by no gross flattery, but with a tact and skill so easy and natural as to be invisible to the ordinary observer. Many readers will recall the Boston railway celebration, when, amidst all the great speakers that New England could assemble, Lord Elgin bore away the palm, the chief personage of that immense gathering in oratory as well as rank and breeding.

Lord Elgin possessed a sound judgement, much knowledge of affairs, and, as we have said, a great natural and acquired capacity for oratory; but it was his knowledge of mankind, and skill in dealing with them, which made him so good a constitutional ruler of a colony. In Canada we do not want as Governor a man of letters like Sir Edmund Head, or a determined and original organizer like Sir Charles Metcalf. We do not want a pedagogue, either, to teach or to drive us. The qualities of a diplomatist are what is needed, but a diplomatist who has lived in countries gifted with constitutions, accustomed to straightforward, honourable dealing, and averse to intrigue. Lord Elgin had all the abilities of a diplomatist as he showed afterwards in China and Japan. He was as much at home in dealing with a Mandarin at Peking as addressing a meeting of persons in the back woods of Canada.

Like most men of his class in Britain, Lord Elgin had a leaning towards Conservatism. Doubtless he considered that the *statu quo* in the mother country was as near perfection as could be desired. But his Conservatism did not take the shape of applying one rule to all countries and to all positions. He was a thorough free-trader, accepting in all their fulness the doctrines of Sir Robert Peel, and believing them to be the chief agents in promoting the greatness of Britain. And he thoroughly appreciated the fact that it was impossible to apply rules to Canada which answered admirably in Britain. He would have laughed at the idea of introducing an aristocracy into Canada, if any one had been absurd enough to suggest it to him. He knew the country, and the men who inhabit it, too well to conceive that such a scheme was practicable. He also appreciated thoroughly the relations of Canada towards the United States. He saw that the safety of the Province as a dependency of Britain rested on the cultivation of good feeling with the Republic, that spiteful railing and boorish non-intercourse would produce quarrels between the two countries, and discontent among large sections of our own people. He was aware that neither commercial nor social intercourse with the Americans would in any way weaken the attachment of Canadians to the mother country, and he was far above permitting national prejudice to interfere with what was salutary. He adopted every means of cultivating social intercourse with the Americans, and at length crowned his work with the Reciprocity Treaty, which has proved eminently beneficial to both countries.

There are people who contend that Lord Elgin was a shallow man, whose good qualities all lay upon the surface; but this we apprehend to have been a mistake. His career was not perhaps as brilliant or important as if he had taken part in politics in England, and it may be alleged that he refrained from entering the strife of the House of Commons from a fear of failure. It is doubtful whether he was naturally disposed to rush into the hurly-burly of active combat; but he had sufficient firmness and self-command to sustain him in almost any position in which he could have been placed, and there is no reason to doubt that the tact and grace which marked his oratory, the knowledge of men and of public affairs which made him a good administrator, and his admirable temper, would have raised him high in the home councils of the Empire. He was offered a seat in the Cabinet by Lord Palmerston at a critical time, but the office was refused, it was said, because Lord Elgin did not believe that the Government could stand, but probably because he thought he would have a better field for his abilities under Lord Derby. Lord Palmerston is believed to have been offended by the refusal, and though it has been frequently reported since that the offer was renewed, we have no confirmation of the statement. Every mark of honour, apart from a seat in the Cabinet, was, however, bestowed on Lord Elgin by the Palmerston Government, and he finished his career in the most lucrative and responsible office in the gift of the Crown. The chief reason for Lord Elgin refraining from public life in England was his poverty. A descendant of Robert the Bruce, and allied to the highest nobility in the kingdom, he was almost without income, and he sought employment abroad with the laudable object of re-establishing the fortunes of his house. He dies with his work, in all probability, but half completed. Had he lived, he might possibly have been able to take his place in the House of Lords, on a level, in point of fortune, with a portion of his peers, and to have possessed the weight in the council of his Sovereign which his intimate knowledge of all the dependencies of the Empire was calculated to secure. This was the goal of his ambition. Man proposes, but God disposes. We submit, while we grieve. He was a sincere and an enlightened friend of Canada, and many Canadians will join with us in this humble tribute to the ablest and most enlightened ruler to whom the destinies of this colony has ever been entrusted by the Crown.

THE CAWNPORE MEMORIAL.

During the visit of our former governor general, Lord Elgin, early in the year to the North West Provinces of India, he performed a sad yet interesting ceremony at Cawnpore. From a *Times* correspondence we make the following extracts, giving an account of the proceedings:—

After visiting Allahabad, Lord Elgin reached Cawnpore. It is no mere fancy, no result of horror at the events with which the place is ever associated, that makes men speak of this station as "accursed." It has always looked so, with its filthy mudhouses and mean shops, containing a population 70,000 people, with half-sandy, half-loamy hillocks all around, with clouds of dust sweeping along every road and eternally resting over the place. It has always been a hated station, and now more so than ever. Let me recall the dates, and outline the events of 1857. On the 6th of June of that year the siege fairly began of the small garrison who, under General Wheeler, were defended by a mud wall and ditch, the former only 4ft. high and at the whole such as the worst rider could take at an easy leap. No less than 100,000 natives filled the city and military bazaars; guns and ammunition abounded; Mussulmans served the former as well as our own artillerymen, who had trained them, and yet, after 20 days' siege, Nana Sahib and his cowards could take the place only by the foulest stratagem. Those who perished in these 20 days were buried in a well close to the intrenchment, where, when I last saw it, there were only a few simple crosses erected by the pious hands of comrades of the soldiers who had fallen. Over it has now been erected a massive Iona cross, on an appropriate basement. On the face of the cross is inscribed:—

"In a well under this cross were laid, by the hands of their fellows in suffering, the bodies of men, women, and children who died hard by, during the heroic defence of Wheeler's intrenchment when beleaguered by the Rebel Nana, June 6 to 27, 1857."

On the face of the pedestal of the cross is written:—

"Our bones are scattered at the grave's mouth, as when one cutteth and cleaveth wood upon the earth; but our eyes are unto Thee, O God, the Lord."—Psalm cxli.

This well was consecrated by the Bishop of Calcutta on Friday, the 13th of February.

But the most solemn service at which the Viceroy was present was two days before at the Slaughter-house Well, where from 120 to 130 of our women and children were mercilessly butchered. On Saturday, the 27th of June, 1857, the doomed garrison, under promise of protection, made over their guns and treasure to the Nana,

and at sunrise began their march to the Suttee Chowra Ghat on the Ganges, about a mile off, where the previous day three of their number had seen and approved 24 boats prepared for their reception. The Ghat was surrounded by guns concealed, and parties of Sepoys with loaded muskets. You know the story. While a quarter of a mile away, the obese Nana, with an anxiety unlike his passive race and contrasting with his foul corpulency, was hastily pacing up and down waiting for the issue; a bugle sounded, grape and shot poured into the boats, which the false crews also set on fire, and only after an hour's massacre, from 9 to 10 in the morning, did the Nana give the order to spare the women and children who yet survived. To them were afterwards added the ladies and three of the officers of the party from Futtehghur, and all were confined for a day or two in one house, and then removed to the Beebeeghur, as it was called, a slaughter-house which we afterwards levelled with the ground. Here, with clothes received from the native washermen, and fed at first on native food, but subsequently allowed meat and milk, the miserable captives spent another fortnight, till the 15th of July, when five surviving men were shot, and from 6 to dark five men were sent in by the Nana, who was in the next house, now an hotel, and ended their misery. Not ended, for next morning, when these butchers went with some sweepers to throw the bodies into the well, three or four ladies were yet alive, and two or three children ran round the well to escape the fiends, while thousands looked on and never raised a finger to save. The facts were all vouched for at the investigation conducted by Government, and are to be found in hideous detail in the "Synopsis of the Evidence taken at Cawnpore regarding the Revolt at that Station in June and July, 1857." In these months, no less than 1,000 Christians perished in Cawnpore. Only seven Englishmen and East Indians, twelve East Indian women, and six loyal natives, who were in the intrenchment, escaped the fate that overtook the rest. Remembering this, how solemn were the memories which crowded on the Christians who took part in the consecration service at sunset on the 11th of February. What was a barren desolation when I saw it, is now a smiling garden—almost a pleasure ground—in the midst of surrounding sterility. No one of the thousands of natives who crowded to witness the scene was admitted within the enclosure. Lord Elgin stood on the steps of the platform erected round the well. The monument consists of an octagonal Gothic screen, designed by Colonel Yule when Public Works Secretary, on a platform which encircles the well. The well itself within is vaulted over, and covered with a pedestal which awaits the statue Lord Canning promised to order from Baron Marochetti. Round the rim of the well and within the screen is written—

"Sacred to the perpetual memory of a great company of Christian people, chiefly women and children, who near this spot were cruelly massacred by the followers of the rebel Nana Dhoondopunt, of Bithoor, and cast, the dying with the dead, into the well below, on the 15th of July, 1857."

Beside the Viceroy stood the Commander-in-Chief, and around were all the high officials of Oude and the North-Western Provinces. The event, like the sorrow, was a national one, and "on the part of the Viceroy and the Christian subjects of Her Majesty Queen Victoria," Mr. Thornhill, commissioner of Allahabad, whose brother's bones lay below, and who, with the skill of a born-architect and the zeal of pious love, has devoted his whole energies to make the monument and grounds what they are, read Lord Elgin's memorial to the Lord Bishop, as follows:—

"Showeth,—That the present Memorial building, erected over the well into which were cast the remains of a great company of Christian people, cruelly put to death near this place on the 15th day of July, in the year of our Lord and Saviour 1857, together with two enclosures containing the graves of soldiers who died in the same year, the one situated at the distance of 60 yards to the south-west of the said Memorial building, containing a little more than half an acre of ground, and the other situated at the distance of 45 yards to the south-east of the Memorial building aforesaid, have not been consecrated. Wherefore it is desired that your Lordship should now, by virtue of your pastoral and episcopal office, assign and consecrate the said Memorial building, and the said enclosed burial-places, and separate them from all profane and common uses.

"ELGIN AND KINCARDINE."

The Bishop, his chaplain, the Archdeacon, the chaplain of Cawnpore, and others, followed by the Viceroy and all the Christians present, thereupon proceeded round the grounds, chanting that service which, always solemn, seemed clothed with a sublimity unusual when performed amid such associations. None who took part in it will ever forget it, as the full soldiers' voices rolled out the 90th Psalm in the metrical version. The Bishop's address befitted the occasion, and suggests many a reflection on the present prosperous state of our empire five years after an occurrence intended to sweep us from Asia.

V. Educational Intelligence.

CANADA.

— TORONTO GRAMMAR SCHOOL.—The semi-annual public examination of the pupils attending the Toronto Grammar School, Nelson Street, took place on the 22nd inst., in the presence of a considerable number of persons interested in the educational progress of the pupils. The private examination for prizes had taken place during the previous week, and the examination yesterday was simply to give parents and guardians an opportunity of judging of the advance made by the scholars. This appeared to have been very satisfactory indeed, for they answered the questions put to them in the various branches with promptitude and correctness. After the Christmas holidays the Grammar School will be removed to Mutual street, and reopened under the rectorship of the Rev. Arthur Wickson, L.L.D., late Classical Tutor and Registrar in University College, Toronto.

— TORONTO COMMON SCHOOLS.—The semi-annual examinations of the common schools of this city took place on the 23rd inst., prior to the customary Christmas vacation, Rev. Mr. Porter, Local Superintendent, visited all the schools during the day. As the weather was all that could be desired, a large number of the parents and guardians of the children visited several of the schools, and were evidently interested in the examinations of the children, which on the whole were exceedingly creditable. The attendance of the children at the various schools was very good, and as they were dressed in their holiday attire, they presented a cheerful and happy appearance.

— ST. JAMES' PAROCHIAL SCHOOL, TORONTO.—The Christmas examination of the St. James' Parochial school, corner of Adelaide and Church streets, took place on the 22nd inst., in presence of the Lord Bishop of Toronto and a large number of visitors, chiefly members of the congregation attending St. James' Cathedral. The proceedings, consisting of recitations, &c., were very interesting and appeared to give much satisfaction to all who witnessed them. The school is well attended, the aggregate during the present year being 180. The average attendance in the senior department was 65, and in the junior 74, and the attendance at the examination was 165. The school is well conducted by Mr. Fredrick Warwick head-master, and Miss Ellen Wilson, assistant.

— BOYS' MODEL SCHOOL PRESENTATION.—Mr. J. C. Disher, teacher of the second division Model School, was yesterday presented by his pupils with a handsome and valuable walking cane. The presentation was made in the presence of the whole school, and a very flattering address was read by Master Alex. Henderson. Mr. Disher replied at considerable length, and the pupils were dismissed for the afternoon.—The boys of the first division of the Model School also presented their teacher, Mr. Carlyle, with a handsome walking-cane, and Mrs. Carlyle with a neat work-box. Master McPherson made a short address, to which Mr. Carlyle made a touching reply.—The girls of the second division surprised Miss Adams by leaving on her desk a very beautiful album, containing an affectionate note.—*Leader.*

— UNIVERSITY OF TRINITY COLLEGE.—The annual general meeting of this association was held at the College on the 17th inst. The ordinary business of reading the minutes, &c., having been transacted, the committee appointed to collect subscriptions for the purpose of paying off the Bishop's portrait, viz., Messrs. Paterson and Harrison, then handed in their report stating that they had received \$60 towards defraying the debt; and were desired by the meeting to continue their exertions. The committee appointed at the last meeting to consult with the College authorities with a view to the formation of a Grammar School in connection with the College were unable to present a written report, owing to the absence of the chairman, but Mr. Broughall, one of the committee, informed the meeting that it had been decided at present to take no steps in the matter, and further stated that the Rev. Mr. Williams, a graduate of the College, had increased his school and by the assistance of masters were enabled to prepare those intending to matriculate at the College. Other business, immediately connected with the association, having been disposed of, the election of officers for the ensuing year was proceeded with, and resulted as follows:—President, Mr. C. Robertson, M.A., re-elected; Vice-President, Rev. R. Sanders, M.A.; Treasurer Mr. James Henderson, B.A., re-elected; Secretary, Mr. C. W. Paterson, B.A., re-elected; and general committee. A vote of thanks was then given to the office-bearers of the past year, the Toronto Church Choral Society and Mr. Sefton, for their kind assistance at the choral service on Wednesday evening, and those other gentlemen who kindly exerted themselves for the success of the service. The meeting then adjourned.

VI. Departmental Notices.

PUBLIC LIBRARY BOOKS, SCHOOL MAPS, &c. &c.

The Chief Superintendent will add *one hundred per cent.* to any sum or sums, *not less than five dollars*, transmitted to the Department by Municipal and School Corporations, on behalf of Grammar and Common Schools; and forward Public Library Books, Prize Books, Maps, Apparatus, Charts, and Diagrams, to the value of the amount thus augmented, upon receiving a list of the articles required. In all cases it will be necessary for any person acting on behalf of the Municipal or Trustee Corporation, to enclose or present a written authority to do so, verified by the corporate seal of the Corporation. A selection of Maps, Apparatus, Library and Prize Books, &c., to be sent, can always be made by the Department, when so desired.

☞ Catalogues and Forms of Application furnished to School authorities on their application.

NEW MAP OF BRITISH NORTH AMERICA.

New Map of British North America, including Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Vancouver Island, British Columbia, Red River, Swan River, Saskatchewan; a Map of Steamship Routes between Europe and America, &c. &c. 7ft. 9in. by 3ft. 9in. Constructed and just published under the supervision of the Educational Department for Upper Canada. Price \$6.

NO PENSIONS TO COMMON SCHOOL TEACHERS UNLESS THEY SUBSCRIBE TO THE FUND.

Public notice is hereby given to all Teachers of Common Schools, or Teachers of the English branches in Grammar Schools, who are legally qualified Common School Teachers in Upper Canada, who may wish to avail themselves at any future time of the advantages of the Superannuated Common School Teachers' Fund, that it will be necessary for them to transmit to the Chief Superintendent, if they have not already done so, their subscriptions, at the rate of \$5 per annum for each preceding year, commencing with 1854, and at the rate of \$4 per annum for the current year's subscription. The law authorizing the establishment of this fund provides, "*That no teacher shall be entitled to share in the said fund who shall not contribute to such fund at least at the rate of one pound per annum.*" No pension will be granted to any teacher who has not subscribed to the fund, in accordance to the preceding regulations of the Council of Public Instruction.

SCHOOL INK WELLS.

THE following INK WELLS have been manufactured in Toronto and are for sale at the Educational Depository:—

- No. 1. Plain Metal Ink Wells, with covers, per doz. \$1 50
- No. 2. Improved Metal Non-evaporating Ink Wells, per doz. 3 00

No. 1 is a wide-mouthed well, designed to be let into the desk. It has an iron cover to screw over the top so as to prevent the dust falling into the ink.

No. 2 consists of three pieces: A circular piece to let into the desk, and to be screwed to it; it has a rim on which the well rests; over this is placed a cap which covers the top of the well. It has a small aperture for the pen, covered with a movable lid.

It possesses the following advantages:—

1. The ink is not liable to be spilled;
2. It effectually protects the ink from dust;
3. It prevents evaporation, owing to the covers and the small size of the aperture;
4. It has facilities for cleaning, but, the cover being screwed down, does not allow the pupil to take it out at his pleasure.
5. It is not, like glass, liable to breakage.

ADVERTISEMENTS inserted in the *Journal of Education* for 20 cents per line, which may be remitted in postage stamps, or otherwise.

TERMS: For a single copy of the *Journal of Education*, \$1 per annum, back vols., neatly stitched, supplied on the same terms. All subscriptions to commence with the January Number, and payment in advance must in all cases accompany the order. Single numbers, 10 cents each.

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