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Wm. M. Brown

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THE
CANADIAN MAGAZINE

LITERARY REPOSITORY.

No. IX. MARCH, 1824. Vol. II.

Original Papers.

BIOGRAPHICAL SKETCH OF THE LATE MR. JUSTICE OGDEN.

ON a reference to history and the records of heraldry, we find the family of Ogden claiming a considerable share of attention in the reign of King Charles II. owing in a great measure to the part they took in the unhappy wars in which that Monarch was engaged. One of them, from whom the subject of this memoir is descended in a direct line, had an opportunity of rendering a signal service to His Majesty, having materially assisted in his rescue at the time he was beset and pursued by his relentless foes after the unfortunate battle of Worcester, 1651. For this office he was elevated to the rank of an Esquire by creation and received permission to wear the armorial bearing which the family still use. These are the Oak tree with the Lion rampant and the appropriate motto *Esi ostendo non facti*. The immediate ancestor of Mr. Justice Ogden, whose family were no less distinguished for their loyalty than their enterprise, emigrated, we believe, from Lancashire to the British Provinces in North America, (since become the United States) as they considered that country affording a wider field for the exercise of talent, than England did at the time. The subject of this memoir was born in these provinces, in January, 1740.

On the breaking out of hostilities between Great Britain and her American Colonies, we find Mr. Ogden practising as an eminent Barrister; enjoying the well earned fruits of his professional labours, in the bosom of his young and happy family on his thriving estate in the County of Jersey. The spot where he resided became the seat of some of the most active operations in the early part of the revolutionary war, and his house was made the residence of the British General, or the Republican Commander, alternately, according as either party happened to be successful. In this way his young family became subject

to all the horrors attending a residence in the seat of war, and were obliged to cater for whichever party happened to be in possession without being able to breathe a wish for the success of the side they felt inclined to espouse, while his property was desolated from the never failing causes which attend such a state of things. On the Province of New York being evacuated by the British troops, Mr. Ogden's loyalty, which appears to have been hereditary to him, prevailed over every other consideration; and he abandoned his property and prospects and took refuge with his family within the British lines. On the termination of hostilities, which produced the Independence of the United States, Mr. Ogden, faithful to his King and true to his principles sacrificed every other consideration to his allegiance, and went with his family to Great Britain. The sufferings he had undergone, and the sacrifices he had made in thus relinquishing his prospects and property for the sake of his principles, did not fail to attract the attention of the British Government. His talents soon recommended him as a person capable of filling an official post, and his well tried principles showed that confidence could be reposed in him. In concluding the arrangements between Great Britain and the United States, his intimate knowledge of the latter country was of material service for Government: for which services, and in consideration of his former sufferings, he was in the year 1785 appointed by his Majesty to the situation of Judge of the Admiralty at Quebec, and again crossed the Atlantic with his family. The smallness of the salary attached to this office, was but little adequate to meet the unavoidable expences of a fast encreasing family, and support the rank he was obliged to live in. Being now in the 45th year of his age, his professional talents in their full perfection were put in rigorous requisition to accomplish those objects. His natural energy, of character, united to a cheerful disposition, soon enabled him to surmount every obstacle; and by means of steady perseverance, and undeviating integrity, joined to a sound understanding he soon overcame the losses his patriotic devotion had brought upon him.

During the administration of Lord Dorchester, he was appointed one of the Puisné Judges of the District of Montreal, and lost no time in removing his family from Quebec to that city. Here he with his characteristic steadiness and zeal applied himself to the duties of his judicial vocation; and though under the influence of a painful and incurable disease, brought on by the sedentary nature of his profession, he never failed when not confined to bed to appear in his seat on the Bench, at the appointed hour. In this situation he continued till 1818, when his complaints increasing, and his general health beginning to suffer, he returned to England for the benefit of medical assistance. He had undergone at different periods two painful and dangerous operations in this country, for the disease with which he was afflicted, and although he had flattered himself with the hopes of obtaining relief from the superior medical skill of home practitioners; in this he was disappointed. At his advanced age it was not thought advisable to perform another operation; at last a congestion arising from a torpidity of the bowels supervened, which in a frame so debilitated by age, baffled

fied the most zealous efforts of medical skill, and terminated in his death, an event which took place in London on the 1st day of February 1824, at the advanced age of 85 years. The accounts of his latter moments are described in a letter from one of his sons, who was present at the time, to his friend in this country, and from which we are authorised to give the following extract, "If ever man was prepared, or resignedly and cheerfully ready to meet death it was our good father; his spirits continuing good to the last, he was afforded an opportunity of offering consolation to all around him, and it having pleased God under all his infirmities to spare him the perfect exercise of sound intellect, he was enabled to make all his arrangements, which he did to the minutest thing. He repeatedly stated how happy he felt, and how peculiarly fortunate he was at being surrounded by so many of his children and grand-children." "It was a blessing," he said, "allowed to but very few at 85." The day previous to his dissolution when my mother was affording him necessary assistance, he observed, "why trouble yourself so much, 'twill be the work of another to-morrow." He never suffered a day to pass without rising, nor did he ever retire to bed before 9 or 10. During the day he requested me to read to him the various publications, and seemed to take as much interest as he was used to do. All this from great strength of mind, the continuance of which at such an age, and to many at so awful a period, will be to us an everlasting source of comfort." Such were the last moments of this exemplary man, and such were the consolatory feeling and strong hope which actuated him at this awful period, that it could have sprung from no source but a deep and well founded confidence in the promises of revelation, and a calm conscience arising from a well spent life."

The character of Mr. Ogden may be learned from his conduct in many of the scenes of his life as above detailed. His unshaken loyalty and devoted patriotism, may be seen from the great sacrifices he made to these principles. As a Judge he possessed those qualifications necessary to fill the station in an eminent degree. With a sound understanding, high discriminating talents, and an undeviating integrity, he united a large share of legal knowledge, which he employed with the utmost impartiality. His manner on the Bench was impressive for its energy and acuteness; and his legal opinions were delivered with perspicuity and decision. In private life the characters of the father and friend, were fulfilled by the deceased in a manner which will leave a lasting and favourable impression on the minds of the surviving members of his family. His cheerful habits and entertaining conversation, united with an urbanity of manners, drew round him a numerous circle of friends of the first respectability, who from their first introduction to him to the time of his death, held his friendship in high estimation. These amiable qualities, this happy temperament and pleasant disposition, the result of a well spent life, he carried with him to the closing scene. From his generous and social habits, Mr. Ogden could not on the emoluments of his situation have saved money; and had his salary been larger, between the expenditure necessary to the rank he kept up, and his charitable generous temper, he would have made his disbursements equal to his income.

Mr. Ogden married a lady of rank and endowments every way equal to the station she filled. Being descended from one of the first families who had emigrated to the now United States, she brought him a large fortune which she inherited in her own right; but her property as well as that of her husband was lost in the revolutionary convulsion. By this marriage he had a large family, of which four sons and two daughters with their mother, survive. The last now left a widow, after having shared in all the sufferings and happiness of her respected husband for the space of 48 years.

It deserves to be mentioned as a proof of the estimation in which the long and tried services of Mr. Ogden were held, that our gracious Sovereign specially recommended to the Colonial Legislature, to make a more suitable provision for his declining age, and for his widow in case of her surviving him—a measure they had not adopted at the time of his death.

Il mourut à Londres le 1^{er} juv 1824 à l'âge de 85 ans.

THE SLEEPER ON MARATHON.

I lay upon the solemn plain,
And by the funeral mound,
Where those who died not there in vain,
Their place of sleep had found.
'Twas silent where the free blood gush'd,
When Persia came array'd,—
So many a voice had there been hush'd,
So many a footstep stay'd!

I slumber'd on the lonely spot,
So sanctified by Death!
I slumber'd—but my rest was not
As theirs who lay beneath.
For on my dreams, that shadowy hour,
They rose—the chainless Dead—
All arm'd they sprung, in joy, in power,
Up from their grassy bed.

I saw their spears, on that red field,
Flash, as in time gone by!
Chased to the seas, without his shield,
I saw the Persian fly!
I woke—the sudden trumpet's blast
Call'd to another fight—
From visions of our glorious past,
Who doth not wake in might?

THE ITINERANT.

(For the Canadian Magazine.)

Some pursue their studies in the closet, and by the midnight lamp prowl upon the labours of others; stealing their thoughts, words and opinions; and with an unblushing impudence which makes the scholar doubt, and "the vulgar stare," will varnish over their felony, while they retail these as their own. Others seek for knowledge in the giddy round of fashionable life, and study man through the (falsest of all mediums) the gayly circling glass. Not a few draw their knowledge from the softer part of the creation; and while among the female sex they sip the fragrant Chinese beverage, drink in large draughts of scandal—and in the ebullitions of their wit and fancy sacrifice the reputation of an acquaintance, perhaps that of a neighbour or a friend. All have the same end in view, "the proper study of mankind;" the error lies in the road they take to find it. I have always considered none of the above the proper method of study, and at an early period of life rejected them all to follow my own plan, becoming what my name designates, an *Itinerant*.

In the course of my peregrinations I have seen man in his true colours, acting his part upon the stage of life. Sometimes trembling under the fear of approaching danger—sometimes laughing with thoughtless glee, alike regardless of the past, the present, and the future. I have seen him indulging in all the fooleries which fortune could command; and again writhing under the iron gripe of disappointed hope and poverty. But a truce to moralizing, Doctors say it hurts digestion.

In pursuing my course of studies I have spared neither body nor mind. My road has not been chosen from any fastidiousness of taste, but as being the shortest by which I could reach the end of my journey. When at school I was marked as a fearless boy—would follow my play-fellows through a puddle, over a fence, a ditch, or any obstacle they could surmount, with much better will than go round it. This propensity has stuck to me through life; and in the course of thirty years' wandering, I cannot recollect one instance of deviation either to save my own trouble or that of others. I still follow the same course; and in pursuit of my journies defy bad roads, comfortless inns, damp beds, wet weather, with the same regardless feeling the huntsman has for his neck, when all in view, he contends to be in at the death. I esteem the character of steadiness, and have long remarked no object can be attained without it, except exercise in a swing-ropes or on a spring-board. Besides steadiness in pursuit of his object gives a man *eclat* in the world's eye. How often have we seen the hurried step, bustling activity, and frequent searching for papers, &c. &c. gain a man credit for being an extensive merchant;—while the slow solemn gait, graye look, and formal cut, will bespeak the judge or man of the church. But it is a *sine qua non* for all these to persevere incessantly in these appearances. They must labour in their vocation—and so must I in mine. But I am digressing from the subject. Excuse me, Mr. Rea-

der, and without further preamble, I shall inform you this paper is designed to convey (not their results) but my actual observations made in a tour up the Ottawa River, in the year of our Lord 182 . . .

I shall commence my journey at the good city of Montreal, the previous part having been performed by those *light-elements*, wind and steam, could not be expected to present any thing of *weight* sufficient for detail. And, as is usual with other journalists, I shall introduce my courteous readers to my fellow-travellers, in order as I met with them; their remarks will furnish the dish I now present. This is a duty the superior investigating feeling of the age requires. In good olden times our forefathers could read a journal—a novel—or even a play—and enjoy the state and incidents which brought about the plot, without enquiring into the birth, figure and dress of the characters,—but now the times are altered; the new novels Tales of My Landlord, Galt's Stories, such as Andrew Willie, with many others, have changed all this. Now, it is not what your Dramatis Personæ perform which will satisfy the greedy *grea humanus*—they must know all and every thing; nay, in some instances, their craving appetite will not be satisfied unless the writer ascends the garret, among the musty family records, of his heroes, and gives their genealogy, since the Flood of Noah, and as much earlier as possible. The modern writer has a still more laborious duty to perform,—to satisfy his reader, he must describe the face, figure, and complexion of his characters; yea, the very cut and fashion of their habiliments, and what part of them they first put on,—every movement, they go through, and the way in which they perform it. The fashion of introducing this last part of description derives its origin from Bonaparte, who, in describing the graces and elegance of Josephine, his quondam empress, says, she was elegant “*en se couchant*.” As I am to travel a new road, I shall adopt a somewhat new method; and beg leave to introduce to my readers no less a personage than myself. I was born,—but stop,—what have you, reader, to do with my birth;—birth and parentage are incidents I possess in common with all mankind. My education is of little consequence to others. It has enabled me to beguile many an hour of its tediousness, and in detailing my plan of study,—you have all the information respecting it, which you shall get. My person is a more tangible object—neither tall nor short—equally remote from the rotundity of the alderman, and the tenuity of a scare-crow—indicates good health with a sound constitution. My face, that mirror of the mind, I must describe by its effects—and although my mother doubtless thought me a pretty boy, none else could ever apply that epithet to me in justice. But *probatum est*—my face has appeared in a nursery without terrifying the juvenile tenants—and at a ball or a tea-party, without exciting any unusual emotion. In disposition I have far more of the laughing than crying tendency within me—“farther the deponent sayeth not.” On my arrival at Montreal I fixed on a tavern near the river for my residence, *pro tem.*; and fully bent on the further prosecution of my journey, began by making enquiries as to the mode of conveyance by my intended route. I learned that the packet-boat, as it was termed, would leave Lachine next day; and that I would have to hire a carriage to go to the last men-

tioned place. Pleased with this prospect of getting on—for I like to keep moving—I threw myself into the arms of Morpheus—and met with no event worth relating till next morning, when I descended to the breakfast room. Here I found a new character and a shift of scene. The table was laid out (as the phrase is) with all the necessary breakfast implements, and the upper end of the apartment occupied by a Gentleman in an arm-chair, in the common-place attitude of reading a newspaper. His eyes, on my entrance, were raised from the paper, and the distant greeting of good morning, (usual among strangers on their first meeting,) passed between us. The breakfast making its appearance, we seated ourselves at the table; and although it is a general remark, that no organ of the body can perform two offices at the same time, every day's events prove the fallacy of the position; for I never yet remember sitting down to eat in which I did not find the same muscles employed for mastication and talking. My new acquaintance (for the sequel will prove we became acquainted) whom I shall designate by the name of Mr. Salmagundi, was a tall raw-boned hero, with a pair of light grey keen eyes. His nose, (I like to describe noses, being the most prominent feature in the countenance) in shape approached to what is termed aquiline, sharp and drooping; with a brilliant red spot on the point of it, given by the sun as a mark of its favour. It had one peculiarity wherein it differed from the famous Bradolph, whose nose served as a poop lantern. The handle of Mr. Salmagundi's frontispiece was different; from the transparency of its covering, had a light been put in the interior, it would have been equally suitable for a lantern as the nose of Sir John Falstaff's worthy Lieutenant. But it had not that florid red, nor that hot and scintillating appearance which give the luminous quality to the latter. It would require to have been illuminated—and like many other appearances in this world could only shine by the aid of a horrowed light. His hair has been described by one of our Poets:—

His few remaining hairs were silver grey,
And his old face had seen a better day.

The description in the last line is equally applicable. The shortness of his face set off a feeling of peevish discontentedness with increased effect, which conveyed at once to the spectator an idea of dissatisfaction, produced by disappointed hopes. Had I measured his intellectual attainments by the havoc he committed upon the toast, sausages, &c. &c. I would have put him down as a man of the first rate abilities; but here (little to the credit of my discriminating powers) I was mistaken, Mr. S., as I afterwards found, had received a plain pen and ink education, sufficient to qualify him for a merchant in the home trade; and in this line in one of the second rate towns in England he had spent his former life, till an unlucky speculation at the close of the war, involved him, like many others, in inextricable ruin. In consequence of this he had emigrated to this country, in hopes to make his fortune, at that time of life others begin to spend theirs. Finding no employment, as a *dernier resort*, he had obtained a grant of land on the Ottawa River,

and was now about returning to it, having come to town to purchase the necessary articles for commencing with*. I ought to inform my reader—for I like to be minute in my details—I did not receive all this account of Mr. Salmagundi over the breakfast table. I have found from experience that is not the proper time and place for an Itinerant to prosecute his study of man. After dinner, and sometime after the removal of the cloth, affords him a better opportunity for exercising his talents. And, by the bye, I wonder this highly valuable plan of study has never received more parliamentary support in this our enlightened age. Should the measure ever be brought forward I would highly advise (pardon me ye matrons) an increased tax upon tea, and a proportionate decrease of duty on wine and spirits—the circulation of the latter being far better suited for the Itinerant's study than the former. The difference between tea and spirituous liquors for advancing the study of the Itinerant is not more conspicuous than that between spirits of turpentine and water for washing out spots of grease. It was on clearing the table after our dinner at Lachine that I gleaned those particulars of the former life of my fellow-traveller.

But to return from this digression. During breakfast I found out my new acquaintance was travelling the same road as myself—and as he had before gone over the same ground I expressed a wish to avail myself of the benefit of his experience. This was readily granted—and to him I entrusted the hiring a *voiture*, and other minor arrangements for our journey. All being prepared, and a caleche at the door, we proceeded. The road we had to travel to Lachine lay along the beautiful Island of Montreal, and as my companion was more inclined to taciturnity than conversation I had ample opportunity of enjoying the beauty of the scene.

The road is in exceeding good repair—it was first projected and partly made by a few enterprising merchants in Montreal, about 20 years ago, who much to their credit, raised the means by public subscription. Government being convinced of the necessity for such a road to avoid the impediments in the navigation of the river in that place—at last passed an act authorising the Governor to appoint Commissioners, and levy tolls on the road for completing and keeping it in repair. The toll is leased annually, and the lessee restricted to a certain grade of charges. Our horse and caleche paid 8 pence—a sum which will never be

* Those who commence clearing lands in the woods of America, are under the necessity of laying in a stock of provisions, and other supplies sufficient to last them for one year, as they can seldom expect any return from the soil before that time. Such as possess cash are in the habit of going to the nearest town or settlement and purchasing their things. Others are obliged to hire out to some of their more opulent neighbours, or to some of the older farmers, who can furnish them with the necessary supplies for their labour. This last method, although resorted to by many, delays the progress of cultivation. The poorer settler being in this manner obliged to abstract a part of the time and labour he ought to expend upon his own land, will be proportionally delayed in making his farm, and be for the longer time subject to the deprivations and inconveniences attendant upon a commencement.

thought ill bestowed by those whose object it is, to travel on good roads. The whole lands adjoining to the road are under cultivation. The farms neatly laid out and in such a state of tillage as to approximate nearer the aspect of the old country, than any other part of Canada I have yet seen. The houses are neat, having every appearance of comfort. These are attributable to the fertility of the soil, (for the island of Montreal is justly considered as the garden of Lower Canada;) and to the land in this place being chiefly in the hands of old country farmers, who paying no rent, having in the town of Montreal a ready market for their surplus produce, and applying the improved method of cultivation brought from the parent country, have the means of comfort within their reach; and possess perhaps as great a share of happiness as any portion of people in a similar rank of life in any other part of the known world. The distance from the town of Montreal probably from 6 to 7 miles, (for it is not marked out by mile stones,) * to Lachine was easily and speedily run over, and we arrived at the latter place without any accident or any material occurrence.

I forgot to mention in its proper place, or peradventure I was too busy with something else to think of it. In passing along this road, in addition to its being thickly studded with farm houses, there is a small village situated about two miles from Montreal, and bearing the tough name of the Tannery. In this place as its name implies, and from which it perhaps originated, the chief trade consists in tanning, and dressing leather. Almost every man is more or less employed in this way; some tan and dress the leather in the usual way, others reversing the maxim think 'tis better half done than left undone; have a peculiar mode of tanning it at less expence of time and labour. This last description is used for making a species of shoes or mocassins very much worn here, called *beef shoes*. Not only the manufacturing the leather, but the making of the shoes, furnishes employment to many who reside in this place. There is a small Roman Catholic Church in this village, and abundance of filth and dirt around every door; plenty of ragged children—apparently in high health and spirits. But nothing else worth notice.

On my arrival at Lachine, I desired the postillion to drive to the Inn nearest the wharf, where we were to embark, when my fellow traveller, who had before maintained an almost unbroken silence, from the time I left Montreal, suddenly interrupted me, and told the boy to carry us, to Mrs. Bell's Inn, adding he would never enter the door of the Tavern next the wharf, as they once cheated him out of a penny in paying his bill. I quietly acquiesced in his order—and was carried past the door of a comfortable looking house, close by the wharf, from whence we were to embark, to a miserable looking comfortless hovel at some distance—and all this to gratify the capricious whim of a man whom chance had first thrown in my way; and with whom I had contracted

* The method of indicating the distance between places by mile stones, is not yet adopted in any part of Canada. The Canadians being inveterate smokers, were formerly in the habit of measuring the distance they travelled by the number of pipes they smoked—a custom which still prevails among some of them.

a momentary acquaintance. But resistance was vain, for I had hinted at my desire to perform the journey under the guidance of one who had travelled the same road before, and he had undertaken to officiate, and was inclined to display all the authority the bear leader exerts over poor muzzled Bruin. On entering the house to which I had been thus conducted, I found a genteel, neat looking woman officiating within the bar, and serving out drink to a parcel of rough ugly looking fellows, who occupied the rest of the apartment, and were busied in the triple operation of drinking, smoking, and spitting. What they were I did not stop to enquire; but in my passage through this apartment to another, I overheard them talking, some in broad Scots, some in French, some in broken English, and some in Gaelic, so that if I had met them on the top of the Rocky Mountains, I would have been apt to suspect, that nature in one of her wild freaks, had dragged me, crab-like, after the tail, to the days of the Tower of Babel. The moment my companion and myself entered the house, the landlady left her station at the bar, and came forward with the readiest alacrity to receive and welcome my friend. In her look and action I could perceive she considered him a man of consequence—perhaps she thought him rich—at all events her demeanor indicated that her house was honored by his condescension in visiting it. Her face was indeed handsome, and appeared to the best advantage arrayed in the smiles of welcome. Nor were her endeavours in vain—during her assiduity in showing us into a neat clean little parlour I could distinctly perceive a smile pass across the acid visage of my companion; the first I had seen in that place. Such is the all-powerful influence of woman.

“ O woman in our hours of ease,

“ Uncertain coy and ill to please.”

My next enquiries were necessarily made about the boat, and my object to ascertain the exact hour of her departure. In pursuit of this I sallied forth—and after an hour's search discovered the Captain in a butcher's stall—from whom I learned that he would not sail till the afternoon, *i. e.* after dinner—but could come no nearer the point. From the indefinite answer the Captain gave to my question, and from his looking anxiously in the direction of Montreal, I could clearly perceive he was waiting for some passengers or loading which had not yet arrived, and perhaps would not that night. Determined never to be idle, I employed my spare time in taking a view of Lachine.

This is a straggling parcel of houses beautifully situated on the main branch of the river, which here widens to a great expanse, and affords a delightful prospect. There is perhaps no where a more appropriate situation for a town, but it has hitherto been prevented from rising by its nearness to Montreal, a city which claims the precedence as being more ancient, and has swallowed up the materials which would have increased the villages around it. Lachine, though well adapted for it, has no appearance of a town. The houses are placed without regularity, and scattered about as if they had been thrown from a volcano. During the war it was a place of great bustle, and it is still so, being

the thoroughfare where all the goods and merchandise are embarked for Upper-Canada. This, however, constitutes its whole trade; and all the business is divided between two classes, namely—the *forwarders* as they are called, whose duty is to receive the goods, &c. sent out from Montreal, and to dispatch them off in batteaux and boats, to the various places in the upper country—and the inn-keepers, of which last there are a great number. The village is divided into two parts, termed Upper and Lower Lachine. The first occupied chiefly by the two classes abovementioned, and the last by some farmers, and a barracks, government stores, &c. &c. where a strong detachment of military were stationed during the war. There is also a Roman Catholic Church, but I did not visit it. The Canal which is designed to connect this village and the town of Montreal, and obviate the rapidity of the current in the river here, is to commence at this place, and it is thought will enhance the importance of Lachine; an idea very problematical*.

After rambling for near an hour through this straggling place, and enjoying the charming prospect formed by hill and dale, wood and water, all the requisites for the beauty of landscape, I returned to the tavern. And here a new scene opened to my view;—I found my travelling companion seated in close tête-à-tête with the landlady in the little parlour. The bar shut, and the outer apartment which had on my arrival presented the crowded confusion of a Babel, now deserted by all, except a sturdy Irish girl, who was busied in cooking beef-steaks. In this manner were all the the parties employed; but those engaged in the little parlour seemed the most intent, for their confabulation indicated that my friend had a more than ordinary interest in the affairs of the hostess—the reason of which will be explained hereafter. The moment, I beheld the state of things. The Devil got into my mind, and in his entrance I believe drew his sooty tail across my eyes—for the lady did not appear to me half so good-looking as I thought her at first sight.

The uncertainty of the boats sailing for the day led to the certainty of our dining on shore; the beef-steaks and potatoes were soon put in requisition; and my fellow-traveller and myself sat down to our repast, where he appeared to have regained the appetite I had seen him labouring to destroy at the breakfast-table. "I hate dry subjects," said my friend, an assertion I coincided in—and after the cloth was removed we were presented with all the *et ceteras*, and commenced with a determination to wile away time, and wash down care with a comfortable glass of punch. My companion albeit a man of sober habits seemed inclined to indulge beyond what was his usual quantum; and in calling for glass after glass, defended his proceedings, by informing me he was desirous to show his favour to the house.

It was during this afternoon and while thus employed, I learned so much of his previous history as has been communicated to the reader in a former page. And it was in the course of the same proceeding he

* Since the above was written this Canal is commenced, and progressing on a scale and with a rapidity very creditable to the public spirit which first projected and is now carrying it on.

let me into the secret of the Landlady's affairs:—She was, he said, from the same part of the old country with himself; but his first acquaintance with her had commenced during the voyage from Liverpool to Quebec; when they had been fellow-passengers. This is a situation where people are apt to become very intimately acquainted. The motion of a ship at sea, to those unaccustomed to it, brings them frequently in bodily contact—and thus from the gregarious property of man, when often repeated, gives rise to an interchange of ideas—and a unity of sentiments and feelings. Sea sickness, a malady like the toothach, which excites more laughter than commiseration operates in bringing about this collision of mental and corporal parts, for it tears down all disguise and shows men and women as they really are without dissimulation or concealment. I did not learn which of these causes had the greatest share in bringing about the intimate acquaintance between my friend and the Landlady; but he proceeded to inform me as follows. “On her arrival in this country, her charms in the height of their bloom, attracted the notice of many young men in her own rank of life. One of them, a native of the United States became the successful suitor, and they married. She accompanied her husband to his native country, where he had a small farm, and had been, by the exertions of his father, left in what are called comfortable circumstances—that is to say, in a state where industry and care will keep the wolf poverty from the door—though the inmates cannot frighten him away with the noise of riot and excess.”

“Too soon for her peace, but too late to be remedied; she discovered her husband possessed a rude, overbearing and violent temper, which neither her personal attractions nor the utmost suavity of disposition, and incessant exertions to please on her part—could tame. The ebullitions of his ungovernable passion frequently manifested themselves in acts of barbarous cruelty to the young creature he had thus taken from her friends, under the most solemn promise to protect and cherish. He was also addicted to drinking, gaming, and every species of dissipation, the indulgence in which soon wasted his property and increased the acrimony of his disposition. She, in a happy moment, proposed they should part, and he, brutally ignorant of the valuable gift he possessed in her, consented. This is a business in the country they then lived in which could be easily accomplished. He gave her what is termed a Bill*, and they separated by mutual consent. He soon met the punishment his cruelty to her had merited—and paid the forfeiture

* To the European, who has been accustomed to see the matrimonial tie contemplated with venerative regard, by civilized society, and kept at its proper stretch by wisely appointed and well organised laws, will be astonished to hear from the following facts how lightly this most solemn of all engagements is held in the United States of America. On an irreconcilable difference taking place between a married couple, here, they agree in commercial phrase to “dissolve the partnership by mutual consent.” But as the impression exists, that it is the duty of the husband to provide for the wife, he commonly gives her a sum of money, and they enter into a written agreement cancelling all claims the one may have upon the other for the past and future; and giving a mutual liberty allowing either party to enter again into wedlock whenever they please. How far this transaction is valid in law, or if its existence be owing to the want of

with his life—while crossing a river in a canoe and as it was afterwards related, when in the act of detailing a string of falsehoods blackening the character of his wife to vindicate his own conduct—and at the very moment when uttering a horrid imprecation against her, the canoe over-set and he sunk to rise no more. The others escaped, and afterwards related this circumstance. She found her way back to Canada—and thus left a widow at the age of 22, has by her honest industry, contrived to make a living. She has been two years in this house; and while others in the same line of life are the objects of dislike and envy—she is conspicuous for possessing the warmest wishes of all her acquaintances for her success. The house you will observe is small—there is only one spare bed-room and that but seldom occupied unless by some old friend or acquaintance like myself. She is not anxious to extend her business—having none to provide for but herself, and what she sells, aided by her skill in the needle produces sufficient to supply her moderate wants. On this account she cannot be served by recommending passengers to her house. “I perceive,” added he, “your glass is empty, let us replenish it.” I assented—and now saw clearly the reason my friend was desirous of indulging deeper than usual in the bottle. I have seen somewhere an enumeration of the reasons for drinking, but do not think the one which now actuated both myself and friend is mentioned. Let me assure the reader it is a very powerful one; for I felt during the above narration that every bumper I swallowed, I was contributing a mite to smooth the residuum of a life—whose hitherto short space had been chequered with misfortunes of a deep dye. And it is difficult to say how long we might have continued, in the performance of these mysteries, had not the captain of the boat abruptly arrived to inform us he was to sail immediately.

The settling of a bill at a tavern* is so much of an every day occurrence that it is hardly necessary to describe it. The waiter or landlord takes the money with a low bow, and with a profusion of thanks officiously interposes his help, to carry down and embark your baggage. He even sees the departure of what is called a good customer, without much sincere regret, in the hopes that the next hour may supply his place with another. The only predominant feeling which engrosses his attention, is a desire to wipe out from your mind any thing which you may have met with to render you dissatisfied with your fare, in the hopes of securing your custom when you again travel the same road. For never maiden aunt or bedridden uncle felt more dissatisfied at a gay and young nephew for omitting the customary new-years visit, than a land-

preventative laws, I have never understood—nor am I certain if the practice is universal in the States. That it is no unusual thing in the Northern States adjoining to Canada is a fact too palpable for denial. It ought to be mentioned that such instances of the above as I have seen were confined to the lower ranks of life—nor is it certain that they extend to others.

* There is one characteristic difference between the Inns in America and those in England. In the former the servants are all paid by the master—hence on a traveller leaving one of them, he is not beset with the importunities of the waiter, cook, chambermaid, boots &c. and all those harpies, who assail him for a douceur on leaving an Inn in England.

lord of an Inn when he sees a traveller who has been in the habit of stopping, pass his door to his neighbour's hotel. Ascertaining the amount of the bill, I gave my share to my companion and left him to settle it. I would have added some more as a remembrance of me, but my friend told me it would give offence, and I yielded to his opinion. I was putting on my great coat in the little parlour, while my companion stepped into the adjoining room to settle the bill with the landlady: the captain of the boat having gone on before with my portmanteau. The door being open, I had a clear view of the manner in which the settlement was finished between the two first. The hostess stepped forward and with a sweet smile on her face—not such as indicated inward glee at the opportunity of touching the “filthy lucre,” but such as expressed the sweet feeling of the heart when it meets with or receives a due return from a sincere friend; she stretched forth her hand to receive the amount. It was but a trifle, but it satisfied the demand—and both the donor and receiver felt mutually pleased. There was something in the manner of giving it which struck me. It was not thrown down with the careless air of a spendthrift, nor with the dashing mode of a dandy; neither was it told out piece by piece, as if the action of the miserly hand wrung from the cold, heartless catif a drop of blood for every sous. No, it was poured liberally and freely into the extended hand—and received with that uncounted security which says, “I know he would scorn to defraud me.” The action was accompanied with a cordial shake of the hand—and the “good day” and “good journey to you” which followed, spoke more than all the bows and scrapes and tantalizing interferences of the most dexterous modern waiter.—For the former comes pure and sincere from the heart, while the nods, winks, and sneers which break out the moment the stranger's back is turned, show the latter to be hollow deceit and false appearances.

The whole conduct and demeanour, and the account my friend had given of this child of misfortune, put to flight every thought to her prejudice which the foul fiend had tried to raise within me. Her sufferings excited my compassion, and the firm patience with which she had weathered so hard a storm on life's rough wave drew forth my admiration. Her aspect and manner clearly showed she had suffered in the contest, but her losses and crosses had not soured her temper; and although a sweet and soft melancholy slightly clouded her brow, it was not indelible—and instead of lessening, gave additional interest to her beautiful regularity of features.

I left the house with the firm determination that if I ever returned by that route, I should take up my temporary residence in a house where I had met with so much to interest the feeling and awaken my attention. I even thought, perhaps it might be fancy, that the contour of my fellow traveller's face had increased in length—certainly during his narrative it had lost a large share of its short and sharp acerbity. For while he detailed in pure and simple language the misfortunate adventures of this unlucky traveller, I thought I could perceive a tear of sympathy, (unfashionable to be sure,) twinkle in his sharp grey eyes; 'twas an appearance which bore ample testimony to the goodness of his heart—and the intensity of his feelings in pitying unmerited distress.

It was under the influence of this feeling that I accompanied him to the boat, on board of which we were to embark, and it so far engrossed my thoughts, that I could not direct my attention to any other channel. But no matter, on my way, there was little undescribed already to engage the attention. In this abstracted turn of mind I arrived at the boat—and was only roused to my usual attentive habits by the appearance of the vessel in which I was to embark, and the mixed and motley aspect of my fellow passengers.

But I forgot to mention that our provident hostess, knowing the wants and deprivations to which travellers on this road are subjected, had sent along with us a provision-basket, filled with such eatables as her house afforded—and which Mr. Salmagundi according to his usual custom had left at her house in his way down to Montreal. And as this is a proper place, I would advise the traveller who goes in this direction to provide himself accordingly. For although there are Inns upon the road, and some of them in a tolerable decent state, the uncertainties of wind and oars, and the delay to which he may be subjected, render it necessary for the traveller to go provided with all the means of bivouacking in case he should be obliged to spend a night in that manner.

The wharf, alongside of which was the boat, presented a heterogeneous mixture of bedding, baggage, trunks, men women, and children, all laid in one heterogeneous heap. The crew and male passengers were busily engaged in tumbling this promiscuous group into the boat. My friend whose organs of speech seemed to have acquired increased volubility, was bawling out very minute directions for the stowage of his provisions and baggage; the latter emblazoned with the mercantile hieroglyphic of a capital S in a diamond; and an additional recognition of his consequence appeared in the minute attention paid to his orders.

STANZAS.

In glowing youth, he stood beside
His native stream, and saw it glide
Shewing each gem beneath its tide,
Calm as though nought could break its rest,
Reflecting heaven in its breast,
And seeming, in its flow, to be
Like candour, peace, and piety.

When life began its brilliant dream,
His heart was like his native stream:
The wave-shrined gems could scarcely seem
Less hidden than each wish it knew;
Its life flow'd on as calmly too;
And Heaven shielded it from sin,
To see itself reflected in.

He stood beside that stream again,
When years had fled in strife and pain;
He look'd for its calm course in vain—
For storms profaned its peaceful flow,
And clouds o'erhung its crystal brow:—
And turning him he sigh'd to deem
His heart still like his native stream.

REMARKS ON COLONIZATION.

This is a subject which has many Claims to our attention. The antiquity of the practice of establishing Colonies, among the earliest nations of the world, gives it a title to notice as a matter of curiosity; and to the historian it is necessary, as by an enquiry into it (being the first step in the foundation of many Countries,) a knowledge of their earliest history can be obtained, which could not be procured from any other source. The art of establishing Colonies, and of preserving them in prosperity, has engrossed the attention of some of our greatest Statesmen, and best political writers in latter times. The influence of these settlements, whether producing good or ill, on the countries from whence they emanate, and which both history and experience has proved to be very great, deservedly constitutes this a subject worthy of investigation. The same argument in favour of such an enquiry is deducible from the great extent to which the system of colonizing has been carried at the present day. And lastly, an investigation into the nature and circumstances attendant on the formation and condition of Colonies, deserves our attention, being as we are a Colony of the British Empire, and justly proud of the privileges attached to such a situation. The different methods by which Colonies have been formed have a strong influence upon their condition afterwards; and the effects of these are not confined to the settlement itself, but frequently extend to the parent state, and at the same time operate influentially on such Countries as are placed in their vicinity. The foundation of a Colony is an important event in the history of any Country; and the way in which it is accomplished, marks not only the state of such settlement, but also indicates very distinctly the condition of the Colonizing Country at the time.

The earliest Colonies, we read of, were formed by warlike nations, and arose as a necessary consequence of their conquests. The Romans in the plenitude of their glory, whenever they subdued a Country, displaced a part of the original inhabitants of the soil, and as a means of securing their conquest, granted the land thus vacated to the most meritorious of their soldiers who had assisted in conquering it.—In this way the foundation of a Colony was laid; small indeed, as is obvious, and at first composed of men who had views very remote from Colonizing: but when the soil and climate of the vanquished Country were propitious, these military settlers were soon joined by adventurers from the mother country, and the settlement rose to a state deserving the appellation of a Colony. It will be evident to any who gives it the least consideration that this method of settlement must have had a very great influence upon both the parent state and the Colony itself. During its first ages, the new settlers would be viewed by the natives with a jealous eye, and if the vanquished were not completely overcome, or if the new-comers had not effectual means of defence, acts of aggression might occur—perhaps, (if of a warlike spirit,) the old residents might not be easily restrained from attempting to regain their loss, by expelling the intruders. These feelings are not

of such a nature even in individuals or nations, as to be soon subdued; nothing but the lapse of time, assisted by the intermixture and a community of interests between the old and new settlers could entirely efface them. And hence we find in the first principles upon which such Colonies are formed a powerful cause impeding their progress at the outset. As regards their connection with, and the advantages they bring to the mother country, this plan of forming Colonies would have a powerful effect. After the angry feelings attached to their formation had subsided—and the Colonists had become identified in interest with the natives, the united efforts of these two parties would occasion a rapid improvement, and a hasty march to that state which enables a colony to become independant of the parent state: and by this means encrease the danger of their throwing off their alligiance. It is true this is a state to which all prosperous Colonies may come in the course of time; and strange as it may appear, those very causes which augment their prosperity will tend to accelerate this condition: but here is an additional cause for it, (namely the rapid uniting of two parties) which may arise out of the mode in which the Colony so formed had its origin; and is entirely unconnected with all the other causes on which the progressive improvement of a country depends. Colonies formed in this manner are for a long time less liable to one of the ill consequences said to be attached to those formed in a different way, *viz.* The extent of ground from whence the aborigines were driven; (for in this case they were not expelled from the country) by their conquerors, was from motives of policy limited to a small space. Hence whatever might be the inducement for individuals to go to such settlements from the mother country; or however prevalent such a desire might be, the extent of the emigration was necessarily limited, and could not be injurious in lessening the population of the Colonizing nation.

Another method of founding Colonies arose from too great a population in some Countries. In many nations, and particularly in those plac'd in an insular position, the encrease and extent of the population was greater, than the productions of the Country could maintain. In such cases, and before the now extended state of commerce gave sufficient facility for one Country to supply the wants of others; it was no unusual thing for the surplus inhabitants of one Country to emigrate under some chief, and go in quest of a another where their industry could be rewarded by a return adequate for supplying their wants. In searching for their object, they sometimes hit upon a Country so thinly peopled that the adventurers were able to expel the natives from their soil and take possession of it: at other times they met with some uninhabited territory where they fixed their abode and thus commenced a Colony. The condition of Colonies formed in the first way, depended in a great measure upon the character of the people they had expelled; these in many instances kept the new settlers for a long time under the necessity of maintaining their ground *vi et armis*: and not unfrequently involved them in such a state of hostilities as very much retarded their improvement. Colonies formed in lands before uninhabited would be influenced by the causes which kept them dependant on the mother country. They had of course to look to her alone for supplies in the first ins-

tance; and were in common with the former description; dependant upon her for the means of defence when attacked. Having left their Country from unavoidable circumstances; and being untainted with any dislike to its customs, laws or manners—they would carry these along with them—establish them in their new residence; as far as existing circumstances would permit; and preserve them inviolate from their regard towards them.

After these methods of establishing Colonies became more rare, that is, after the barbarous custom of plunderous warfare and desire for extirpation in conquests had subsided. And when the improvements of arts, manufactures and commerce, furnished men with other means of support than what they could draw directly from the soil they possessed, different plans of Colonizing were adopted. One of these arose from the vices of mankind, and which notwithstanding its strange origin has been demonstrated to be one of the most advantageous ways of forming Colonies, which has been yet discovered. In every well regulated Country, laws are indispensibly necessary, both for protecting the innocent, and the punishment of the guilty. The crimes committed are of a greater or less degree of atrocity; and although "a consummation devoutly to be wished" it is not yet within the compass of any Criminal Code to make the punishment always commensurate to the crime. But although, (perhaps from the imperfection of our nature,) this object be not entirely attainable, every attempt towards it is highly laudable; and accordingly it has engrossed the attention of some of our most eminent Legislators. In pursuance of this plan, Colonies, and those of no inconsiderable magnitude, have been formed. When the improved state of navigation enabled civilized nations to make many new discoveries—among others, uninhabited countries were found out, of such a climate and soil as could produce all the necessaries and many of the luxuries of life. Some of these places were immediately appropriated for the purpose of sending such characters to, as had become from the commission of minor crimes, obnoxious members of society. These increasing rapidly in numbers, soon attained that extent as to deserve the name of a Colony, and others attracted by the advantages such Countries held out emigrated and became voluntary residents in them. How far the habits and dispositions of the first settlers in such cases would have influenced the progress of the countries to which they were thus banished, cannot be easily ascertained. It would be very naturally imagined, that the characters, and previous conduct of such a society, and the fact of their being sent there against their wishes, were not well suited to make such settlements of great value. But the feelings which arise from these causes are not hereditary, and while the first generation of such characters have been kept under a necessary and wholesome restraint by the military power which accompanied them, their descendants have grown up with very different sentiments; and it is upon their conduct the ulterior state of such Colonies will depend. The forbidding state of society, in such places, restraining the settlement of voluntary emigrants among them; and the continued influx of objectionable characters, might be expected to materially retard the advancement of such Colonies. Experience however proves

the contrary. The settlement of some parts of this country now in a very flourishing condition, and peopled by a respectable society, was commenced in this way; and Botany Bay, which has for many years been the receptacle of convicts from England, is now become an excellent country, rising fast to a state of prosperity. The extension of commerce of late years has been the means of founding many Colonies. Mercantile men forming themselves into associated companies for the purposes of trade, have obtained leave and assistance from their governments to establish trading posts in foreign countries, which have in time risen to the extent of Colonies. These were at first formed to favour monopolies; but when the value of their trade became known, and when the increasing spirit of commerce extended itself either in the parent country or among the Colonists themselves, others have been admitted to a share in the traffic. This had the effect, by increasing the influx of people, of destroying the original feature of such settlements or trading posts, and doubtless were injurious to the individual interest of the monopolists; but it accelerated the progress of the stations as a Colony, and the change thus induced, as well as its original formation, would have an obvious influence on its future condition. According to the opinion of some writers, this mode of forming Colonies gives them a greater propensity to throw off their dependence on the mother country than any other, and it cannot be doubted that the differences which arise from the contending of commercial interests, are more frequently a source of dispute than any other cause. But this will be influenced by other circumstances; for although the support or defence of their commerce may give rise to hostile proceedings between foreign nations, it requires something farther than this to dissolve that connection which exists between the parent country and its Colonies. Commercial Colonies, as these may be denominated, from their origin, are apt to become more wealthy than such as owe their commencement to any other cause. The reason of this is obvious. The country where they are formed must, to attract the first adventurers, be possessed of advantages suitable to their views. These, whether the natural productions of its soil, or capable of being raised in its climate, operate in the same way. While the agriculturist will pursue his labours, and by his industry provide the necessaries of life, the influx of inhabitants necessary to carry on the transactions of the merchants, will give him a market for the superfluous produce he raises. These commercial establishments will necessarily augment the price of fixed property in their vicinity, and in this way, commerce and agriculture, two of the greatest sources of wealth for any country, will, by mutually assisting each other, contribute to increase the riches of such a Colony from its commencement. When one country, by treaty, cedes a portion of its territory to another, the part so ceded becomes from that time a Colony of the country to which it is given up. The future state of such a Colony will be affected by the treatment it receives from the country which becomes possessed of it; and by the suitableness of the feelings of its inhabitants towards the government under which they are thus placed.

Besides their mode of formation, there are many other causes which influence the condition of Colonies. Among these may be first ranked the state of connection which exists between them and the mother country. While these settlements are in their infancy they must necessarily be dependent on their parent country for many things. Without her assistance they could not at first get the means of subsistence; and even after their soil is so far cultivated as to enable them to rear these, the inhabitants wedded to their pristine habits, are still desirous of indulging in those luxuries they have been accustomed to in the parent country, and can obtain them no where in fair trade but from her. The expenses of the government in Colonies, and for the many indispensable public institutions, must, during their early days, be borne by the mother country. In cases of aggression from their neighbours, and while Colonies are unable to defend themselves, they must look for assistance from the same source. In this their dependent condition, Colonies on their first formation are placed in close alliance with their mother country, and have many reasons for continuing in that state. This mutual assistance and necessity for aid which exists between countries and their Colonies is productive of a mutual benefit, which affects both, but more particularly the latter. While a Colony is able to furnish its parent state with many of its valuable natural productions, or with raw materials for her manufactures, the last in return, ministers to the wants of the former, by supplying her with manufactured goods, and giving her protection. This description of settlements possess, at the present day, many advantages, which in the early ages of mankind they did not. In their migrations, the inhabitants of Colonies carry along with them the experience and improvements of the mother country, and in their new settlement avail themselves of these, as far as circumstances will admit. In this manner they possess a better chance to rise than their parent country. While in the latter the influence of established customs, pertinaciously adhered to by long confirmed habit, keeps it as it were in a fixed state of improvement, the former commences at the point where the other stands still; and having the views and ideas of its inhabitants enlarged by travel, and a necessity imposed upon them to make additional exertion, they rise more rapidly in the scale of importance, than countries did in former times. By possessing a more enlarged field for enterprise and talent, they attract towards them men possessing these qualifications: and in this way manifest properties, not only conducive to their general good, but also the means of promoting individual interest.

Various opinions have been entertained as to Colonies being a real benefit to the mother country or otherwise. That the extent of their usefulness will depend upon the nature of the Colony, the state of the parent country, and the way and manner of their formation, is readily admitted. And as every advantage may by abuse become an injury, so the establishment of colonies may be under some cases prejudicial to the good of a country. On the general question, however, if Colonies be servicable to a country? there can be no hesitation in answering in the affirmative. If possessed of raw materials, or valuable natural productions, as already mentioned, they serve to encrease the

commerce of the parent state; * and such a commerce under proper regulations possesses advantages over that carried on with other nations, as it can be placed upon a more sure basis. In the latter case trade may be fettered with duties amounting to a prohibition, or entirely stopped by wars and dissensions; but a colonial trade can be established by laws mutually advantageous, and not liable to be changed by the capricious policy of a foreign government. It has been contended that Colonies are hurtful as giving a country a greater extent of territory than it can defend. That this may arise in some cases is a political axiom which cannot be denied; but it is no less true that it is to be taken under limitation. The capability of any country to defend itself does not exactly depend upon its extent, but upon the proportion the population bears to that extent; and on other causes, it is unnecessary to detail here. Hence it is obvious that Colonies which are formed from an overflow of the population of a country, cannot be injurious to it; nor can they have any tendency to weaken it, unless they happen to possess such an extent and attractions as to induce too great a number of the inhabitants of the country to emigrate to them. This however, is a case which rarely happens; on the contrary, the weakness arising from the want of population, more frequently occurs in the Colony than in the parent state; and even if this should operate so far as to render the Colony untenable in a war, and it should fall into the hands of the enemy, although a direct loss to the country, and perhaps an acquisition to its enemies; the country so losing it, is in no worse condition than it was before it became possessed of it. To lose a Colony may be an injury, but to possess it can never be hurtful. It is evident from what has been said that the existence and prosperity of Colonies will depend much upon the parent country from which they emanate. They will rise with its success and sink with its misfortunes. And although history affords many instances of Colonies having risen high in the scale of national prosperity, after the countries which had founded them were deep sunk in obscurity: such events are not in the usual current of affairs. They never happen until such colonies have before the parent state's decline attained to prosperity, and been able to stand upon their own resources; and even then they owe their existence to some powerful causes operating in raising the one and depressing the other.

* Many theoretical writers on politics have contended that an extended commerce will operate as a cause of decline in a country. It is hardly worth the while to enquire into the truth or fallacy of this opinion; but it would be easy to prove that such doctrine cannot be applied to England; on the contrary, situated as she is, a powerful navy is essential to her existence, and her colonial trade is her great work shop; in which she constructs this huge machine. While she can keep the superiority at sea, she will retain her commerce with foreign nations, and the influence she holds in her colonial governments, is a security for her trade with them.

To the Editor of the *Canadian Magazine*.

Your Correspondent, Mr. C. in his account of the manufacture of Potash, in the January number of your Magazine, adverts to an extract from Tilloch's Philosophical Magazine, inserted in your second number, in which it is stated, that "Lime rock properly prepared has been discovered to be a substitute for ashes, as far as respects Bleaching." Mr. C. then adds "should this be the case, and should such a discovery once come into general use, it might operate in diminishing the sale of Potashes. It will, however, require time to effect such a change, and to overcome the prejudices of the ignorant, the strongest obstacle to innovations, whether good or bad. As I have had no opportunity of knowing the method this writer has of preparing his Lime rock for Bleachers, nor of the description of Lime rock proper for his purpose, I am unable to offer an opinion on the merits of the discovery." It is evident from this, that Messrs. C. and Tilloch consider the use of Lime in bleaching as a recent discovery. They may be assured, however, that it was very generally applied to that purpose, in Scotland, in the middle of the last century. How much earlier we cannot tell. But its baneful effects on the linen cloth, then the staple manufacture of that kingdom, had become so prejudicial to the trade, that it was prohibited from being employed in Bleaching, by an Act of Parliament. And the Board of Trustees for the encouragement of manufactures, &c. directed their surveyors, and stampmasters to seize every piece of linen, in the whitening of which lime had been used. To be sure, it was not then properly prepared. Indeed the only preparation it got was merely expelling the Carbonic acid by calcining the stone, in the open air; and sinking the shells in water. The powder was then amply diffused in a considerable quantity of water; and in this undefecated mass the goods were immersed. We cannot say for what length of time. But when taken out, it was washed, or rinsed in cold water; and spread on the field: care was taken not to allow it to become thoroughly dry, whilst thus impregnated with lime, because, in that case, the tenacity of the vegetable fibre was peculiarly liable to be lessened, by the causticity of the lime. In this mode of conducting the process, the application of lime in whitening goods of every kind, was easily detected, as much of the undissolved substance lodged in the cloth, thread, or yarn, and could not be wholly washed out, by the inefficient methods then in use.

The Trustees' officers had a right to visit the linen manufacture in every stage, and as often as they chose: no cloth could be sent to market till inspected by some one of them: and as the cloth, or other goods so detected were confiscated, to their use, the practice of employing lime in its unqualified state, was entirely given up by the linen bleachers of Scotland.

Mr. C. hints, that it is desirable to know what kind of lime it is which has been found fit for bleaching. That which was used in a great part of the manufacturing districts of Scotland, at the period alluded to, was almost a pure Carbonate of Lime. It is found at Pitlessie, and Forthar, in the centre of Fife. The average of the whole rock, after being burnt, contains 97 per cent of lime, or soluble alkali; one of the strata 99; and another something more than 99 1-2; the small quantity of refuse being a fine clay. The proportion of alloy, however, in lime used in bleaching, is of much less importance than the quality. Clay or Quartz are harmless; but certain metallic oxyds, particularly that of Iron, which are found in some Lime rocks, impart a tinge to Linen, and Cotton cloth, which is not eradicated without difficulty.

We would beg leave to inform your correspondent further, that even at this day, some Bleachers in Scotland, use much more lime than potashes in their business: but it is only when charged with oxygenated muriatic acid that it is now used as far as we know: and we are not so well versed either in Chemistry, or practical Bleaching, as to be able to say, whether or not the lime so employed, is any otherways serviceable than as a vehicle for applying the oxy-muriatic acid to the bleaching goods: as the acid was well known to be a powerful detergent, when used in a liquid state, before lime constituted an ingredient in the composition.

We know only of one establishment in each of the three kingdoms, for making bleaching Salt, as it is called by the Trade: for altho' every body knows from what ingredients the oxygen is procured, the particular process for obtaining it is not divulged.

Those who are well acquainted with Chemistry assure us, that Lime either is an Alkali, or an Earth; having properties very similar to alkalis. Hence there is great probability that, in the present progressive state of that science, a method of modifying its causticity may be devised, so that it can with safety be substituted for Potashes, Kelp, and Kali, in the various manufactures, in which those articles are used at present. But without some such preparation, we are fully convinced, that it will not answer. We once saw an attempt to bleach very coarse cotton goods (Candlewick and Lampwick) with Quicklime instead of Potashes, but without success. The colour was excellent, but the Fibre was so much weakened, and, when handled the goods felt so harsh and hard, that, had they been wearing muslin, it would have been unsaleable. But we are not to infer from this, that to temper the causticity of Lime, so as it may be safely used in bleaching, is impossible.

March 20, 1824.

Selected Papers:

MEMOIR OF SIR HENRY TORRENS.

Sir Henry Torrens, the present adjutant-general, is a native of Ireland, and was born in the city of Londonderry, in 1779. His father, the Rev. Thomas Torrens, and his mother, a lady of considerable beauty and accomplishments, died while he was yet an infant, leaving him, and his three brothers under the protection of their grand-father the Rev. Dr. Torrens. Of his affectionate care, however, they were also soon deprived; and young Henry was placed under the guardianship of his uncle, the Rev. Dr. Thomas Torrens, who was a fellow of the university of Dublin, and one of the most distinguished of his day for literary attainments and colloquial powers. Being destined for the army, Henry, was sent, at an early age, to Bates' military academy in Dublin. Here he was remarkable for the warmth of his social feelings; and in consequence of his ever buoyant and joyous spirit, he was known among his youthful companions by the familiar appellation of *Happy Harry*. In Nov. 1793, when he was about fourteen years of age, he commenced his military career, and obtained an ensigncy in the 52d regiment. In June, 1794, he was promoted to a lieutenantcy in the 92d regiment; and in December, 1795, was removed to the 63d regiment. With this corps he joined the expedition under Sir Ralph Abercrombie, for the reduction of the enemy's Colonies in the West Indies.

During this arduous service, our young soldier was happy in having frequent opportunities of distinguishing himself. He acted with the grenadier battalion at the taking of St. Lucie, and was wounded by a musquet ball, in the upper part of the right thigh, in an action which took place on the 1st of May, 1796, during the siege of Morne Fortuné. This wound compelled him to remain behind, while the army under Sir Ralph Abercrombie proceeded to the attack of St. Vincent's. At such a period, however, the pain and danger of a premature removal appeared preferable to inactive security; and before he had recovered from his wound he rejoined his regiment, just as the army was advancing to the attack and storming of a strong line of redoubts, by the possession of which the enemy held the island in subjection. After assisting in driving the French from these important positions, and in finally expelling them from St. Vincent's, Sir Henry Torrens was for six months employed in constant skirmishing with the natives of the Carib country, who, having joined the French interest, took refuge in the mountains and fastnesses. At this time though only holding the rank of lieutenant, he was entrusted with the command of a fort.

The extensive operations and the splendid achievements by which, in the latter years of the struggle against France, the British troops decided the fate of Europe; have in a manner obliterated from the public the Colonial conquests with which the revolutionary war commenced. Yet never did the British soldier display more courage, or sustain

more hardship, than during the attack upon the French West India islands under Sir Ralph Abercrombie. Even the officers were unable to obtain any better fare than the salt rations issued from the stores; nor in that burning climate could they ever venture to refresh themselves by sleeping without their clothes. In what manner Sir Henry Torrens bore himself during the difficulties and hardships of this his first campaign we have already attempted to state, and shall merely add two facts, as marking the opinion entertained of his conduct by those who witnessed it. On the return of the troops to Jamaica, the general rewarded his services by a company in one of the West India corps then forming; and on one occasion, when quitting the regiment with which he had been acting, the non-commissioned officers and soldiers under his command insisted upon bearing him in triumph upon their shoulders, as a rude but touching mark of their attachment and admiration.

In 1798, Sir Henry Torrens returned to England; and at the close of that year embarked for Portugal, as aid-de-camp to General Cuyler, who commanded the British auxiliary army sent to protect that country from the threatened invasion of the Spaniards under French influence. While holding this situation he was removed from the West India corps to the 20th regiment of foot; and hearing that his regiment was to form a part of the force destined for Holland, under the Duke of York, he immediately relinquished the advantages of his staff situation for the post of honourable danger. He served in all the different actions of this sanguinary campaign, during which the British army sustained its high character, though the object of the expedition failed. The inundation of the country, and defeat of the Austrian army upon the Rhine, which enabled the French to assemble a force four times more numerous than ours, compelled our troops, after many a desperate struggle, to evacuate Holland. In the last of these contests, which was fought between Egmont and Harlaam, Sir Henry Torrens was again desperately wounded. A musquet ball passed quite through his right thigh and lodged in the left, from which it was found impossible to extract it, and where it still remains, subjecting him at times to great uneasiness.

A circumstance occurred at this time which deserves to be recorded. On the 2d of October, 1799, a severe action was fought near Alkmaar, and some of our officers, amongst whom was Sir Henry Torrens, imagining that they had purchased security for a few days, rode into that town for the purpose of viewing the place, and enjoying the rarity of a good dinner. While this dinner was in preparation, Sir Henry Torrens sat down in the coffee-room to make some notes in his journal; but seeing Major Kemp, then aide-de-camp to Sir Ralph Abercrombie, ride hastily into the town, he started from his unfinished task, to ask the news. From Major Kemp he learned that the French had made an unexpected advance upon the English troops, and that the division to which he was attached was under orders for immediate action. Without waiting to return for his papers and his pocket-book, containing between forty and fifty pounds, which he had left on the table, he mounted his horse, and in a moment was at full speed. He arrived in

time to place himself at the head of his company, just before the commencement of that action, in which he was so desperately wounded. A considerable time afterwards he revisited Alkmaar, and calling at the inn he had so abruptly left, received his papers and his purse, which had been with scrupulous honesty preserved.

On his return from Holland, Sir Henry Torrens was promoted to a majority in one of the fencible regiments then raising. The formation of the corps devolved upon him as being the only officer possessing permanent rank; and he subsequently embarked with it for North America. Here he remained until the autumn of 1801, when having effected an exchange to the 86th, then in Egypt, he joined and took the command of the corps in that country. When the expedition to Egypt had effected its object, Sir Henry Torrens marched his regiment across the Desert, and embarked at a port of the Red Sea for Bombay. Here he was taken extremely ill in consequence of a *coup de soleil*, and was obliged to take his passage to England, in order to save his life. The ship, in which he embarked for Europe touched at St. Helena; the climate and the society of that island restored him to health, and gave a new impulse to his feelings; and he prosecuted the voyage no further.

The government of the island of St. Helena was at this time held by Colonel Robert Patton, a gentleman in whom the military character was united with that of the philosopher and man of letters. In the works which he has given to the public, profound and original reflections are conveyed in a style of classic elegance. In his "Historical Review of the Monarchy and Republic of Rome," and in his "Principles of Asiatic Monarchies," the influence of property upon society and government is explained and illustrated in a very masterly manner. The principles established in the latter work have been adopted by Mr. Mill in his excellent History of British India. The publications of Governor Patton, however, have not attained a circulation at all commensurate with their merit; for, to borrow his own language, "A work of investigation and research it is almost impossible to render entertaining or popular. The precious ore of truth lies deep, and must be dug for: the flowers which attract general admiration are all gathered on the surface."

We shall not enter into the abstruse disquisition whether talents are hereditary in families; but we believe it will be generally conceded that, under favourable circumstances, parents may, to a certain extent, succeed in impressing their own characters upon their children. The daughters of Governor Patton acquired the accomplishments of their father. Some notion of their attainments may be gathered from the circumstance that, while they resided in Scotland, previous to their settling at St. Helena, they were the only females admitted into that brilliant coterie of wits and philosophers, the members of which have since acquired so much celebrity as the conductors of the Edinburgh Review. Our readers will be prepared to anticipate that in the society of Government House, Sir Henry Torrens was exposed to other wounds than those of war. He became enamoured of Miss Sally Patton, and married at the early age of twenty-four. In this instance, however, reflection and reason have sanctioned the instinctive impulse of the

heart; and the most fortunate events in Sir Henry Torrens' meritorious and prosperous career, are his touching at the island of St. Helena, and forming a congenial and happy union, no transient visit, but a permanent abode, where his mind preserves the conquest beauty won.

In 1803, Sir Henry Torrens rejoined his regiment in India, and remained in the field until he was again driven from the country by extreme and dangerous illness; in 1805, he returned to England, obtained the rank of Lieutenant-Colonel, and was employed in the Staff as Assistant Adjutant-general for the Kent district; and in 1807, he joined the expedition against South America, as Military Secretary to the Commander of the Forces. At the attack of Buenos-Ayres he received a contusion from a musquet-ball, which shattered a small writing apparatus which was slung to his side. When this unfortunate expedition returned from South America, Sir Henry was examined as a witness, on the trial of General Whitelock. His situation now became painful and delicate in the highest degree, being compelled by his oath to make known the truth, and bound by honour not to divulge the confidential communications of his chief. His evidence is published with General Whitelock's trial; and it is only necessary to say in this place, that he obtained the highest credit by the manner in which it was given.

Sir Henry Torrens had now established a character not only for gallantry in the field, but for talent, discretion, and integrity in the conduct of affairs. The Duke of Wellington, then Sir Arthur Wellesley, saw his rising talents, and appointed him his Military Secretary. In this capacity he embarked with the expedition to Portugal in 1808, and was present at the battles of Rolleia and Vimiera. When the Duke of Wellington was superseded in his command, he returned with him to England; and was again to have attended him in the same capacity, when that consummate General recommenced his glorious career. But the situation of Military Secretary to the Commander-in-chief being, without sollicitation, offered to him just at this moment, prudence weighed with the father of a rising family against the ardour of the soldier, and domestic considerations induced him to forego the more active operations of the field, and to accept the office. How he discharged the difficult and arduous duties which now devolved on him, it is almost unnecessary to state. Under the immediate inspection, and guided by the distinguished talents, of his illustrious and royal master, we may venture to say, that at no period of our military history were the arrangements of the British army more ably or successfully conducted. During the eventful war, upon the issue of which depended not only the fate of England, but of Europe, nothing could more strongly contribute to its success than an active and skilful direction of our powerful resources, and attention to the comfort of the soldier. That no one was more fitted for these arduous duties than the present Commander-in-chief, is not only proved by the unanimous voices of the army and the nation, but by the glorious and triumphant termination of the late sanguinary and protracted struggle. And while we thus pay

a deserved tribute to the illustrious character at the head of the army, we cannot withhold his due portion of applause from the Secretary, Sir Henry Torrens. His talents, and his laborious attention to the multifarious duties of his office, have been universally acknowledged; while his conciliatory manners and kind attentions have procured him the love of his friends and the respect of the whole army. From the duties of his office during four years of the most active period of the war, he was not a single day, scarcely even a Sunday, absent; and never failed, either in winter or summer, to rise at five o'clock in the morning. These exertions were rewarded by his appointment, in 1811, to a company in the 3d Guards; in 1812, by his being made aid-de-camp to H. R. H. the Prince Regent, with the rank of Colonel; and in 1815 (having obtained the rank of major-general in the brevet of the previous year), by an appointment to a regiment. He was also honoured with the medal awarded for the battles of Rolleia and Vimiera, and with the distinction of Knight Commander of the Bath. But promotion and honours were not the only sweeteners of his toil. In his delightful villa at Fulham every domestic endearment awaited his return after the cares and labours of the day. It was impossible for his marriage to be otherwise than happy. Sir Henry Torrens possesses an enlightened intellect and a feeling heart; and in Lady Torrens, excelling in music, in painting, and in dramatic literature, gifted with the powers of reasoning no less than with the principles of taste,

*And blest with temper whose unclouded ray,
Can make to-morrow cheerful as to-day,*

we recognize those qualities which, from the constitution of our nature, a man of an enlightened intellect and feeling heart is constrained to admire and to love. Lady Torrens has, with great success, directed the powers of her fine understanding to the most useful of all objects, that of practical education. She has six children; and it is impossible to contemplate the quickness of their understandings, and the docility of their dispositions, without feeling how much may yet be done for society, by early training, and a proper attention to the circumstances which are calculated to awaken the mind and to regulate the temper.

Sir Henry Torrens presents a particular exception to the general maxim, that a "prophet is without honour in his own country." In the autumn of 1818, he revisited the city of Londonderry, the place of his nativity. On this occasion he was invited to a public entertainment in the town-hall. Two hundred gentlemen of the first character in the city and county assembled to greet his return. Sir George Hill, the member for the city, was in the chair. When the cloth was removed, he rose to propose the health of Sir Henry Torrens, and addressed him in these words:

"Major-general Sir Henry Torrens:

"On the part of this numerous and most highly respectable assemblage of your friends and fellow-citizens, I am directed to express to you the very great gratification which they feel in having the honour of

receiving you, on this occasion, as their guest in your native city. The compliment paid to you this day is not, permit me to say, of a trivial nature; for it falls to the lot of but very few public men to obtain such an unequivocal and ample testimony of esteem and approbation as is now conveyed to you. We rejoice in receiving you amongst us; and we reward you with the universal, unqualified esteem and approbation of all the most respectable, liberal, and independent gentlemen who inhabit the soil from whence you sprung. The gentlemen of this city and neighbourhood who now surround you, and greet your welcome, are not insensible to your qualifications as a military officer in the field; they know and duly appreciate your early promise of heroism evinced in almost every quarter of the world—both in the East and in the West, at the Helder—in Egypt—and in Portugal, where the matchless Wellington himself announced your rising fame by appointing you to the most confidential situation on his staff. Yet still the present source of their gratification is your incomparable conduct in discharge of your most important duties as Chief Secretary to His Royal Highness, the Duke of York; under whose military administration, aided by your talents and advice, the armies of the United Empire have been organized in a manner unparalleled for excellence in ancient or modern times, and which has mainly contributed to the wide-extended triumphs and glory of the British nation. These sentiments, most humbly expressed through me, will mark to you, Sir Henry Torrens, the disposition of your countrymen in this part of Ireland.

During this address, Sir Henry Torrens' two brothers, the Rev. John Torrens, Archdeacon of Dublin, and Robert Torrens, Esq. Chairman of Kilmainham, sat beside him, under feelings which deprived them of utterance. We can conceive no scene of prouder triumph or more pure delight.

Sir Henry Torrens has been recently appointed to the situation of Adjutant-general. His health, which had suffered from excessive exertion and close confinement while he was Military Secretary, is now entirely restored. In this situation the operations of his active and ingenious mind, have already shown their beneficial effects in more than one instance: among others he has lately introduced an admirable new system of drill—which is to be adopted by every regiment in the service, and promises many great advantages.

If this memoir of his life should appear to wear the colour of panegyric, the reader will be aware that the cause is to be found in the subject, and not in the writer. It is not his fault if a statement of facts is the highest praise.

When the discontinuance of human sacrifices, and the abolition of slavery are cited as amongst the advantages of Christianity, we are too apt to forget the Slave Trade, and *auto-da-fés* of the Inquisition; and it may fairly be asked, whether the Druids of Europe and Priests of Carthage immolated more victims on the altars of their gods, than the churchmen of Castile and Arragon have sacrificed in the name of Heaven. God forbid, however, that we should impute to the Christian religion the crimes of its ministers! in that case, few professions of faith would excite more melancholy reflection than that of the church of Rome, particularly as established in Spain and Italy.

All that history relates of the Neros, Caligulas, and other monsters who have at different periods outraged humanity, is far exceeded in atrocity by the annals of the holy office. We have hitherto had but very imperfect notions and incorrect accounts of this too famous tribunal, of which secrecy was the soul; while many have not hesitated to say, that the Inquisition had been calumniated. At length, M. Llorrente, considering the Inquisition, of which he was long the secretary, for ever abolished after the French army entered Spain in 1808, undertook to write its history. All the archives of the supreme council and inferior tribunals were placed at his disposal: from these he extracted two hundred volumes in folio, comprising the correspondence and decrees of the Inquisitors, and composed from those rich materials the work recently published. The perusal of the first volume alone is sufficient to make us blush for our species at the enormities into which men are hurried by fanaticism.

Amongst the innumerable blessings to which this country is indebted for the spirit of rational liberty that has always animated the people, the exemption of our ancestors from this revolting institution, is far from being the least important. In France, its origin was not unlike that of the Crusades; and the honour of it is given to St. Louis. The first members were a few monks, who were sent into the southern provinces to convert the Albigeois; they next passed into Spain, where the Inquisition was finally established, and in the fifteenth century became in full activity.

A million of Jews had just embraced Christianity, to avoid being massacred. They were rich, and large sums were due to them: this was a good reason for suspecting the sincerity of their devotion. Extensive confiscations were, in consequence, pointed out to Ferdinand the Catholic, and Isabella, his Queen; and all the converted Jews of Arragon and Castile were given up to the scrutiny of the Inquisition, which abused its detestable powers in the most flagrant manner. Every converted Israelite who happened to put on a better dress than usual on a Saturday, or who passed a knife over the right thumb nail to examine the fineness of its edge, was charged with relapsing into Judaism.

The office of informer was a duty enjoined in the most peremptory manner to the husband and wife, father and son. That portion of the

accused party's property which should be most agreeable to the informant, was promised to him, even before condemnation. The accused never knew by whom he had been denounced. In examining the witnesses, care was taken not to state the ground of accusation. The Inquisitors required the accused to declare all they knew; hence resulted a host of incidental charges.

The torture was at hand to assist the memory of the accused; and as it was obtained from the liberality of the pious judges, that a culprit should only be exposed once to the interrogatory, the holy fathers made a point of inserting on the minutes, that the examination was suspended, after which they could renew it without any scruple, as if then became merely a continuation. Whoever happened to be declared a good Catholic, was, nevertheless, obliged to pay for his absolution; but this was so extremely rare, that until the reign of Philip III. we scarcely find a single instance of absolution out of two thousand judgments. In all the other cases, pains and penalties were imposed, more or less severe, according to the real or imaginary crimes of the accused: any one who at once acknowledged himself guilty of Judaism, and affected repentance, was released on paying a large fine. Those who did not confess their error until after some delay, were condemned to have their property confiscated, and to be imprisoned for life. Whoever refused to become his own accuser, was released, that is, given up to the secular branch, and burnt.

If by any accident or discovery, a condemned person was reprieved, he did not hear of it until he arrived at the foot of the scaffold, after having gone through all the dreadful ceremony of preparing for an ignominious death: this pardon generally benefitted its objects of their reasons. Every bishop had his prison, and each inquisitor possessed one for his own victims. These were soon filled, others were built and also gorged; at length, it became necessary to direct that all those who were condemned to perpetual imprisonment, should remain shut up in their own houses, and not come out under pain of death.

At Seville, were four statues of clay, representing the Prophets, in which heretics who had been condemned to the *release* were burnt by a slow fire; others were put to death gradually, with sharply pointed reeds, and the high roads were often strewed with the members of these ill-fated victims.

A person might be both denounced and condemned long after his death; in this case, his bones were disinterred and collected; a son was once obliged to go to Toulouse and dig up the remains of his father, who had been tried in Spain; he was under the necessity of producing an attested paper to prove that the bones did not belong to another corpse. When such cases occurred, the property of the deceased was taken from his heirs, and confiscated, as if he himself had been alive; even those who might have purchased it were forced to restore it, and the dowry given to his daughters was reclaimed.

An immense number of families sought their safety by flying into France, Italy, Portugal, and Africa; laws were passed against the fugitives; others hoped to save themselves by appealing to the Popes, or buying secret absolutions, which exempted them from the Inquisition;

very considerable sums were sent out of Spain to pay for these precious safe-guards. The Inquisitors having complained of this infraction of their privileges, it was annulled by the Sovereign Pontiff; but they were soon after put up for sale again.

Having extracted all they could from the converted Jews, it was determined to expel them altogether out of Spain. The people were made to believe, that the Jewish doctors and apothecaries were in the habit of poisoning their Christian patients, and that they crucified all the children of that religion whom they could steal from the parents. The Jews saw that money was the object of their persecutors, and therefore offered to appease the wrath of the Inquisition, by giving a subsidy of thirty thousand ducats to Ferdinand, who was about to accept it when the Grand Inquisitor appeared before him and Queen Isabella, bearing a crucifix in his hand, exclaiming, "Judas sold his master for thirty pieces of brass; your majesties can do so for as many marks of silver: behold him here before you; make haste therefore, and sell him at once." Another argument, still more calculated to persuade Ferdinand was, that the proposed expulsion would bring a much larger sum than the subsidy. Eight hundred thousand Jews compelled to expatriate themselves within the short space of three months, under pain of death or confiscation, were obliged to give up nearly all they possessed. A contemporary historian relates, that he saw a house given for an ass, and a vineyard exchanged for a piece of cloth.

This dreadful scene was renewed a century later, (in 1609,) but the Moors were now the victims; Philip III. sanctioned their expulsion by the Grand Inquisitor. Francis I. of France, recommended this measure to Charles V. during his captivity; very good advice, if given to the Emperor as his enemy, for it caused the loss of a large portion of the most industrious population of Spain.

By degrees, the Inquisition extended its jurisdiction to points that had no connection whatever with heresy, such as usury, bigamy, and similar offences, and whenever a conflict of jurisdictions arose between it and the civil government, it is hardly necessary to say that the holy office triumphed.

From the authentic statements of M. Llorente it appears, that independently of the three millions of Jews and Moors driven out of Spain, by the holy office, the four Grand Inquisitors who succeeded each other between 1481 and 1524, an interval of forty-three years, condemned 229,721 individuals, viz. 202,170, to confiscation, perpetual imprisonment, or to some degrading punishment, and 27,544 to death, of whom 17,996 were burned alive, and the rest in effigy!

Thus it was, that the coffers of the holy office became so well filled, and its landed possessions increased to such a degree, that it was necessary to establish laws for their administration, and create a variety of new officers, such as stewards, overseers, registers, &c. The bishops and nobles had complained of their being obliged to provide for the salaries of the Inquisitors, and to pay the expences of their journies; but owing to the confiscations and absolutions, the Inquisition was henceforth enabled to make ample provision for its own servants! The Popes thought they might award some little relief to the children of those!

who had been condemned after their death, but the holy office refused to pay a single order of the Pontiff's until all the arrears due to its own agents were discharged; the list of these was immense. The Inquisitors had a guard, and travelled with a numerous suite. The Grand Inquisitor was always followed by fifty archers on horseback, and two hundred on foot.

It will perhaps be thought, that such a state of things could only exist by means of the ignorance and fanaticism which infatuated the people, and that the return of such horrors would be impossible; but this is far from being the case, the public opinion of the inquisition was the same in those days as now. Nothing was left untried by the Cortes to prevent its establishment; their remonstrances produced no effect, and violent insurrections consequently broke out in every country under the Spanish dominion. The Sicilians indignantly drove the inquisitors from their land. Naples refused to receive them, and was preserved by Gonsalvo de Cordova, surnamed the Great Captain, from falling into their hands. The Arragonese, less fortunate, revolted, the inquisitor was massacred in the church of Saragossa. Two hundred individuals perished in the expiation of this murder. Another revolt took place at Cordova, at the termination of which a commission, named by the Pope, and at which the grand inquisitor presided, was charged to examine into the conduct of the inquisitor of that city. It was soon ascertained that he had immolated a great number of innocent persons; and the only punishment inflicted was that of banishing him to his bishopric. All these events passed under the reign of Ferdinand. Opposition only became more manifest in that of Charles V.; the Cortes of Arragon and Castile presented remonstrances to him, on the intolerable abuses of the Inquisition. Amongst other grievances, it was stated that numbers of people caused themselves to be enrolled amongst the familiars of the holy office, in order that they might be exempted from paying any imposts. The Cortes were therefore, fortunate enough to prevail on the monarch, who wanted supplies and was going to Germany, to apply for a bull to reform the Inquisition.

Even Pope Leo X. complained of the infamous conduct of the inquisitors, and he wrote to the emperor, stating that complaints were addressed to him, from every quarter, of their avarice and iniquities. But Charles had obtained the money he wanted from the Cortes, and Cardinal Adrien, his first minister, who was also grand inquisitor, persuaded his master that the terror of the holy office was a salutary counterpoise to the spirit of liberty in those assemblies. He, therefore, wrote to the Pope to pay no attention to his master's demand, upon which a struggle arose at Rome, between the agent of the Cortes, who demanded the reformation of the holy office, and the envoy of the minister who opposed the latter with all his eloquence: thus exhibiting the disgraceful spectacle of a sovereign pleading against his own subjects before a foreign prince, and begging as it were, their ruin! M. Llorente has found the original correspondence, which took place on the subject between the emperor and his minister at Rome. By these curious documents we are enabled to judge of the means then employed at that court. The envoy writes to his master on the 12th of May, 1520,

to say, that in order to frighten the Pope, and make him more docile to the imperial will, he should pretend to show a little favour to "a certain *Martin Luther*, who is at the court of Saxony, because he inspires the Sovereign Pontiff with the utmost alarm, by the extraordinary things he preaches against the papal authority; and that this monk passes for being very learned, causing infinite embarrassment to the Pope." The writer adds, that it will be necessary to give some money to the cardinals, as the king of Portugal does, and particularly to Santiquatro, and the Cardinal d'Ancona: "the first," says he, "is very clever, in taking advantage, for the interest of his master, of the bulls and other acts of that nature, a talent which has procured him great favour with his Holiness. He can do much in this affair, because he draws as much money as he can for his master and himself. Cardinal Ancona is a very learned man, and an enemy to the other; he is entrusted with the affairs of justice, and can be useful, as he is very well disposed to serve your majesty, but he passes for as great a peculator as his brother cardinal." In another place he says: "that money can do much; that in what concerns the Inquisition, money is the only thing to employ with the cardinals. He asks the emperor for a letter bearing a flying seal, that shall make known his intentions. "All this is necessary," he observes, "and something else is also necessary, for here money will effect miracles!"

On the 5th of June, 1522, he writes to say, "that if Arragon and Catalonia obtain the revocation of the confiscated property, taken from the absolved heretics," his majesty will be obliged to restore more than a million of ducats, acquired in the same way. The result of these intrigues was, that the Inquisition remained unreformed; which, together with the hatred against foreigners and the nobles, contributed much to the general rising that took place throughout Spain during the emperor's absence.

The Cortes having possessed themselves of the government, manifested, on the score of public liberty, ideas no less enlightened than those promulgated on a recent occasion; and which are, even at this moment, making their way all over the Peninsula. Amongst other points contained in the form of a constitution, which they prepared to be presented to the Emperor, Dr. Robertson informs us, that no foreign troops were to be on any account introduced into the kingdom; that the crown was not to exercise any influence on the cities in the choice of their deputies; that no member of the Cortes should receive a pension or employment, either for himself or any member of his family, under pain of death; that each city should pay its representative while occupied during the session; that the Cortes should meet of right, once in every three years, to vote the supplies and impose new taxes, if necessary, and to deliberate on public affairs; that the privileges obtained by the nobles, to the prejudice of the commons, should be revoked; that the government of the cities and towns should not be placed in the hands of the nobility; that the estates and property of the latter should be subject to the same imposts as those of the citizens, &c.

This effort of the Cortes was unsuccessful; for they were betrayed by the army, and abandoned by the nobles. Charles V. therefore, on his return, placed every thing on its former footing, while the deputies

of the Cortes were consigned to the scaffold, for their exertions in favour of the nation.

After having escaped this danger, the Inquisition adopted the most effectual measures for impeding the progress of knowledge, so as that it should not give rise to another struggle. With this view, it commenced a violent hostility against books of every kind that did not inculcate its own supremacy, and still more particularly against all those which were calculated to spread the poison of Luther's doctrine in Spain. The works of Erasmus were regularly tried, although he was the antagonist of Luther, which made the former say, "How much am I to be pitied! the Lutherans attack me as a thorough papist, and the Catholics as a partisan of Luther." The Greek and Hebrew Bible, as well as those in the vulgar tongue, were proscribed; and this proscription was afterwards extended to all works, whether in Hebrew or other languages, in which any allusions were made to the religious ceremonies of the Jews or Mahometans; not to mention every book that contained even a note relative to the mysteries and forms of the Christian system. The works of several bishops, cardinals, and even saints, were seized and burnt.—"They took away," says Saint Teresa, "a great number of books composed in the Spanish language. This afflicted me extremely; for there were many which afforded me consolation, and it was impossible for me to read those printed in Latin."

In latter times the most scrutinizing precautions were taken on the frontiers, particularly those of France, to prevent the introduction of heretical books, which were suspected of being brought in wine casks, so as to elude all the vigilance of the custom-house officers. The works of the most celebrated writers in Europe, whether English, French, or Italian, were sedulously excluded—even Locke, Filangieri, and Montesquieu, did not escape; and each succeeding Grand Inquisitor felt it a kind of imperative duty to add to the list of his predecessor. He who held the office about fifty years ago, observes in one of his prohibitory edicts, which deplored the profligacy of the age, "that some men had carried their audacity so far as to demand permission to read the Bible in the vulgar tongue, without any fear of the consequences!" War was also declared against pictures, engravings, medals, fans, snuff-boxes, and the furniture of houses, that bore any mythological designs, or other heretical devices. The farther measures taken to prescribe the books which might be read with safety, and the directions given about the efficacy of relics would occupy a space far beyond our limits, while a recital of them would be scarcely credible, if not authenticated by incontrovertible testimony.

By such means has the power of the Inquisition existed till the present day. Can it, therefore, be matter of wonder, that the Cortes, and their plan of a constitution, promulgated in 1811, should have experienced the same fate as it did under Charles V., when we consider that those who framed that Code were only an isolated party, forming but an inconsiderable portion of the nation in which (thanks to the Inquisition) knowledge had as yet made very little progress.

ON THE CHARACTER OF LOUIS XI.

LOUIS XI. to whom the public attention has lately been drawn in "Quentin Durward," like most of those men of extensive power and extraordinary character in whose hands lay the fate of nations, has been variously represented by historians. Some have confined themselves to a recapitulation of his cruelties, his treacheries, his tyrannical conduct, his superstitious practices, and the sad and desolate termination of his career; while others appear to have been more struck by his fortitude, his prudence in the conduct of the important enterprises he undertook, the success of his efforts in abolishing the power of the great vassals of the crown, augmenting the royal prerogative, and aggrandizing France. Under this last point of view, that country has been more indebted to him than to any other of her monarchs; for he augmented her territory and influence by the important addition of the Duchy of Burgundy and the States of Provence, Anjou, and Maine. Amongst those who were nearest his person, and in whom he most confided, he has found an admirer in Philip de Comines, who has held him up to posterity as almost an excellent king. Duclos, also, who, though historiographer, possessed independence of mind and elevation of character enough to dissuade him from any false adulation, towards at least a deceased monarch, concludes the two volumes of his *Memoirs of Louis XI.* in these words:

"Although Louis XI. was far from being without reproach (for few monarchs have deserved more severe ones), yet it may be said that he was celebrated equally for his virtues as his vices, and all things considered that he was a *king*."

Notwithstanding this grave dictum, it is not unreasonable to doubt, whether the talismanic word *king* be possessed of such sovereign virtue as to obliterate the deep-dyed crimes which stain the character of this despot. Fénelon, whose candour and rectitude of mind furnished him with no other criterion for judging of kings than the happiness or misery of the people under their sway, represents Louis XI. in his *Dialogues of the Dead*; "as a wicked and ferocious being, the scourge of mankind." The virtuous prelate puts the following bitter reproaches into the mouth of the Cardinal de la Balue, who was very little less of a villain than his master.

"The fundamental maxim of all those counsels, which you (Louis XI.) took such pains to instil into those that surrounded you, was, that every thing they could do was to be done for you, and you alone. You reckoned as nothing the princes of your blood; nor the Queen, whom you kept at a distance from you and in captivity; nor the Dauphin, whom you had brought up in ignorance and confinement; nor the kingdom, which you desolated by your harsh and cruel policy—the interests of which were always sacrificed to the jealousy of your tyrannous authority. You even set no value upon your most devoted favorites and ministers, whom you made use of merely to deceive others. You never had the least affection for, nor put the least confidence in any one of them, unless when driven to it by the utmost necessity. It was your delight to deceive them in their turn, as you had employed them to deceive others; and they were sure to become your victims on the slightest umbrage, or when the most trifling benefit could result to you from their destruction. There was not a moment of security for any one within your sphere. You played with the lives of men. You

never loved a human being,—how then could you expect that any one should love you? You delighted to deceive every one,—how could you hope then that any one should confide in you from motives of esteem or friendship? Such disinterested fidelity, where was it to have been learned? Did you deserve it, or dared you to hope for it? Could it have been practised towards you, or within the precincts of your court? Was it possible to preserve an upright and sincere heart for the space of eight days passed under your influence? Were we not forced to be scoundrels the moment we approached you? Were we not declared villains by the very circumstance of gaining your favour, as the only way of attaining it was by villainy? Those who wished to preserve their honour untouched, and their conscience unstained, took care to keep far away from you. They would have gone to the remotest bounds of the earth, sooner than live in your service."

Voltaire has, with his usual perspicacity, distinguished in the character of Louis XI. those traits which may claim the approbation of posterity, from those which are calculated only to excite their horrors; he remarks,

"The life of Louis XI. offers a most singular contrast; and as if for the purpose of humiliating and confounding virtue, we are obliged to regard as a great king, a being whom history has handed down to us as an unnatural son; a barbarous brother, an unkind husband, a bad father, and a perfidious neighbour. He filled with bitterness the last years of his father's life, and was the cause of his death. The unfortunate Charles VII. as is well known, died through fear, of being made away with by his son; he chose starving himself to death to being poisoned by his own child! The mere dread of such an event by a father, proves that the son was at least considered capable of perpetrating so horrible a crime."

Duclos also proves, in a more detailed manner, that the conduct of this prince exhibited qualities of the most opposite and conflicting nature; at one time giving way to the impulses of cruelty, pride, jealousy, and vindictiveness, while at another he acted with perfect *bon-homme*; trusting confidence and even kindness. An author of the present day, Dumesnil, in a work on Louis XI. has hazarded the surmise, that the extreme mistrust observable in Charles VII. and the sombre melancholy and cruelty of Louis XI. had come to them with their blood as descendants of Charles VI. who had fallen into a state of complete mental alienation, in the paroxysms of which he shewed himself equally suspicious and cruel. It may be that Charles VI. left this "heritage of woe" to his descendants: a surmise that becomes the more probable when we examine with attention, the last years of the life of Louis XI. When, shut up in the chateau of Plessis les Tours, and hemmed in by numerous guards, he was terrified by the appearance of every new face; when he delivered over to the murderous hands of his executioner and favourite Tristan the Hermit, those, who, however innocent, excited his suspicions, whilst he sought to dissipate his thick-coming fancies and black melancholy, by viewing from the walls of the chateau the simple dances and amusements of the shepherds and villagers; when he had recourse to all the relics that it was possible to procure; when he caused himself to be anointed from head to foot with the oil of the *holy Ampoule*, kept at Rheims, in order to prolong his life; when he conferred the title of Countess of Bologne upon the Virgin Mary; when he drank the blood of young children, in order to renovate his strength and bring back his youthful vigour;—when, I repeat, we think upon

these facts, we can scarcely hesitate to recognize a taint of insanity in the singular compound of this monarch's mind, similar to that with which Charles VI. was afflicted. It is, at all events, the only, or at least the best, excuse, that can be offered in his favour. However, Charles VI. did not display these propensities before the period of his madness; while on the contrary, Louis XI., during the full vigour of his faculties mental and corporeal, while he was conceiving and executing vast and well-organized plans for the aggrandisement of his power, shewed himself always suspicious, false, treacherous, and cruel. A certain portion of this cruelty must, in fairness, be put to the account of the barbarity of the times in which he lived; few if any of the princes of that period being exempt from charges of this nature. Knowing or employing no other means than terror and cruelty to quell the turbulence of their subjects, they took vengeance for barbarous insurrections by still more barbarous punishments. In the long struggle between Louis and Charles the Bold, the famous Duke of Burgundy, a struggle which renders the annals of this reign so interesting, we are presented with a regular trial of skill between the bad faith, treachery, and cruelty of the two rivals. It has been pretended that Charles the Bold was naturally good and generous, and that it was the vices of Louis XI. that forced him to adopt the use of similar weapons. But this, we think, is giving too great an extension to charitable surmise. It would be a strange effect of rivalry to make Charles thus adopt the crimes and bad qualities of his adversary. A more reasonable supposition is, that the unprincipled and atrocious conduct of both was the result of the savage sentiments so generally prevalent at that period, pushed to excess under the baleful influence of violent passions and uncontrolled power.

Dumesnil, who has been already cited, has remarked some extraordinary coincidences between the lives of Louis XI. and Tiberius. The commencement of the career of both these princes began by a long exile. Louis at the court of Burgundy practised an equal degree of dissimulation with Tiberius during his sojourn at Rhodés. They were both equally addicted to astrology, and put a like faith in superstitious practices and relics. They were both equally anxious to avoid war, not from motives of humanity, but that they considered the conquests or acquirements made by political intrigue, as reflecting more personal credit upon them, and the honour of which they were not obliged to divide with their military forces. After a harsh and tyrannous reign, both these princes precipitately retired into seclusion, and sought to shun the sight of their subjects, except those chosen from amongst them to be immolated as victims before their eyes. It is also said, that Louis, like Tiberius, divided the last hours of his existence between alternate debaucheries and cruelties. Notwithstanding these points of resemblance, these two tyrants are widely distinguished from each other by the different motives of their dissimulation, their cruelty, and their seclusion. The moving principle of Tiberius was, hatred and scorn of mankind; that of Louis, an insatiable love of sway. The latter retired into seclusion for the purpose of building up an artificial power, capable of resisting the approaches of old age and infirmities.

He confounded and astonished the neighbouring princes by the rapidity of his negotiations, by the number of ambassadors and political agents that he sought to multiply in foreign courts. When there was no treaty on the tapis to countenance their presence, he took care to employ them in administering to his fancies or caprices. He sent agents all over Europe to purchase the most celebrated coursers and the rarest dogs. Sweden and Denmark were put under contribution for the wild beasts of their forests; lions and leopards were brought at an immense expense from the burning deserts of Africa. Nothing was talked of but the magnificence and spirit of the monarch: which was the object he had in view, as he was desirous of concealing the approaches of death by the affectation of youthful sports and caprices.* This pretended trait of policy may, however, have been nothing more than an access of folly that developed itself in solitude. Happy would it be for their people, if the follies of kings were only exhibited in such harmless vagaries. It is, however, certain that a remorse of conscience weighed heavily upon Louis towards the close of his life, and this might have been one of the means he employed to escape from it. He ordered an inquiry to be made, whether his subordinate agents had not abused the powers intrusted to them: a rather extraordinary scruple on the part of a prince who had delivered thousands of his subjects into the hands of the hangman. He exhorted the parliament to be less free in receiving accusations. About the same time he made a bargain for his monument with Conrad de Cologne, a goldsmith, and Laurence Wear, a brass-founder, to whom he engaged to pay a thousand golden crowns. And in order that his bust might be an accurate resemblance of him in his best days, he ordered the artists to examine his former portraits, and add from them whatever old age might have altered or effaced in his features.

Some modern authors, in seeking an excuse to extenuate the crimes of Louis XI., have chosen rather untenable ground for their approbation. Duclos, for instance, asserts, that Louis XI. was, of all the French monarchs, he who best knew how to manage or turn to his own advantage, the States who then represented the kingdom, and eulogizes him for his prudence in not convoking them but when the malcontents and the factions pushed their enterprises to excess. He admires the policy of Louis in inflaming the choice of the deputies, and by thus making sure of their suffrages beforehand, being enabled in some measure to dictate the decisions of an assembly, of which he wished to make an instrument, and not a partner in power. This, in the present day, would be called, and properly so, a corrupting of the national representation. Under Louis XV. when Duclos wrote, they must have enter-

* It would be endless to enumerate the absurdities to which he had recourse to ward off death, which he so much feared. We shall merely mention two. He had brought from Cologne some of the pretended bones of the three Eastern Kings who are said to have visited the infant Christ, and which bones were supposed to be of sovereign virtue in the cure of royal ailments. In a letter of Louis's to one of the Priors of *Notre Dame des Salles*, he vehemently entreats of Our Lady to grant him a *quartan fever*, as his physicians assure him that this is the only malady which is good for the health.

tained but very loose and erroneous ideas of the dignities and duties of the representatives of the nation, for Duclós thus to hold up as an object almost of eulogium, one of the greatest crimes which the French nation has to lay to the charge of the despot of Plessis-les-Tours. Louis corrupted the judges as well as the deputies of the people, and enriched them with the spoils of those whom they condemned. An author little known out of France, *Pierre Mathieu*, who had the impudence to write an eulogium of Louis XI., says of this monarch, "that justice put her sword, more frequently than her balance into his hand, which he made many of the nobles severely feel, whose trial was generally preceded by their execution." This, notwithstanding Pierre Mathieu's admiration for his royal master, sounds more like an epigram upon him than any thing else. Some authors have set down as a trait of profound policy, Louis's familiarizing himself with the people, visiting obscure citizens, enquiring into their family affairs, sitting at their tables and partaking of their humble fare, and in turn permitting them to appear at his own royal banquets. As he wished to lessen the influence of his nobles, it was good policy, as they suppose, on his part, to make himself beloved by the people and give them consideration. But it is probable that there was more of fancy and whim than of policy in these familiarities; and that, being naturally affable, inquisitive, and anxious to discover the truth, he had adopted an equal condescension towards every class of his subjects. If he had been so desirous of securing the good will and affection of the middling and lower classes, he would not have caused to be thrown into the Seine, bound in pairs, several citizens of Paris, whom he suspected of a correspondence with his enemies. He would have treated with less barbarity the unfortunate inhabitants of the towns and cities that he conquered. The most striking peculiarity of his character is, perhaps, the ascendancy which he allowed some of those in menial situations about his person to acquire over him. Some of these so captivated his confidence, that he entrusted them with several most important missions and affairs of state. But still more extraordinary and altogether odious was the degrading familiarity which existed between him and his prevot, the atrocious Tristan the Hermit, a wretch who took a ferocious delight in executing the cruel orders of his master. This horrid being he called his *gossip*. With the exception of the barbarian Czar Peter I. of Russia, the history of modern times offers no other example of a prince who took a pleasure in witnessing with his own eyes the executions he had ordered, and who afterwards amicably pressed the hand of the executioner, still dripping with the blood of his victims. Louis may be more easily pardoned for having conferred the title of Count de Meulan upon his barber Olivier le Dain, who served him faithfully and proved himself a brave captain. But unfortunately this valiant barber had a spice of the villain in him, like most of those who enjoyed the favour or confidence of Louis: he was hanged in the following reign for having, during the time of his power and credit, caused to be strangled, the husband of a lady, whose life he had promised to spare as the price of the wife's submission to his desires. This trait proves him to have been a worthy favourite of such a despot. It is difficult to ima-

gine how Jaques Coittier, his physician, contrived to inspire Louis with so wholesome a fear of him; he obtained from him any thing and every thing he wished; he spoke to him with arrogance, and even insolence, without bringing down upon himself the wrath of the tyrant. He often said to him, "I know that you will serve me some fine morning as you have served so many others, but I swear to you that you shall live but eight days after." By this extravagant threat he worked upon Louis's credulity and fears. It was owing to the same causes that he spared the life of an astrologer, whom he had doomed to death, but, wishing to prove the fallacy of his art, he asked him if he could foretell the period of his own death, to which the wily juggler replied with apparent *sang-froid*, that it would take place exactly three days before that of his majesty. The King's dread of his physician will appear the less surprising, if we recollect in what continual fear of death the monarchs of that day were; when their distrust and dread of treachery were such, that at their interviews they were separated from each other by strong bars of wood or iron, through the intervals of which they passed their hands. It was thus, that Edward of England and Louis met at Pequigny. "On the middle of the bridge," says Comines, "was erected a strong palisading of wood, similar to that of which the cages of lions are made, and the distances between the bars were only large enough to allow an arm to pass through." In like manner it was with a strong grating between them that Louis and the Constable of France met to treat of their differences. Louis and his brother monarchs knew too well the danger of putting confidence in each other's honour. It was for having blindly confided in the word of the Duke of Burgundy, that Louis found himself a prisoner in the chateau of Peronne, and was obliged, as the price of his liberty, to assist the duke in exterminating the revolted inhabitants of Ljege. Louis, however, seemed to have had as little regard to his word as the Duke of Burgundy: he judged of others by himself, and in that age he was not often mistaken in so doing. A favourite expression of his was "he that knows not how to dissemble, knows not how to reign." If this be true, few kings knew better how to reign than he. It was only when he swore upon the true cross of *St. Lo*, that he considered himself bound;—as for all other oaths, he held himself dispensed from observing them, unless when it was his interest to do so. Louis is the first of the French monarchs, who took the title of "*Most Christian*," though there is scarcely one of the number who had less of the spirit of Christianity, but, as a compensation, no one could be a more scrupulous observer of devotional practices and the dues of the church. In 1481, he visited for seven days successively the tomb of Saint Martin, and gave an offering, each time, of thirty-one golden crowns: this was his usual donation when he visited a church, or heard mass, in company with the Queen. On Assumption day, he gave three times as many golden crowns as he was years old; and during the last years of his life, he was so profuse of donations to the churches, that the greater part of his domains passed into the hands of the clergy.

CAMPAIGNS OF A CORNET.

NO. IV.

THE information which we received from the two *alarmists*, whom, as I have already related, we discovered like the valiant fat knights, lying upon their faces, induced us to take the precaution of reconnoitring the position and force of the enemy's troops. This duty, which is called patrolling, is usually performed, in the first instance, by some cavalry officer, who takes with him four or five of his men, merely to prevent surprise. I shall here give a slight notion of the manner in which this duty is done; but first, we must beg our civil readers, will not confound us with that highly meritorious body of men, called *kat exochen*, the horse-patrol; who may be observed pursuing their nocturnal rounds in the villages near the metropolis, and with whose cry of "pad-rowl," no doubt many of our readers must be acquainted. Perhaps the strongest distinction between us and that worthy body of men is, that the horse-patrol invariably perform their duties on foot. When the patrolling party advances, two dragoons are first despatched, about fifty yards from one another, with their carbines upon their knee, while the officer, with the sergeant, follows at the distance of sixty or seventy yards from the last dragoon, and the rear is in general brought up by another of the party. The advance is made with the utmost caution, the soldiers in front examining every hedge and bush: the moment they scent the enemy they fire their carbines, and retreat if the danger is at hand, or else wait till their officer rides up to make his observations. The direction given on these occasions is, to gather as much information as possible, but never to incur the danger of being captured; which would of course defeat the object in view. Under these circumstances it is not considered derogatory to the honour of a soldier to display the best part of valour, and to live to fight another day. In passing through villages there is of course more danger of surprise (which we this day proved) than in the open country, and it is the usual practice to make the dragoons ride two or three times up and down the street before the officer considers it conformable to military regulations to venture his own person. On the present occasion I took with me a sergeant and three men; and in the selection of my attendants, I paid particular attention to their physical strength and mental courage. One of the privates who now accompanied me, I had often employed on similar occasions. He was an athletic, bold enterprising Scotchman, about six feet high. Like Cinna, he had a head to contrive, and a hand to execute any mischief. I well recollect, when we lay before Pampeluna, an instance of this man's courage which is worth repeating. He made some trifling bet with a brother soldier, when on picquet, that he would knock at the city-gate, notwithstanding the interposition of the French troops between us and the walls. One evening, under the cover of vineyards and standing corn, he crept round the French pickets, lay listening to them a little while, then stole forwards, knocked at the gate, and re-

treated in safety to his party; an action which was visible to some of our own men, who had their eyes fixed upon his movements.

After having patrolled fourteen or fifteen miles over hill and dale, we arrived at the entrance of a small town, where we had some suspicions that a party of the gens-d'armes of the province was quartered. Accordingly, I directed two men to enter the town, with strict injunctions to use every precaution; but, after waiting a considerable time for their return, and not hearing the report of their carbines, I determined to advance myself. I am sure it must have been an amusing thing to an indifferent spectator, to have seen the very cautious style in which we now made our approaches: Macbeth, when he was on his way to commit the murder, could not have looked around him with greater anxiety than we did. At last the mystery was explained,—at the bottom of the street I perceived my two heroes led captives from a wine-house by a party of gens-d'armes, and I learned from a peasant, that attracted by the smell of the wine, the rogues had got off their horses, and had no sooner entered the house than they were instantly captured by a party of the enemy, who were regaling themselves there. They paid dearly for their indiscretion. About three or four months afterwards they joined me at Bordeaux; and from the day of their capture until that time they had never enjoyed a day's rest: marched in the first instance to Verdun, the advance of the Allies drove them thence to Lisle; from Lisle they were sent to Cherbourg, and at Cherbourg they were turned loose without a single sous, to rejoin the English army if they were able. Finding it impossible to recapture our companions, we were compelled, very much to the annoyance of the stout-hearted Scotchman, to make good our retreat, without any attempt at a rescue. However, as we reached the outskirts of the town, we sprang some fresh game in the person of a French commissary, in a large cocked-hat and feather, who was making the best of his way out of town towards the French camp, mounted on a horse which the Scotchman immediately recognised as the steed of one of the captives. He could not resist this; and dropping his carbine by the swivel, he drew his sword, and commenced the chase. He gained a little on the man of beef and mutton, before the latter was aware of his pursuer; but, on perceiving his danger, he fled precipitately towards a river, which ran about a quarter of a mile off. The race was admirable. The Scotchman, thinking that a live commissary was of greater value than a dead one, made several snatches at him as he came up with him, but the Frenchman's ingenious evolutions always defeated those attempts. The spectacle was at one time very ludicrous. The Scotchman grasped his adversary's immense cocked hat, which was tied under his chin by the scales, and he would certainly have succeeded in either detaining or in choking him, had not the Frenchmen, with great presence of mind, slipped the knot which tied the ligature. Like an over-hunted stag the commissary now took the water, and by this manoeuvre gained a little on his pursuer, who now began to cut at him very viciously; but, as the river was deep and rapid, and his horse began to swim, our champion, obeying my peremptory mandate, gave up the pursuit. The result of the day's campaign was the loss of two men, and the capture of one cocked-hat.

On rejoining our detachment I found them waiting my return, to proceed forthwith to the army, which we reached about two o'clock on the following day. The village in which our own regiment lay was on the banks of the Garonne, and contained, in addition to the English brigade, Morillo's corps of the Spanish army. The French were posted on the heights, on the other side of the river; with the picquets upon the banks, so that the officers on each side could converse together with ease. About five o'clock in the afternoon we received an order to be mounted at ten, which put us all in good spirits, and on assembling at that hour, we found that our present duty was to pass over the pontoons, which the engineers were then laying across the river. My orders were to pass over with about twenty men, and skirmish, while the remainder were crossing. No very enviable amusement, it must be confessed, on a dark night. The swelling of the waters from the rains in the mountains, had so increased the breadth of the river, that we found we had thirty yards of pontoons wanting; the consequence of which was that we were compelled to return, and all our pontoons fell into the hands of the enemy. At daybreak the next morning, the commander of the forces came down, and instead of finding his troops established on the right bank of the river and engaged with the enemy, to his no little chagrin, discovered what had taken place the night before. This circumstance, I suppose, rather ruffled his temper; the effects of which were visible in the case of a Spanish soldier, whom at this moment I saw crossing his excellency's path, carrying a bottle of wine, and pursued by an old countryman, exclaiming in some horrible patois against the dishonesty of the Spaniard. The Frenchman seeing that the commander-in-chief wore a cocked hat, immediately made his complaint to him. The provost-marshal (whose powers extend to life and limb,) was ordered instantly to take cognizance of the offence; and on his arrival the delinquent was tied to a log of wood, protesting vehemently against being flogged. Unfortunately for him, however, such an apprehension was entirely vain, for in about ten minutes from the time of the commission of the offence, half a dozen balls, from the carbines of as many dragoons, effectually prevented the delinquent from repeating his crime. This was "Philosophy teaching by example" with a vengeance; but after all it did not destroy that innate love of wine by which all the Spaniards are distinguished.

The commander-in-chief being determined to throw the right of the army over the river, above Toulouse, we proceeded along the bank until we arrived at the place where the Garonne is formed by the junction of two smaller rivers. The first of these we succeeded in crossing by a pontoon bridge, and we had then to march across the country for eight or ten leagues, in order to cross the other branch. The army lay on the banks of the latter stream, and I was stationed in an old chateau in the rear. My directions were to cross the river opposite the chateau; which, however, I found it impossible to do, both by reason of the depth of the river, and of a company of French light infantry on the opposite bank. It was about sun-set when I took my station, and having doubled my videttes, and directed my picquet to keep on the

alert, it occurred to me that it was a ridiculous thing to be starving in the very granary of France. As the most peaceable plan of securing a supper, I commanded my trumpeter to attend me, and proceeded to make a vigorous attack upon a strong garrison of pigeons at the top of the chateau. Here, "like an eagle in a dove-cote," I did great execution, with the assistance of the trumpeter; when suddenly our ears were assailed by the sound of several shots, which intimated there was some sharp skirmishing going forward, and immediately he of the sounding brass and myself flew without helmet or swords to our steeds. The skirmishing was now all round us, for the enemy had crossed the river in two places, for the purpose of surprising my picquet. I retreated according to order, reporting the affair to my commanding officers, and disputing every inch of the way. In a short time we forced the enemy across the river again, and I once more gained possession of my chateau, where I was happy to find my sword and helmet, together with the pigeons, which, for a marvel, were left untouched. This game was repeated twice during the night, which gave me very little time to roast and eat my pigeons. On the evening of the ensuing day I was called in from my picquet, to join my regiment just as it was upon the point of marching. We retraced our steps over the first branch of the river, and arrived pretty nearly at the same place from which we started. This march lasted us for about fourteen hours, and was almost the only specimen of a retreat I met with while on my campaign. During the course of this night's journey, I witnessed an incident strongly characteristic of a military life, and moreover, one which proves how much human nature can endure, when freed from the trammels of artificial refinement. The baggage and women being in the front in the retreat, we passed, about midnight, a soldier's wife, who had just brought a young hero into the world. Notwithstanding her accouchement, this hardy creature kept up with us on our march, sometimes walking, and sometimes being allowed to ride upon a mule, and arrived amongst the first at our place of destination.

Harrassing as this march had been to us, we had scarcely rested five hours in our quarters, ere the bugle again sounded for us to assemble; and, on turning out, I received orders to proceed with the baggage to a village a few miles distant, and there to wait for farther orders. We found very superior entertainment at the venerable chateau of the Duc de Castiglione, which was situated in the village, and which, in the article of provender, would have satisfied even Captain Dugald Dalgetty himself. Moreover, there was an excellent billiard-table, at which the veterinary surgeon and myself contrived to while away the whole day very pleasantly. Just as I was making good my quarters for the night, by preparing to repose between a pair of soft sheets, I received orders to proceed immediately with the baggage, to rejoin the regiment, then about twenty miles distant. My sergeant had procured a guide, who made his appearance bare-headed; and as we passed through the village, he requested permission to enter one of the houses, for the purpose of getting his hat: I waited for twenty minutes, and might have been waiting there still for the return of this faithful attendant, who was doomed *jamais revenir*; but the sergeant, who was very much cha-

grined at my greenness in suffering him to leave us for an instant, soon supplied us with another guide. This last fellow played us a still worse trick: we had passed over a plain, where I had heard a great many of the challenges of the French videttes—*qui vive*, and *qui va la?* when suddenly I found that our conductor was leading us into the teeth of the enemy, and that our baggage was in close contact with a party of their light-horse. We instantly stopped, and the sergeant, by way of ensuring the fidelity of his *protégé* loaded a pistol before his eyes, and held it during the remainder of our march pretty close to his ear, assuring him that the moment he discovered any treachery, he would draw the trigger. This measure had the desired effect, and at last we reached our quarters in safety.

It would afford my readers very little amusement, whatever interest the youthful Thunders yet unborn may hereafter take in the relation, to follow me through my various marches and countermarches, to listen to my deeds of valour in "field and foray," "wherein, I, I, Cornet Julius Wood Thunder, seemed "the lightning in the eyes of France." I will not relate how many unchristian souls I let out, and how the French mothers would terrify their rebellious children into obedience, by repeating before them (as erst the Saracen nations, the dreaded name of Richard) the panic-creating appellation of *Le Diable Tonnière*. I shall not even recount the celebrated battle of Toulouse, and the triumphs of our army; *quorum pars magna fui*; for, as David Hume has justly observed, no man can speak long of himself without being guilty of vanity. It would ill consist with the modesty which, I would fain hope, distinguishes the writer of these humble memoirs, to tell how much of the success of that great day was owing to the prowess of his arm: the deeds which he did, and the men that he slew, are they not written in the Gazette?

Passing thus over the battle of Toulouse without any farther comment, we made our public entry into that city in great state. Our trumpeters were ordered to strike up "See the conquering Hero comes;" but, unfortunately, being of late unpractised in "the concord of sweet sounds," they only produced a very discordant concert, to the great amusement of the citizens of Toulouse. Not less entertaining to us was the mistake of these worthy people, in not recognising the Baal which they thought it their duty to worship. The French; unluckily, had not the power, like Martinus Scriblerus, of forming an abstract idea of a general, whose essence in their opinion consisted in his epaulettes. Several officers were consequently pitched upon by the multitude as the Great Captain of the age, and were compelled to submit to their fawnings: until we arrived at the town-house, which is called the Capitol, when the *véritable Amphitryon* was shewn to them. I overheard several exclamations of surprise from amongst the crowd, on seeing the commander-in-chief in his old-glazed cocked-hat and shabby blue coat. *Un général! sacre! Un général sans épauettes! Je crois qu'il n'est qu'un corporal!* As soon as his excellency had been presented to the municipal authorities, we moved forward towards the south, in the line of the famous canal of Languedoc. As we left the town, a very different scene presented itself from that which we had just witnessed within the walls. Instead of the boisterous enthusiasm and gay festivities with which the French had thought it their duty to entertain us in Toulouse, we were now saluted

with the disgusting spectacle which a field of battle affords, "when the battle's lost and won," when the ardour and excitement which the conflict gives birth to, have passed away, and the only feeling of the heart is a sense of the most lively compassion for the sufferings which we have ourselves been instrumental in producing. I was heartily rejoiced to make my escape from this scene of death, and my spirits gradually recovered their tone under the influence of the most beautiful scenery in Europe. A considerable part of our march lay, as I have already mentioned, along the canal of Languedoc, which, until surpassed by similar undertakings in our own country, was considered one of the most astonishing works in Europe. Towards the close of the afternoon of our first day's march from Toulouse, we came in contact with the advanced-guard of the army under the command of Marshal Suchet, to prevent whose junction with Soult was the object of the late battle. During this skirmish I had an opportunity of witnessing the great skill of the German marksmen. It happened to be close behind a company of the fifth battalion of the 60th regiment, which was stationed some three or four hundred yards from the enemy, who were busily firing from behind some felled trees which they made into a temporary redoubt. I observed one of the French soldiers crossing from one side of the road to the other, who attracted the attention of one of our German riflemen. With all the promptitude and despatch which a sportsman displays when he is about to bring down a woodcock, he levelled his musquet, and ere the Frenchman could advance another step he had received the ball into his breast. A few hours afterwards we passed over the spot where he fell. The body had been completely stripped by his worthy comrades, and I never beheld in all my campaigns so ghastly an object. A blue livid appearance overspread all his features; but the ball had been so certain and so swift, that nothing but a single life-drop appeared to have flowed from his bosom. After advancing two days' march towards Perpignan, we received the accounts of the treaty of peace having been signed—most afflicting news to a soldier's ear—the final period to plunder and promotion!

We remained in the quarters where the war left us for upwards of three months—a period which we contrived to pass very pleasantly, amid all the amusements which "the vine-covered hills & gay regions of France" never fail to supply. "A truant disposition," with the consent of my commanding officer led me to visit the shores of the Mediterranean, in company with two or three of my brother-officers, who were desirous, like myself, "of seeing foreign travail." Our route lay through the town of Perpignan, which at that time had the honour of being the head-quarters of the famous Marshal Suchet, Duc d'Albufera. We had not been many minutes in our *auberge*, when we were waited upon by some officers of rank on the staff of the Marshal, who vied with each other in their display of courtesy and attention. They insisted upon our dining with them at a distinguished party, consisting principally of men of high rank in the French army—an invitation which we accepted with great satisfaction. On the marshal being apprised of our arrival in the town, he dispatched one of his aides-de-camp to beg the favour of our company to a ball which he was giving the same evening. The scene was a splendid one. The vivacity of a French ball was to me highly attractive. The gay

glancing uniform of the officers; and the still more sparkling eyes of the animated French girls; formed a curious contrast to my recollections of the sombre and silent sobriety which reigns in an English ball-room; where serious gentlemen in black coats herd together as if for the purpose of protecting themselves against the approaches of any of those demure damsels, who sit smiling at grief in single blessedness. The great beauty of the French women is to be found in their eyes and ankles, both of which they are very fond of bringing into play. Unlike our English women, they possess nothing of that cautious reserve and watchful propriety which damps the kindling ardour of a ball-room passion. On our entrance we were conducted to the marshal, who sat in state at the head of the room, and a mazingly magnificent he looked. He seemed to my imagination the *beau-ideal* of a marshal of that military empire, which had triumphed so long over the prostrate states of Europe. He was a man of most commanding appearance.

His dark mustache and curly hair

Shew'd him no carpet knight so trim; —

but rather bespoke that rugged determination of character for which he was so celebrated. In honour of their guests the French officers, for the greater part of the night, abandoned their waltzes and quadrilles, and only danced the *contre-danse*; and I had the good fortune to be introduced to one of the most vivacious and captivating creatures I ever beheld. Of course I became *éperdument amoureux*, and endeavoured to express the admiration with which she had inspired me. I was just beginning to think that the badinage we were talking had reached the utmost limits of discretion, when a French colonel approached us, said a few smart things, and then observed that Madame, he supposed, was thinking of paying a visit to England with M. le Capitaine; to which the lady replied, much to my chagrin, but with infinite simplicity, "*Je vous assure, que Monsieur le Capitaine n'est pas susceptible!*" I now began to consider what my Northamptonshire friends would say, if I should introduce a *Madame Tonnère* amongst them; but I was soon relieved from my perplexities by the colonel, from whom I learned that the lady was married. According to the French fashion, I was invited to breakfast with my fair partner the next morning, and was received by her in her *salon*. She was lying in bed, dressed in a rich morning dishabille. This reception at first a little perplexed my English notions, but I was soon freed from my embarrassment by the entrance of some other visitors; and the morning passed off very pleasantly.

After traversing the delightful shores of the Mediterranean, I again joined my regiment, which was stationed at Montesquieu, on the beautiful canal of Languedoc, where we remained for about two months longer, at the end of which time we were ordered home, and marched through the whole of France, from Toulouse to Calais, and so embarked for England. — Now, retired from the tumults of the camp, and stripped of the gorgeous garniture of war, I have converted my sword into a ploughshare, and instead of being this night in the trenches, to-morrow in the field, and the next day in the breach; I,

— whose lightning pierced th' Iberian lines,

Now form my quincunx and now rank my vines,

J. W. T.

(We have been induced to give the following sketch of Parliamentary proceedings a place in the Canadian Magazine,—as furnishing facts which will be interesting to the future historian of the Country.)

EDIT.

A BRIEF ACCOUNT

Of the several Houses of Assembly in Lower Canada, with remarks tending to show the rise and progress of parliamentary privileges claimed and exercised by that body.

LIEUTENANT GOVERNOR, ALURED CLARKE, ESQ.

The first House of Assembly met on the 17th December, 1792, and sat till the 9th May, 1793.

It consisted of fifteen English and thirty-five Canadian Members, among these twelve or more were proprietors of Seigniories, about fifteen were merchants or traders of the first respectability in the province, five were advocates and attorneys, three of whom, previous to the dissolution, were raised to the bench—one of these, Mr. J. A. Panet, was speaker, who, in consequence of his being made a judge, vacated the chair, but not his seat.

Two English and one Canadian member were in the same period appointed to be of the Executive Council. There were in this Assembly, but three notaries, the remainder of the members not particularly specified here, were men of respectable character and circumstances in life; one of them Major Barnes of the Royal Artillery, was deputy quarter master general, and amongst the others were several officers on half pay, and Canadian Gentlemen of small independent fortunes.

This session was distinguished by great decorum and moderation through the whole of the proceedings. Eight bills including one money bill were passed.

Second Session—(Lord Dorchester, Governor),—from the 11th November, 1793, to the 31st May, 1794.

Freedom from Arrest first asserted.

In this session, six bills were passed, and one, the judicature bill, was reserved for the signification of his Majesty's pleasure.

An account of the provincial revenue of the crown, and of the expenditure, was, for the first time, laid before the two houses accompanied by a special message from the Governor in chief.

Note.—In the early part of this session, a question of considerable importance relative to *Privilege*, was brought forward in consequence of the arrest of one of the members, on an action of debt, he being about to leave the province. This member, in announcing the event by letter to the speaker, observed: "That on the opening of the first session, he (Mr. Speaker) in the name of the house, had claimed such privileges and liberties as are enjoyed by the commons of Great Britain, and that the Lieutenant Governor in his answer had recognised

the enjoyment of *all just rights and privileges*," upon which recognition the member founded his claim of freedom from arrest.

After several days adjournment, to allow time to search for Precedents, it was resolved: "That the member had been arrested in direct violation of the rights and privileges of the house;" also, that the speaker (who in his professional capacity as an advocate, had sued out the writ), the creditor who had instituted the suit, and the sheriff who had deputed the bailiff to execute the arrest were severally guilty of a breach of privilege.

These persons afterwards severally made apologies to the house, and the member embarked for England without further molestation.

The Governor did not in any way whatever take notice of the proceedings on the above occasion.

Query.—What was the established rule in the former British Provinces on this Continent, with respect to members of the Assemblies? and may not that rule or practice be considered as the *Common Law* of the Colonies on which the privileges of the Legislative bodies are founded, privileges resting on long established usage, not on Statute Law?

Third Session.—From the 5th January, to the 7th May, 1795.

Term Provincial Parliament first used.

Eleven Bills were passed and one rejected.

N. B.—At the conclusion of this session the term "PROVINCIAL PARLIAMENT," was for the first time made use of by the Governor in Chief, Lord Dorchester, on proroguing the two houses.

From this period also the statutes were collected and published in an uniform manner, under the title of "Statutes of the Provincial Parliament of Lower Canada."

Fourth Session.—From the 20th November, 1795, to 7th May, 1796.

In this session twelve acts were passed including the consolidation act, which was reserved for the signification of his Majesty's pleasure.

SECOND ASSEMBLY.

GENERAL ROBERT PRESCOTT, GOVERNOR.

First Session.—From the 24th January, to the 2d May, 1797.

This house was very differently composed from the former. There were in it however three members of the Executive Council, one of whom was a Judge of the Court of King's Bench, six proprietors of Seigniories, the Attorney and Solicitor General, and two other Lawyers, five Notaries, the deputy Commissary general, and a few Officers of Government, the remainder consisted of traders, shopkeepers, artizans, and habitants, amongst whom were two who could not write their names.

Nothing of a remarkable nature took place during this session except that amongst the six acts which were passed, was the "act for the better preservation of his Majesty's Government as by law happily established."

The Second Session began the 20th February, and ended 11th May, 1798.

In this session five acts only were passed, three of which were to renew former temporary acts.

The Third Session began 5th March, and ended 9d June, 1799.

In this session ten acts, most of them temporary, or for continuing former ones, were passed.

ROBERT SHORE MILNES, ESQ. LIEUT. GOVERNOR.

The Fourth Session began the 5th March, and ended 29th May, 1800.

Jesuits' Estates—Answer to the Address of the Assembly respecting them.

In this session eight acts, five of which were temporary, or to continue former acts for a limited time, were passed.

The most remarkable occurrence during this session, was, a resolve made by the assembly on the 15th March: "That an humble address be presented to his Excellency the Lieutenant Governor setting forth that the house is anxious to investigate the pretensions or claims which this province may have on the College of Quebec, on the estates thereunto annexed, and the statute of the same, &c. &c." The address concluded by requesting that the Lieutenant Governor would be pleased to order the Officers having charge of all titles, documents, and reports relative to the estates heretofore held by the late order of Jesuits in this province, to make communication of the same, or to allow copies or extracts thereof to be taken by such committee as might be authorised by the house to that effect.

To this address the Lieutenant Governor on the 18th March returned the following decisive answer:

"GENTLEMEN,

"I think it necessary to inform you on the subject matter of the present address, that the whole proceedings under the commission issued the 29th December, 1787, including every claim and pretension respecting the estates of the late order of Jesuits in this province, together with the humble address of the House of Assembly voted on the 11th of April, 1793, have been respectively submitted to the King: That his Majesty having been graciously pleased to refer the whole proceedings to his privy council, the result of their consultations, with his Majesty's order thereon, was transmitted to this Government in the month of April last, and in consequence of such order, commissions have issued to take the whole of the property into the hands of the Crown.

"After reflecting on these circumstances should the House of Assembly continue to deem it advisable to persist in their proposed investigation, I shall comply with their request to allow their access to those papers which have already been made public, and shall in that case give orders that all persons duly authorised by the Assembly, be at liberty to take copies of all titles, documents, reports, papers, and all

proceedings under the commission mentioned, which were returned into the council office, on or before the 25th August, 1790.

But after the information I have now given, the House of Assembly will certainly deem it incumbent on them to consider whether it is consistent with the respect which they have hitherto uniformly manifested towards their sovereign, to reiterate any application on the subject.

The house on receiving the above answer, proceeded to the orders of the day, and refrained from entering any further on the subject of their address.

THIRD ASSEMBLY.

SIR ROBERT SHORE MILNES, BART. LIEUT. GOVERNOR.

The first Session began the 8th January, and ended 8th April 1801.

Origin of the Royal Institution.

This Assembly consisted of fourteen English, and thirty-six Canadian members, among them were four members of the Executive Council, three Judges of the Court of King's Bench, four Proprietors of Seigneuries, some Lawyers, among which were the Attorney and Solicitor-General, three Merchants, two or three Officers of Government, thirteen Habitants, and the rest Traders, Shop-keepers, &c.

Fourteen Acts, including several that were renewed, and other temporary ones, received the Royal Assent.

Three, one of which was the Act for the "*establishment of Free Schools, and the advancement of Learning,*" were reserved for the signature of his Majesty's pleasure.

Early in the Session a vote passed to expel Charles Baptiste Bouc, on account of his having been convicted of a conspiracy. The Speaker accordingly notified the vacancy to the Clerk of the Crown in Chancery, and a writ was in consequence issued by the Lieutenant-Governor for electing a new member.

The same C. B. Bouc was again returned by the County of Effingham on the 30th of April, previous to which time the Assembly was prorogued.

Second Session began 11th January, and ended the 5th April 1802.

Expulsion of a Member by Bill—Pecuniary allowance to the Speaker and Members proposed.

Charles B. Bouc being again returned as representative for the County of Effingham, it was on the 18th February moved by Mr. Coffin, seconded by Mr. Craigie, (then Commissary-General) "that the Clerk of the Crown in Chancery do lay before this House the instrument of Indenture required by the Law, to accompany the return made by the Returning Officer of the County of Effingham, to the Writ issued for the election of a member to represent the said County in the present Provincial Parliament," upon which Mr. Bedard, (since appointed Judge of the Provincial Court of King's Bench, at Three-Ri-

vers,) moved in amendment to Mr. Coffin's motion, that all the words after "moves" be struck out, and the following substituted in lieu thereof, "that Mr. Charles Baptiste Bouc be now introduced into this house,"—which motion being carried by a majority of fifteen to five.—Mr. Bertholot, Mr. Vonden Velden, and other members, introduced the said Mr. Charles Baptiste Bouc, and he took his seat in the house. After a full discussion at different times of the case of Mr. Bouc by the house—on the 23d March, the Attorney-General (Sewell) moved, seconded by Mr. Solicitor-General (Foucher), "for leave to bring in a bill for disqualifying and restraining Charles Baptiste Bouc, from being elected, and from sitting and voting in the House of Assembly,"—which motion, after being opposed by Mr. Pierre Bedard, and six other Canadian members, was carried by a majority of eight.

Mr. Attorney-General accordingly presented the said bill, which eventually passed the two houses.

In the course of this Session, on the motion of Mr. Bartholot, seconded by Mr. Plante, the house resolved to form itself into a committee of the whole house to take into consideration "whether it be proper and expedient to fix an allowance to be made to the Speaker and members of the Assembly of this Province.

A call of the house was ordered accordingly, to take the matter into consideration, but eventually on the motion of Mr. McGill, seconded by Mr. Minut, the order of the day was postponed until the first day of August.

In this Session, eleven acts, including the act for disqualifying C. B. Bouc, were passed, most of them being for a limited time.

Third Session began 8th February, and ended 18th April 1803. *Appointment of a Master in Chancery—Lea Parliamentaria ordered to be translated into French—Permanent Militia Laws suffered to be repealed by a temporary Act.*

On the 9th April a message from the Legislative Council in the words following, was delivered to the Assembly, by the honourable Mr. De Lanaudiere, viz—
Ordered, "That the honourable Mr. De Lanaudiere do go down to the Assembly and acquaint that house, that the Legislative Council have received a message from his Excellency the Lieutenant-Governor, informing this house that in compliance with their address representing the concurrence of the two houses upon the mode of conveying messages from the Legislative Council to the house of Assembly, by an officer vested with this honourable employment; his Excellency has appointed William Smith, Esquire, Master in Chancery, who will, as a duty attached to that office, be the bearer of the messages from the Legislative Council to the house of Assembly, and perform such other services consistent with the nature of his situation as the Legislative Council may require."

In consequence of the foregoing message, it was, on motion of Mr. Young, (a member of the Executive Council,) seconded by Mr. Craigie,

“Resolved, that the first and second rules of this house under the title “Legislative Council,” be rescinded, and “that the Master in Chancery attending the Legislative Council, be received as their messenger, at the Clerk’s Table, the members sitting when he shall deliver such message as he is charged with, from the Legislative Council,” and on motion of Mr. Young, seconded by Mr. Justice De Bonne, it was further “resolved, that all messages from this house, to the honourable the Legislative Council, be sent by one member of this house.”

In the same sitting it was ordered, on the motion of Mr. J. F. Perault, seconded by Mr. Bertholot:—

“That Mr. Speaker do cause the *Lex Parliamentaria* to be translated into French, and have two hundred copies thereof printed for the use of the members of this house, provided that the expence of translating and printing the same, doth not exceed the sum of two hundred pounds, and further, that an humble address be presented to his Excellency the Lieutenant Governor, praying him to be pleased to order the necessary sum of money to be advanced to Mr. Speaker, for translating and printing two hundred copies of the *Lex Parliamentaria*, pursuant to the resolution of this house, and that this house will make good the same.”

In answer to the above address, the Lieutenant Governor was pleased to say that he would comply with the wishes of the house by ordering the necessary sum of money to be advanced to Mr. Speaker.

In this Session six bills were passed, five of which were temporary, amongst these was one entitled “an act for the better regulation of the Militia of this Province, and for *repealing* certain acts and ordinances therein mentioned;” in which it was enacted, “that it should continue in force till the 1st of July, 1807, and *no longer*, provided always that if, at the term above fixed for the expiration of this act, the Province shall be in a state of war, invasion, or insurrection, the said act shall continue and be in force until the end of such war, invasion or insurrection.”

It is highly deserving of remark, that since the passing of the above act, no permanent Militia law has been passed by the Legislature of Lower-Canada, and should it be determined by competent authority, that a temporary act can have the effect of utterly abolishing permanent ones, the giving the royal assent to the act here mentioned may justly be considered as one of the most extraordinary instances of political oversight, to be found in the records of modern times.

Fourth Session, 3d Assembly, (being an extraordinary session,) began the 2d and ended the 11th day of August 1803, the Provincial Parliament being called together, in consequence of the recommencement of hostilities between Great Britain and France, for the purpose of renewing the Alien Act, and the Act for the better preservation of His Majesty’s Government, which bills passed both Houses, without opposition, together with an Act for the relief of Pierre Chevreuil, and a bill “for the more ample publication of certain Acts of the Provincial Parliament.”

The Fifth Session of the 3d Assembly began 16th February, and ended 2d May 1804.

Second Master in Chancery appointed—Proceedings respecting a site for the Gaol at Montreal.

"On the 29th February, the honourable Mr. McGill, one of his Majesty's Executive Council, informed the house, that his Excellency the Lieutenant Governor had been pleased to issue a Commission appointing Charles DeLery to be Master in Chancery during pleasure, and in the absence of Wm. Smith, Esquire, and that Mr. DeLery will, as a duty attached to that Office, be the bearer of the messages from the Legislative Council to this House."

N. B. To this appointment no objection whatsoever was made by the house.

On the 11th March the Lieut. Governor sent down a message relative to the erection of a Common Gaol and House of Correction at Montreal, and at the same time informed the Assembly, "that a space of ground would be appropriated as a site for the new building."

In answer the house presented an address on the 31st March, praying that His Excellency "would cause to be laid before the house a description of the site mentioned in his message of the 16th of that month, with the admeasurement and limits of the lot which his Excellency may please to appropriate and grant for that purpose."

The Lieut. Governor in reply to this address said: "Whenever the means of erecting a building of such urgent necessity as a Common Gaol at Montreal, shall be provided, a sufficient lot of ground will be appropriated for its site, and also for affording every accommodation which the nature and the design of the building may require."

This answer not satisfying the prevailing party, it was afterwards resolved, in a committee of the whole house, by a majority of two, "that it is not possible to ascertain with certainty the sum to be raised for building a prison at Montreal, without previously knowing the ground on which it is to be laid down, as also the extent thereof in front and depth," further: "That three commissioners be named to enquire into and report, as soon as possible, upon a proper spot of ground whereon to erect a prison in the town of Montreal, &c."

A bill for appointing commissioners for the above purpose afterwards passed the Assembly, fifteen members only, including the Speaker, being present; but it was rejected by the Legislative Council, and finally, the lot originally intended by government was appropriated as a site for the Gaol without further discussion.

In order to understand and account for the foregoing proceedings it is necessary to observe, that the lot of ground in question, was prior to the conquest of Canada, held by an unincorporated religious community, who had erected thereon a small chapel, which had recently been burnt down, and it was with a view of disputing the right of the Crown to take possession of this property, that the measures here detailed were adopted by the Assembly.

Thirteen Acts, eight of which were temporary, were passed in this

Session. One of them, viz: "an Act to confirm certain Marriages therein mentioned," which originated in the Legislative Council, may be considered as forming an Epoch in British Colonial Legislation.

FOURTH ASSEMBLY.

The First Session began the 9th January, and ended 25th March 1805.

Hatsell's Precedents ordered to be translated into French—Refusal of the Lieut. Governor to advance Monies asked for by the Assembly.

This Assembly consisted of fifteen English and thirty-five Canadian members, among whom were eight or nine proprietors of Seigniories, five members of the Executive Council, two Judges, eight Lawyers including the Attorney General, four Notaries, ten Habitants (Cultivateurs,) the remainder Traders, Shopkeepers, &c.

On the 18th March, the Assembly resolved, upon the motion of Mr. Bertholet, seconded by Mr. Desalaberry, "That Mr. Speaker do cause to be translated into French the four volumes of Precedents of Proceedings in the House of Commons by John Hatsell, and have two hundred Copies thereof printed for the use of the Members of this House, provided that the expence of translating and printing the same do not exceed the sum of seven hundred pounds."

At the conclusion of the session, when the usual addresses were presented to the Lieutenant Governor relative to the contingent expenses to the House, in which was included the expence of an Index to the French edition of Lex Parliamentaria, he answered as follows:

"In compliance with the present addresses I shall, under the authority of the Act of the Provincial Legislature, passed for the purpose, in the 33d year of His Majesty's reign, issue a warrant in favour of the Clerk of the House of Assembly to defray the ordinary expences of the House in which however the sum due for printing an Index to the Lex Parliamentaria cannot be included, that being an extraordinary charge, for which the Legislature has not made any provision."

In reply to another address presented at the same time, "that His Excellency would be pleased to take into consideration the services of Mr. P. E. Desbarats, French translator to the House, and make such addition to his salary from the first day of November last, as his Excellency in his wisdom should see fit, charging such augmentation to the fund provided by Law for paying the expenses of the Legislature."

The Lieutenant Governor answered:

"Gentlemen,

"However it may be my wish to accede to every request of the House of Assembly, I feel myself called upon, in the present instance, to decline doing so; and I regret the necessity for remarking, that when the usual observances which tend to preserve a due harmony between the Executive power and the other branches of the Legislature are omitted; I feel myself compelled to resist a precedent which may lead to consequences so injurious."

Seventeen Bills, most of them temporary, received the royal assent, including a Bill of aid and supply, "to provide for the erecting of a Common Gaol in each of the Districts of Quebec and Montreal respectively."

PRESIDENCY OF THOMAS DUNN, ESQ.

Second Session, began 20th February, and ended 19th April 1806.
Arrest of a Printer for a Breach of Privilege—Proceedings of the Assembly in consequence of Toasts given at a Tavern Dinner—Omission of usual Observances towards the Person Administering the Government—Second refusal of monies asked for, by the Assembly—Quietly acquiesced in by the House.

On the 11th March, upon a motion of Mr. Berthelot, seconded by Mr. Alexander Roy, (after a division in which there were fifteen yeas against six nays) it was ordered, "that Thomas Cary, Editor of the News Paper intitled the Quebec Mercury, for undertaking in his Paper of yesterday to give an account of the proceedings of this House, be taken into custody of the Sergeant at Arms attending this House."

Mr. Cary was accordingly taken into custody the day following—

When the Sergeant at Arms at the Bar had reported, that in obedience to the order of the House, and Mr. Speaker's Warrant to that effect, he had taken Thomas Cary into custody, Mr. Bourdages read in his place a Petition of Thomas Cary, which he afterwards presented to the House, and the same was received and read by the Clerk, "SETTING FORTH: That as the publication of the proceedings of this Honourable House in the Quebec Mercury, of the tenth instant, has incurred the displeasure of so important a branch of the Constitution of this Province, the Petitioner humbly hopes, on his acknowledgement of his sincere sorrow, that the Honourable House, in the plenitude of its condescension and liberality, will be pleased to pardon him for an unintentional transgression."

"That the Petitioner is emboldened to solicit indulgence and forgiveness on his well-founded assurance that it has uniformly been his principle and pride, zealously to support the character and dignity of the Representatives of the Province. Wherefore the Petitioner most humbly hopes, that the House will consent to his release."

Mr. Berthelot moved, seconded by Mr. Tussier, "That the said Thomas Cary be brought to the Bar, reprimanded by Mr. Speaker, and discharged upon paying his fees."

Mr. Desalaberry moved in amendment, seconded by Mr. Caron,

"That after the words 'Thomas Cary,' all the rest be struck out, and the following inserted in lieu thereof, 'be immediately declared released from the custody of the Sergeant at Arms, without any expense,' which, upon the question being put, was unanimously agreed unto by the house, and it was ordered, "That the said Thomas Cary be immediately discharged from the custody of the Sergeant at Arms without any expense."

The Printer of the Montreal Gazette having in his paper of the 1st April, 1805, published an account of a public dinner given by the mer-

chants of Montreal to the Members for the Town and County, at which certain toasts were drunk expressing disapprobation of the duties imposed by the Gaol Act, the subject was taken into consideration by the House in the present Session, and the following resolves, fifteen members only being present, (yeas 10. nays 5) on motion of Mr. Pierre Bedard, seconded by Mr. Berthelot, were passed, viz:—

“Resolved, that Isaac Todd, of Montreal, Esquire, Merchant, was President at a dinner given at Montreal, in the month of March, 1805, in Dillon's Tavern, by the merchants of that city, to the Representatives of the Town and County of Montreal, and that he there gave the sixth, seventh, eighth, ninth, tenth, eleventh, and twelfth toasts, inserted in the said printed paper.”

“That Isaac Todd, Esquire, having published the libel mentioned in the resolutions of this House of the seventh of this month, (March, 1806) at a dinner given at Montreal, in the month of March, 1805, in Dillon's Tavern, by the merchants of Montreal, to the Representatives of the city and county of Montreal, where he was President, is guilty of a high breach of the privileges of this House.”

“That Edward Edwards having printed the said libel is guilty of a high breach of the privileges of this house.”

Whereupon it was ordered, on motion of Mr. Bedard, seconded by Mr. Berthelot, that both the above named persons “be taken into custody by the Sergeant at Arms.”

On the 19th March, Mr. Speaker submitted to the consideration of the house a “Draft of a warrant to take Edward Edwards, printer, at Montreal, into the custody of the Sergeant at Arms, and prayed the advice and instruction of the house thereupon.”

It appears from the Journals that no further steps were taken for carrying the above resolutions into effect.

In the same Session an humble Memorial, Address, and Petition, was voted to the King, praying his Majesty would graciously be pleased to receive the supply offered by the gaol act, to which the Royal assent had been given at the close of the former Session; also, an Address to the President, praying he would be pleased to transmit the said Memorial and Petition to the foot of the Throne; but no copy of these Addresses and Petition having been sent to the President, as usual, previous to the house coming up with them, his Honour answered as follows:—

GENTLEMEN,

“Not having, till this moment, had communication of your humble Memorial, Address, and Petition, to His Majesty, I can only say, that you may depend on my transmitting them by the first opportunity to his Majesty's Secretary of State; for the purpose of their being laid at the foot of the Throne, unless, on a deliberate perusal thereof, any part should appear to be exceptionable, in which case I shall acquaint you therewith by Message on Monday next.”

On the 1st of April Mr. Speaker acquainted the house that he had signed a contract for the translating and printing of Hatsell's Precedents, that the translation was in forwardness, and that the printing

would commence on the arrival of the types from England, which had been ordered for the purpose.

On a motion of Mr. Berthelot, seconded by Mr. Cartier, "That an humble address be presented to his Honour the President, praying him to cause to be advanced to Mr. Speaker the necessary sum for the translation and printing of the four volumes of *"Precedents of Proceedings in the House of Commons,"* by John Hatsell," conformably to the resolution of this House of the eighteenth day of March, 1805, and that this House will provide for the reimbursement of that sum." It was moved in amendment, to strike out all the words after "that," and insert the following:—

"It is not constitutional for this House to address the Governor, or Person administering the Government of this Province, to advance a sum or sums of money for public purposes independent of the particular or contingent expenses of this House, without the concurrence of the Legislative Council."

This amendment being lost, and the original motion carried, the House on the 3d of April, presented their Address, to which the President replied in the words following:—

"GENTLEMEN,

"In reply to your present Address, I feel it incumbent on me to refer you to the answer, which, on the 25th day of March, 1805, was given by his Excellency the Lieutenant-Governor to an Address then presented to him by the House of Assembly relative to a similar object*, and I am persuaded that on reflection the House will be sensible that, considering the peculiar situation in which I am placed as administering the Government during the temporary absence of the Governor and Lieutenant-Governor, I cannot with propriety deviate from the precedent I have mentioned by advancing the monies you have asked, to defray an expense, for which the Legislature has not made a provision."

It is scarcely necessary to observe, that this answer appears to have given a death-blow to the French edition of Hatsell's *Precedents*.

In this Session four temporary Acts were renewed—one permanent Act was amended—one new Act was passed—and one private Act was reserved for the signification of his Majesty's pleasure.

Third Session began 21st January, and ended 16th April, 1807.

This Session was a remarkably quiet one, and affords little matter for particular remark. On the last day of the Session, Mr. Ezekiel Hart was returned as Burgess to represent the Town of Three-Rivers, but he did not present himself to take his seat.

In this Session six temporary Acts were renewed; one Act was amended; one reserved for the signification of his Majesty's pleasure; and nine new Acts were passed.

GOVERNOR-IN-CHIEF, HIS EXCELLENCY LT. GEN. SIR J. H. CRAIG, K. B.

Fourth Session began 29th January, and ended 14th April, 1808.

Expulsion of a Jew—Arrest of a Bailiff for Breach of Privilege—First attempt on the part of the Assembly respecting the Waste Lands of the Crown—Important change in the composition and conduct of the Assembly.

On the 20th February it was resolved, (yeas 21, nays 5) "That Ezekiel Hart, Esq. professing the Jewish religion, cannot take a seat, nor vote in this House."

In the same sitting it was ordered, "That Mr. Bourdages have leave to bring in a bill for disabling the Judges from sitting and voting in the Assembly."

Which bill he immediately presented to the House, when it was read for the first time.

On the 4th of March, the said bill having been read a third time, it was ordered,

"That Mr. Bourdages do carry the bill to the Legislative Council, and desire their concurrence." Yeas 17, nays 8.

This bill was not concurred in by the Upper House, and the Judges who were Members of the Assembly, continued to hold their seats.

On the 8th March, in consequence of a summons having previously been served on Mr. Justice Foucher, (Member for Three Rivers) by John Johnson, one of the Bailiffs of the Court of King's Bench, in the Wardrobe, during the sitting of the House, it was resolved,

"That to send for a Member of that House when in his place, attendant on the duties thereof, and on his withdrawing in consequence into an apartment thereof, or appendage thereto appertaining, to serve upon him a summons, or other civil process, is a breach of the privileges of this House: and it was further resolved, "That John Johnson, a Bailiff of the Court of King's Bench, for such breach of the privileges of this House, be taken into custody by the Sergeant at Arms, and that Mr. Speaker do issue his warrant accordingly.

The day following, on a petition from Johnson being presented to the house, it was resolved, that no further proceedings should be had against him.

On Thursday, 24th March, upon a motion of Mr. Bedard, seconded by Mr. Taschereau, it was resolved: "That this House will on Monday next resolve itself into a committee of the whole house, to take into consideration the alterations it may be expedient to establish touching the nature and consequences of grants in free and common socage, and the precautions necessary to be adopted to prevent the Crown Lands being settled by strangers, possessing principles inimical to those necessary for preserving this country to his Majesty's Empire."

It is deserving of remark, that this is the first attempt on the part of the Assembly to impugn the Royal Prerogative with respect to the waste lands of the Crown, and to dictate to the Sovereign by what means, and by what description of people, those lands shall be settled!

On Monday, March the 28th, sixteen members only being present, it was resolved (yeas 11, nays 5) "That for the remainder of this Session, eleven members, Mr. Speaker included, shall be a competent quorum to proceed to the dispatch of public business," after which the House formed itself into a committee of the whole for the purpose of taking into consideration the resolve made on the Thursday preceding relative to the waste lands of the Crown.

On the first of April the consideration of the same subject was renewed, but no further resolutions were made respecting it during the remainder of the Session. In this Session thirty-four bills were passed, including a bill of aid for repairing and ameliorating the Castle of St. Lewis, and one, (viz.) "a Bill for erecting two common Gaols, with Court Halls, in the Inferior District of Gaspé," was reserved for the signification of his Majesty's pleasure.

We have now arrived at a period which may be considered as a new era in the history of Canadian politics. The prudence, moderation and good sense by which the several Houses of Assembly had hitherto been distinguished, suddenly disappeared, and it becomes of importance to observe the inferior selection, in point of character and respectability, which from this time generally took place throughout the Province in the choice of Representatives, and to trace and lay open the latent causes of those scenes of violence, contention and disorder which have since been exhibited by the Assembly of Lower Canada. With this view, instead of going through the drudgery of making lengthy extracts from the Journals, we shall give a rapid sketch of the political events in that province, subsequent to the year 1807, combining therein a brief review of the proceedings of the Executive authority, as well as of those of the Legislative bodies.

And here we are compelled to recal the recollection of our readers to the establishment of a Canadian Press at Quebec towards the close of the year 1806, from which was issued a paper entitled "*Le Canadien*." It is notorious that this paper was under the management of certain leading characters in the Assembly, who evidently wished to render it subservient to their views in that House, and thereby to increase the weight and influence of the Assembly, at the expense of the just authority and influence of the Crown, and of the Constitutional rights and privileges of the upper house of the Provincial Parliament.

This paper, which was published weekly in French, and circulated with great industry throughout the Lower Province, abounded in professions of loyalty and devotion to his Majesty's person and Government, at the same time that, with the most subtle malignity, it attempted to vilify and bring into contempt his Majesty's Representative, to persuade the mass of the people that the Assembly was superior to and independent of the other branches of the Legislature, and to excite in the minds of the French Canadians the bitterest enmity against the English part of the community.

The new Assembly, (which was the fifth,) met on the 10th of April, 1809, and was prorogued on the 15th of May.

First dissolution in consequence of unconstitutional proceedings.

It manifested nothing of the moderation, dignity and decorum by which the preceding Assemblies had been distinguished. With a view of trying how far they would be permitted to go, motions were repeatedly made implying a right in the Assembly to superintend and control the Executive power, and, more particularly, to decide by their own resolves on the privileges to which that body might lay claim.

The right of prohibiting not only individuals, but certain classes of his Majesty's subjects, from being elected Members of the Assembly, was attempted in this Session to be carried by a simple resolve of the House; and such was the nature of the proceedings that the Governor judged it expedient suddenly to prorogue, and immediately afterwards to dissolve the Assembly. In his speech from the Throne on this occasion His Excellency addressed the House in the following words:—

"Gentlemen of the House of Assembly,

"When I met you at the commencement of the present Session, I had no reason to doubt your moderation or your prudence, and I therefore willingly relied upon both. Under the guidance of these principles, I expected from you a manly sacrifice of all personal animosities and individual dissatisfaction, a watchful solicitude for the concerns of your country, and a steady perseverance in the executing of your public duty with zeal and dispatch. I looked for earnest endeavours to promote the general harmony of the Province, and a careful abstinence from whatever might have a tendency to disturb it; for due, and therefore indispensable attention to the other branches of the Legislature, and for prompt and cheerful co-operation and assistance in whatever might conduce to the happiness and welfare of the Colony. All this I had a right to expect, because such was your constitutional duty; because such a conduct would have been a lasting testimony, as it was the only one sought for by his Majesty's Government, of that loyalty and affection which you have so warmly professed, and which I believe you to possess; and because it was particularly called for by the critical conjuncture of the times, and especially by the precarious situation in which we then stood with respect to the American States. I am sorry to add, that I have been disappointed in all these expectations, and in every hope on which I relied.

"You have wasted in fruitless debates, excited by private and personal animosities, or by frivolous contests upon trivial matters of form, that time and those talents to which within your walls, the public have an exclusive title; this abuse of your functions, you have preferred to the high and important duties which you owe to your Sovereign and to your constituents; and you have thereby been forced to neglect the consideration of matters of moment and necessity which were before you, while you have at the same time virtually prevented the introduction of such others as may have been in contemplation. If any further proof of this misuse of your time were necessary, I have just presented at, in having been called on, after a session of five weeks, to exercise his Majesty's prerogative of assent to the same number of bills, three of which were the mere renewal of annual acts to which you stood pledged, and which required no discussion.

So much of intemperate heat has been manifested in all your proceedings, and you have shewn such a prolonged and disrespectful inattention to matters submitted to your consideration by the other branches of the Legislature, that whatever might be the moderation and forbearance exercised on their parts a general good understanding is scarcely to be looked for without a new Assembly.

"I shall not particularly advert to other acts which appear to be unconstitutional infringements of the rights of the subject, repugnant to the very letter of that statute of the Imperial Parliament under which you hold your seats, and to have been matured by proceedings which amount to a dereliction of the first principles of natural justice; and I shall abstain from any further enumeration of the causes by which I have been induced to adopt the determination which I have taken, because the part of your conduct to which I have already referred is obviously and in a high degree detrimental to the best interests of the country, such as my duty to the Crown forbids me to countenance, and such as compels me to have recourse to a dissolution, as the only constitutional means by which its recurrence may be prevented."

By the time of the general Election, which took place in the month of October, 1809, the influence obtained by the democratic party, through the means of the paper before mentioned, became so powerful as to secure even a more decided majority in the House than it had before.

The Legislature was called together for the dispatch of business on the 29th January, 1810, and the unconstitutional proceedings of the Assembly being renewed with increased violence, the Governor judged it expedient after two bills only had been passed, again to have recourse to a dissolution.

Voluntary offer of the Assembly to provide for the payment of the Expenses of the Provincial Government—How to be accounted for—Sir Jas. H. Craig's Answer to the Address of the Assembly, on the subject of the Civil Expenditure—Second Dissolution in consequence of unconstitutional proceedings.

It is to be remarked, that it was in this short and stormy session, the House came to a resolution (without any previous requisition to that effect from the Crown,) "That the Assembly ought to vote the necessary sums for defraying the Civil Expenses of the Government of the Province."

This resolution was followed up by separate addresses, "to the Lords Spiritual and Temporal, and to the Commons of Great Britain in Parliament assembled," declaring the intention of the Assembly "to take upon itself to pay the Civil Expenditure of the Provincial Government.

The real motive for this measure, under the peculiar circumstances of the moment, was too obvious to escape the attention of the most superficial observer. Indeed the party did not hesitate to declare to their adherents out of doors, that having once obtained the *Right* of managing the Civil Expenditure, their intention was to regulate the salaries of the public Officers, according to such standard as they should judge proper, by which means it was evident they hoped to secure an unlimited control over the Executive Power,

On the motion of Mr. Bedard, the following address was on the 14th February, voted to the Governor, viz:—

“May it please your Excellency,

“We, his Majesty’s most dutiful and loyal subjects, the Representatives of the Commons of Lower Canada, in Provincial Parliament met, beg leave to inform your Excellency, that the House of Assembly has resolved to vote, in this Session, the necessary sums for defraying *all* the Civil Expenses of the administration of the Government of this province, and humbly to request that your Excellency may be pleased to transmit to his Majesty’s Ministers to be presented to the King, the House of Lords, and the House of Commons, our most humble and dutiful addresses of thanks which we have now the honor of presenting to your Excellency.”

The answer of the Governor in Chief to this address, is well deserving serious attention, we shall however confine our quotation to a part only, and refer our readers to the printed journals of the House for the remainder.

His Excellency expressed himself as follows:—

“GENTLEMEN,

“The addresses which you have presented me, are all under such peculiar circumstances of novelty, that they have demanded and received a considerable degree of consideration from me.

“The constitutional usage of Parliament, fully recognised by the wisdom of the House of Commons of the United Kingdom, forbids all steps whatever, on the part of the people, towards grants of money upon public or private grounds, which are not recommended from the Crown, and although by the same parliamentary usage, all grants and aids do originate in the lower house, yet it is scarcely necessary for me to observe, that they are wholly ineffectual, without the concurrence of the upper house. I must observe also, that of addresses to the house of Lords, or to the house of Commons, separately, by a single branch of a Colonial Legislature (as far as my information goes) no former example exists. And I must request you to notice, that the address which I have now received from you is made to a *part* only of that house.”

“For these reasons I cannot but consider those addresses to be unprecedented, to be imperfect in form; to be founded upon a resolution which, until it has received the concurrence of the Legislative Council, must be wholly ineffectual; (except as a spontaneous offer on the part of the Commons of Canada) and that they are consequently premature; and I regret that I cannot therefore, under the impression which I feel of my official duty, take upon myself to transmit them to his Majesty’s Ministers. I may add, that his Majesty’s Ministers are not the regular organs of communication with the houses of Parliament; unless by his Majesty’s command, I could not therefore pledge myself for the delivery of these addresses, were I to transmit them through that channel.

“Under some of these considerations, I should equally feel myself bound, upon ordinary occasions, to decline transmitting any addresses

to his Majesty, that might be under circumstances similar to the present. But upon this occasion, and after mature deliberation, I think it right, that, by an act of their own, his Majesty should be informed of the good disposition, gratitude and generous intentions of his subjects in this Province. I think it right also, that his Majesty, by their own act should be formally apprized of the ability, and of the voluntary pledge and promise, which the people of this Province, by this address to their sovereign, and by the resolution upon which it is founded, have given to his Majesty to pay the entire Civil Expenditure of the Province, when required so to do, and consequently, without repugnance, demand from them the performance of this solemn undertaking on their part, whenever he may in his wisdom, think it expedient so to do."

"For these reasons, I shall transmit your address to the King, as you have requested. I desire however, that it may be distinctly understood, that as I ought not, by any act of mine, to compromise the rights of his Majesty, of the Imperial Government, or of the Legislative Council of this Province, so I do not, by this compliance with your request, concede to the Assembly of this Province or admit that any step on their part, towards grants of money, which are not recommended by the Crown, can be constitutional; or that any such step can be effectual, without the concurrence of the Legislative Council, and the final approbation of the King."

* * * * *

At the prorogation, which took place on the 26th February, the Governor in his speech from the Throne, plainly stated the reasons of his dissatisfaction with the proceedings of the Assembly in the words following:—

"Gentlemen of the Legislative Council, and

"Gentlemen of the House of Assembly,

"I am come down here for the purpose of proroguing the present Parliament. And, upon a mature consideration of the circumstances that have taken place, I am to inform you of my determination of again referring to the sense of the people, by an immediate dissolution.

"Called again to the unpleasant exercise of one of the functions of his Majesty's prerogative with which I am entrusted, I feel it to be again expedient, that I should state to you, and that through you, which is indeed the only channel of communication that I have with them, the people may be distinctly informed of the motives by which I am actuated."

"Whatever might be my personal wishes, or however strong might be my desire, that the public business should suffer no interruption, I feel, that on this occasion, nothing is left to my discretion; it has been rendered impossible for me to act otherwise, than in the way I am proposing."

"The House of Assembly has taken upon themselves, without the participation of the other branches of the Legislature, to pass a vote that a Judge of his Majesty's Court of King's Bench, cannot sit, nor vote in their House. However I might set aside the personal feelings which would not be unnatural in me, as to the mode in which this

transaction has been conducted towards myself;—there is another, and infinitely higher consideration, arises out of it, which I must not overlook.

“It is impossible for me to consider what has been done, in any other light, than as a direct violation of an act of the Imperial Parliament:—of that Parliament which conferred on you the constitution, to which you profess to owe your present prosperity; nor can I do otherwise than consider the House of Assembly as having unconstitutionally, disfranchised a large portion of his Majesty’s subjects, and rendered ineligible, by an authority which they do not possess, another not inconsiderable class of the community.

“Such an assumption, I should, at any rate feel myself bound by every tie of duty, to oppose; but, in consequence of the expulsion of the member for the county of Quebec, a vacancy in the representation for that county has been declared; and it would be necessary that a new writ should issue, for the Election of another member. That writ would not be signed by me—Gentlemen, I cannot—dare not, render myself a partaker in a violation of an act of the Imperial Parliament; and I know no other way, by which I can avoid becoming so, but that which I am pursuing.” * * * * *

Writs were issued for a General Election, on the 12th of March;—but it was not till the close of the year 1810, that Sir James H. Craig met the newly elected assembly.

Manly and decided character of the Governor in Chief—Effects resulting from his Vigor and Firmness—His Farewell Advice to the Legislative Bodies.

The opening of the first Session of the seventh Provincial Parliament may be considered as one of the most remarkable periods in the history of Lower Canada. All men looked forward to it with anxious expectation. The firm and intrepid character of Sir James Craig, was veiled by a singular amenity of manners, sprightliness and goodnature, and his talents and penetration were certainly underated by a great majority of the assembly at the time of his entering on the administration of the government. Not only so, the state of his bodily health was known to be desperate in the extreme, and such as to render a sudden dissolution of his frame, an event daily to be expected. Who could imagine that in a body so excruciated by disease, there existed a mind so healthy and so vigorous!

By this time however, it had become evident to the whole Province, that no opposition could induce the Governor to swerve from what he considered to be his public duty; that he was neither to be terrified by the clamours of the ignorant, nor appalled by the projects of the vicious; that the powers of his mind were equally capable of resisting democratic turbulence, and of detecting the revolutionary projects concealed under insidious and overweening professions of loyalty.

Under circumstances, apparently, of the most discouraging nature, the Governor hesitated not, in his opening speech, to recommend a renewal of the “Act for the better preservation of his Majesty’s Govern-

ment," and he concluded his speech by the following manly declaration:—

"The rule of my conduct is, to discharge my duty to my sovereign, by a constant attention to the interests of his government, and to the welfare of his subjects; which he has committed to my charge; and these objects I feel to be best promoted, by a strict adherence to the laws, and to the principles of the constitution; and by maintaining in their just balance, the rights and privileges of every branch of the Legislature."

The assembly in their address, manifested some reluctance to renew the act above mentioned; but the bill, being first passed in the legislative council, obtained the unanimous concurrence of the assembly, on the very day in which the Governor replied to their address.

In order to show that his Excellency entertained a just sense of the loyalty and good disposition of the great mass of the people of Lower Canada, we shall here insert a passage from the answer to the address above referred to; it is as follows:—

"I shall at all times receive with attention and regard any information or advice that the house of assembly may think proper to convey to me. In the present instance however, I feel myself called on to observe, that my information of the state of the Province, does not warrant that which you say you think it your duty to give me, of the existence of fears and apprehensions with relation to the execution of the act for the preservation of his Majesty's Government, *at least as applied to the people in general*. If such fears and apprehensions exist, are they not confined to those who are aware of the possibility of themselves becoming obnoxious to the operation of the act? The voice of such will be always loud, and may not their clamour have misled you to suppose them more numerous than I trust they really are? But with regard to the good people of the Province, I am so far from thinking that they feel any apprehension on the subject, that I date the subsiding of the ferment that then existed, and the restoration of the calm that has since prevailed among them, precisely from the moment at which the execution of that act took place. Similar means to those formerly employed, might again revive the one, and disturb the other; and none perhaps, would be more effectual for the purpose, than the infusing amongst them, the fears and apprehensions to which you have alluded. Simple and uninformed as they are, however, I shall, nevertheless, trust to their good sense, for its being found difficult to shake their confidence in his Majesty's Government, because they find it exercising, for their protection, the means with which it is entrusted by law, or because they see that Government armed with power, and ready to step forward, should it become necessary, TO CRUSH THE ARTS OF REACTION, OR TO MEET THE MACHINATIONS OF TREASON."

From this period the most perfect unanimity prevailed between the several branches of the Provincial Legislature, and all attempts to violate the rights of the subject, or the prerogatives of the Crown, ceased. Such was the effect produced by the firmness and capacity of the per-

son who at that time administered the Government of Lower Canada! The demagogues who, during the space of three years, had convulsed the Province by their incendiary speeches and writings, were heard of no more. These persons, whose attachment to the Government and the Constitution had been shaken by the false reasonings of the "CANADIEN," became sensible of their error, and it may truly be said, that at the moment when the ill health of Sir James Craig compelled him to relinquish the government and return to England, the political state and disposition of the colony were such as every loyal subject could desire, and in this state and disposition was the Province found by his successor, Sir George Prevost.

On the 21st March, 1811, fifteen bills received the royal assent, and two were reserved for the signification of his Majesty's pleasure.

In justice to the truly great and upright man whose administration of the government of Lower Canada we have thus briefly sketched, we shall close this part of our brief history by placing before our readers the concluding part of the speech delivered by him from the Throne at the close of the session—a speech evidently composed under a full persuasion that the termination of his mortal career was near at hand, and that it would be the last opportunity he would have of offering to his Majesty's subjects in Lower Canada, his paternal advice, and of warning them against a renewal of those political disorders and animosities by which the Province had so recently been disturbed. His words were as follow:—

"GENTLEMEN,

"You are now about to return to your homes, and to mix again in the common mass of your fellow-citizens, let me entreat you to reflect upon the good that may arise from your efforts to inculcate those true principles of regularity and submission to the laws, that can alone give stability to that degree of happiness which is attainable in the present state of society. Your Province is in an unexampled progress of prosperity: riches are pouring in upon the people; but their attendant evils, luxury and dissipation, will inevitably accompany them; the danger of these is too well known to require that I should detain you by enlarging upon it; it will demand all the efforts of religion and of the magistracy, with the scarcely less powerful influence of example and advice in the well disposed and better informed, to counteract their effects, to preserve the public morals from sudden relaxation, and, finally, to bar the entry to crime and depravity.

"A large tract of country, hitherto little known, has been opened to you; its inhabitants are industrious and intelligent, and they cultivate their lands with a productive energy, well calculated to encrease the resources of the Colony. Let them not on these grounds be objects of envy or of jealousy; rather let them be examples, to be carefully watched and imitated till in the whole Province, no other difference of fertility shall appear, but what may arise from variety of soil, or difference of climate.

"And now, Gentlemen, I have only further to recommend, that as in an early part of the session, you, yourselves took occasion to observe

on the difficulty of the task, you will proportionally exert your best endeavours to do away all mistrust and animosity from among yourselves; while these are suffered to remain, all exertion for the public good must be palsied. *No bar can exist to a cordial union—religious differences present none—intolerance is not the disposition of the present times—and living under one government, enjoying equally its protection and its fostering care, in the mutual intercourse of kindness and benevolence, all others will be found to be ideal.* I am earnest in this advice, Gentlemen. It is probably the last legacy of a very sincere well wisher, who, if he lives to reach the presence of his sovereign, would indeed present himself with the proud certainty of obtaining his approbation, if he could conclude his report of his administration, with saying: I found, Sir, the portion of your subjects that you committed to my charge, divided among themselves, viewing each other with mistrust and jealousy, and animated, as they supposed, by separate interests. I left them, Sir, cordially united in the bonds of reciprocal esteem and confidence and rivalling each other only in affectionate attachment to your Majesty's Government, and in generous exertions for the public good."

Important advantages to be derived from the Permanence and Independence of the Legislative Council.

Before we enter on the administration of the new Governor in Chief, it may be of advantage to contemplate for a moment the constitution which the parent state has given to the Provinces of Upper and Lower Canada; by which they are distinguished above all other colonial Governments that have hitherto existed:

It is of consequence to remark the essential difference between the constitution of these Provinces, and that of Nova-Scotia.—This difference consists in the *permanence* and *independence* of the Legislative Council in both the Canadas, the members of this body having therein a *life estate* of which they cannot be dispossessed even by the sovereign; whereas, in the Province of Nova-Scotia, the members of the Legislative Council, like those of the executive, hold their seats only during pleasure, and are subject to be suspended or removed at the discretion of His Majesty's representative.

This state of dependence may no doubt give to the Governor a considerable share of influence over that body, but at the same time it tends to enervate the Council, to take from it all constitutional dignity and firmness; so that if unfortunately the King's Representative be disposed to make imprudent concessions to the popular branch, there will not be found in the Council sufficient energy to resist its disorganizing encroachments; and the assembly must gradually acquire a preponderance which will enable it to seize on the patronage that ought in sound policy to remain with the Crown, and to reduce the executive authority to an abject dependence on its will.

Whether the line of politics adopted by the new Governor in Chief, arose from his having in a government so constructed, been accustomed to regard *concession* as the wisest policy, we shall not pretend to determine.—But we think it of importance, before we proceed further, to fix the public attention, in a particular manner, on the *independence*

of the Legislative Council, as the great bulwark of the Constitution of the Canadas, which, so long as that body is true to itself, and to the real interests of the state, neither the attacks of democracy, nor the aberrations of the executive authority can weaken or destroy.

In the month of February, 1812, Sir George Prevost first met the Provincial Parliament—he so far followed the footsteps of Sir James Craig on that occasion, as to recommend a renewal of the act for the better preservation of His Majesty's government; but the assembly manifested no disposition to acquiesce in the measure he had recommended, and the bill, after being first passed in the Legislative Council, was finally lost by the introduction in the lower house of clauses tending essentially to alter its nature and effect.

In consequence of the declaration of war on the part of the American government, an extraordinary session of the Provincial Legislature was held in the month of July, 1812, and an act was then passed, on grounds suggested by the Executive Council, to authorise the issuing a certain quantity of army bills, bearing interest at the rate of £ 6 per cent, as a circulating medium to supply the want of specie, and to make the same a legal tender. This measure, which evidently held out a means of great emolument to individuals, and a prospect of vast advantage to the country at large, obtained the ready acquiescence of both Houses.

In this session the Governor sent to both Houses a message, declaring the authority vested in him by the King's commission, under certain circumstances, to proclaim martial law, and proposing to them to pass an act to modify that power! Of this extraordinary message the assembly took little notice at the time; but the Legislative Council returned a respectful answer, and, as soon as the act to authorise the circulation of army bills was passed, the Provincial Parliament was prorogued.

Administration of Sir George Prevost—Demonstrative of the effects resulting from injudicious Concessions.

At the opening of the ensuing session, on the 29th December 1812, his Excellency having in his speech from the throne, expressed his satisfaction at not having been under the necessity of proclaiming martial law, his message in the preceding session, relative to that subject, was now taken into consideration by the assembly, and a string of insulting resolutions, contumeliously declaring that he possessed no authority to proclaim martial law, was passed upon it.

In this session a violent attack was made on the rights and privileges of the Upper House, by an order of the assembly commanding the attendance at their bar, of the officers of the Legislative Council, without leave being previously asked for the purpose, and, though this order was, in the first instance, unánimously resisted, upon a repetition it was weakly acquiesced in, by a majority of the council then present. Five members only, viz. Sewell, (Speaker,) Dunn, Hale, Duchesnay, and Ryland, adhered to the preceding resolve on this subject, and protested against this gross violation of the privileges of the house.

Whether their success in this instance gave encouragement to the extraordinary proceeding of the Assembly in the subsequent Session we shall not take upon us to say. It is proper however to observe, that previous thereto, those individuals who had, through the means of the "Canadien," rendered themselves obnoxious to the preceding Governor, had been raised to places of trust and emolument, and it was reasonable to expect, that their influence in the Assembly would be exerted to facilitate the political views of the present Governor in Chief. On the 13th of January, 1814, his Excellency opened the Fifth Session of the Seventh Provincial Parliament, both the Canadas being at this time engaged in actual warfare with a powerful enemy.

Bill to take from His Majesty the Power of summoning the Judges to the Legislative Council—Bill to invest Mr. Bedard with authority as Agent to execute the most important duties—Thrown out by the Legislative Council—Indirect attempt to obtain the same object—Frustrated by the Legislative Council—Impeachment of the Chief Justice, and public accusation of the whole of the Judges of the Court of Appeals and Courts of King's Bench, with the exception of Mr. Justice Bedard—Censure passed by the Assembly on the Governor—His embarrassing and mortifying situation—Contrast between the proceedings of the same Assembly, under the administrations of Sir James Craig, and Sir George Prevost.

Nothing could be more affectionate, nothing more cordial than the union which at this moment appeared to be established between His Majesty's representative and the representatives of the Commons of Lower Canada, and we have now to review the proceedings of an Assembly, meeting as the majority conceived, under the most auspicious circumstances, and conducted by a party, towards which the Governor had manifested a decided partiality.

The first measure of importance brought forward by this party, was "A bill for disqualifying the Chief Justices, and Justices of the Court of King's Bench, from being summoned to the Legislative Council, or sitting or voting therein."

This bill, as must have been foreseen, was thrown out by the Council without obtaining a second reading. But it tended to impress the mass of the people with a disrespectful idea of the Judges, and to prepare the way for a general attack upon the whole judicature of the Province which immediately followed.

On the 10th February, a bill was sent to the Legislative Council, intituled "an act for appointing an agent in the United Kingdom of Great Britain and Ireland, and Mr. Bedard, who had been appointed by Sir George Prevost, to be Judge of the Court of King's Bench at Three Rivers, was named in the Bill as such agent, and a salary assigned to him of two thousand pounds per annum. But the Legislative Council firmly resisted this attempt to set aside, or reduce to a cypher, the King's Representative, and threw out the bill, justly considering the Governor as the only constitutional channel through which the wishes of the Legislative bodies, or those of the people at large can be convey-

ed to the foot of the Throne so long as he is disposed to undertake such conveyance.

Early in the session a committee had been appointed, "To consider if it were not fit and expedient, humbly to address his Royal Highness the Prince Regent on the state of the Province," and the Bill for the appointment of an agent having been rejected by the upper house, this address, in which were introduced expressions of great personal regard for the Governor, was now voted, together with one to his Excellency, praying that he would be pleased to transmit the address to his Royal Highness by such messenger as he should see fit to appoint for the purpose, and to advance a sum not exceeding one thousand pounds, to defray the expence, which the assembly pledged itself to make good.

To this address the Governor replied verbally; "That he would accede to the request of the house, by appointing a proper person or persons, to present the said address to His Royal Highness the Prince Regent."

Upon which the Assembly voted a second address to the Governor praying, "that he would order an advance not exceeding one thousand pounds in *addition* to the sum already voted; provided he should appoint *two* persons to present the said address," to which the Governor replied, "that he would accede to the request so soon as there was an *appropriation* for the service mentioned in the address," and a message to the same purport was afterwards sent by His Excellency to the assembly.

These proceedings having in the mean while been taking into consideration by the Legislative Council, as tending to encourage an attempt on the part of the Assembly, to appoint an agent for the Province without the concurrence of the Council, several resolves were passed thereon concluding with the following:

"Resolved, that this House views with equal astonishment and concern, the acquiescence of His Excellency the Governor in Chief, in the vote of the Assembly, which requests him to appoint a messenger for the purpose above mentioned.—an acquiescence which they cannot but consider to be an unequivocal abandonment of the rights of this House, and a fatal dereliction of the principles of the Constitution."

The appropriation of two thousand pounds was afterwards introduced into a bill, intituled "An act further to continue for a limited time, the levying the duties imposed by the act of the 51st. of His Majesty, and for other purposes," which bill was amended in the Council by striking out that appropriation, and so returned to the Assembly, who refused to pass it as amended.

Undismayed by this steady opposition of the upper House, the Assembly proceeded to vote articles of impeachment against the Chief Justice of the Province, and the Chief Justice of the Court of King's Bench for the District of Montreal. (*See Journals 4th and 8th February, 1814.*)

An address was voted to His Royal Highness the Prince Regent, founded on resolves or heads of impeachment, in which those Judges were accused of treason, perjury and oppression, and praying that

they might be dismissed from their offices. This address, together with one to the Governor in Chief, praying that His Excellency would be pleased immediately to suspend the said Chief Justices, from the exercise of their official duties, also the resolves of the Assembly in which the whole of the Judges of the Court of appeals, and Courts of King's Bench collectively, (with the exception of Mr. Justice Bedard,) were criminated and charged with having exercised unconstitutional powers, were ordered to be printed, and these documents were immediately published in the Provincial Newspapers, by which means a strong impression was made upon all classes of people throughout the Province, to the unspeakable detriment of the Judges in the public opinion, and of the administration of justice in the King's Courts, yet had there not been any evidence before the Assembly beyond what was contained in the established rules of practice, nor had any complaint whatsoever been preferred by the public against those rules or against the Judges individually or collectively.

The Governor having in answer to the address presented to him observed, that he did "not think it expedient to suspend the Chief Justice of the Province, and the Chief Justice of the District of Montreal, from their offices, upon an address to that effect from one branch of the legislature alone, founded on articles of accusation, on which the Legislative Council had not been consulted, and in which they had not concurred," the Assembly passed thereon several resolves, concluding with the following:—

"Resolved,—That his Excellency the Governor in Chief, by his said answer to the address of this house, hath violated the Constitutional rights and privileges of this house."

It is deserving of notice that during the whole of the Session seldom more than half the number of members of which the house was composed attended, and amongst these the most respectable, including the English members, finding themselves outnumbered, gave way to the torrent, and seldom spoke or voted.

All men were astonished that no steps were taken to check these proceedings, more especially as the principal movers of them were known to enjoy the confidence of the King's representative. It has since been suggested, that it was necessary to give way to the Assembly lest the act to authorize a further issue of army bills should be lost, an act which it was evident must operate as a mine of wealth to every inhabitant of the Province who was engaged in money concerns.

It will be seen by the Governor's speech at the close of the Session, to how very embarrassing and mortifying a situation he was reduced. In the course of their proceedings, both houses had passed resolves severely animadverting on his conduct, and he now availed himself of the opportunity to reprimand both houses, in the words following:

"Gentlemen of the Legislative Council,

"Gentlemen of the House of Assembly,

"The different subjects submitted to your consideration having been disposed of, I am happy to be enabled to close the Session, and to permit your return to your families and homes.

"It would have afforded me sincere gratification to have witnessed that liberal confidence in me, which the energies of the times, the situation of the province, and the assurances contained in your addresses, gave me a right to expect from you, and I have seen with regret that my disappointment in this expectation has been attended with serious inconvenience to the public service.

"Gentlemen of the House of Assembly,

"I cannot but lament, that the course of proceeding adopted by you, has occasioned the loss of a productive revenue bill, and of the liberal appropriations you had made for the defence of the Province, and for ameliorating the situation of the Militia; and I regret that in sacrificing these desirable objects, you should have been swayed by any considerations which seemed to you of higher importance, than the immediate security of the country, or the comfort of those engaged in its protection."

A few days after the prorogation, the Assembly having completed the term of four years, was dissolved by proclamation, and writs were immediately issued for a new election.

Thus ended an Assembly which was called together for the first time, by Sir James Henry Craig, which, in its first session, and under what were then represented as very irritating circumstances, was (after manifesting some symptoms of dissatisfaction,) induced to receive from the Legislative Council, and unanimously passed a bill for the suspension of the Habeas Corpus Act, and which from that period to the end of the *then* session, cordially concurred in every measure that would tend to promote the peace, happiness, and prosperity of the Province!

(To be continued.)

POETRY.

Original and Selected.

NOTE.—Were the paintings of Mr. West examined with an eye of scrutiny, I believe it would be found that "Death on the Pale Horse," is not his best; as far as the labour and finish of the individual figures are comprised, when compared with some of his other paintings. But the grandeur of conception in this personification of Death, and the great originality shewn throughout the whole as a design, makes it, in every opinion, a most valued and sublime composition. The subject of "Christ and his miracles" taken from the Scriptures, are those which every great Painter has attempted; and consequently where so many designs are extant, and so many portraits of our Saviour drawn, a good deal must strike us in each as being copied—but here there is nothing that could induce us to think so, it being the first time that this awful subject taken from the Revelations, has ever been attempted.

ODE,

Written on seeing Mr. West's painting of "Death on the Pale Horse, &c." taken from the 6th Chapter of the Revelations:

Hail, mighty star of science—speaking art,
 Nature's fair mirror—Painting—hail to thee;
 Where on the canvass' glowing tints, we see
 Pourtray'd, the passions springing from the heart,
 As if from it, the very life would start,
 Making past scenes almost reality;
 Where genius hath been giv'n the guiding hand,
 The forms of things, the features so, to trace,
 That Nature's very self, all light, all grace,
 Could not in all her beauty, more expand
 The soul in gazing; thou to human-kind
 Has pav'd one path to immortality,
 Witness; the master-work of Raphael's mind
 Him, on whose ashes centuries have heap'd
 Their mass of years—yet, yet, thro' all has reap'd
 Accumulating praise, and loftier name
 The magnet in his art to lasting fame.
 Yet not to him alone, the only praise;
 Others have been, and some there are, who will
 In future ages, admiration raise,
 The light of true-born Genius ne'er decays;
 And thou, Oh West, art one, on whom, far years
 Shall pour their tribute, and admire thy skill,
 For Time it is, that hallows and that rears
 A shrine to Fame;—this ever shall be thine
 Wher'er the hand-works of thy talent shine.

II.

Behold, the tyrant Death, on that pale Horse,
 Hell, and its fiends fast following in his course;
 Vengeance upon his brow, scorn in his air,
 And all that baleful murkiness of wrath
 Which frenzied, from his hideous eye balls glare,
 Darting destruction as his courser flies,
 Earth and its sinful race, a sacrifice
 To his remorseless rage, and fiery scath.
 Around his limbs, that sable mantle thrown,
 (A deadly symbol of his deadlier malice,)
 Hiding his livid flesh, whose ghastly hues
 Speak of the grave—and sinew, nerve, and bone
 Outstretch'd in furious agony; as tho'
 Vengeance could not break forth the torturing hate
 Which boils, convulsed in enmity's brim'd chalice;
 Whilst from his hands, the thunderbolt of Fate
 To thousands, gleams thro' thousand avenues,
 Dealing his wrath around; his courser too,
 Savage, untam'd—with nostril panting wide,
 Seems, (as with flowing mane and tail,) to fly,
 And bear this herald of Eternity
 Swifter than Ocean's most impetuous tide,
 Or Æolus, when in the whirlwind gushing,
 Or mountain torrent down its cataract;
 So seems Death's course; and loosen'd on his track,
 Mark, the wild beasts of prey, that fiercely rushing
 From forests, ravenous, their hunger glut,
 As if within some hold they had been shut,
 To whet their howling appetites, 'till now
 Let loose—their hungry jaws give vent to all
 The hideous lust of prey, that can appal,
 Gorging their late-lank stomachs.—Famine there
 Hath vented too, its torments;—see the limb
 Which quivers in its last convulsive gasp;
 Features sunk in, quite haggard; eyes which swim
 In all the last wild lingering of despair;
 Forms, who raise shrivell'd hands, as if to clasp
 Something of hope which phrenzies o'er their brow,
 And some releas'd from their last mortal pain;
 And others, whom grim slaughter's sword hath slain,
 The last spark which their bodies can inherit
 Of this life's weak and transitory spirit
 Passing to other worlds; there, as we trust,
 To live in peace, or suffer what is just.

III.

But mark yon group; the man wildly entreating,
 With look of agony, and mingled dread,
 And arm uprais'd to that pale courser's tread
 On which sits ghastly Death, (who hurrying by,
 Down tramples all;) beside him, one whom Fear
 Hath robb'd already of her breath so fleeting;
 One, (by his eye's expressive agony,)
 Who must have been his bride, and more than dear,
 The last pale tint of rose is on her cheek,
 The last faint ray of blue is in her eye;

The Iris of the storm whose beauty glows,
 And e'vn round death a sainted lustre throws,
 As tho' she only slept; and on her bosom
 In lifelessness there lies, a new-born child,
 The faded relics of one morning's blossom,
 Nipt like its parent branch, whose looks bespeak
 Such sweetness, as if nature thus beguil'd,
 And made it almost mockery, yet to weep,
 Veiling death, as 'twere renovating sleep,
 Alas, can memory draw no painful thought
 From such a breathing portrait? Deeply fraught
 With all, that Fate, (who pauses not to spare
 Or prince or peasant,) hurl'd on Britain's clime,
 Where happiness and royalty, (too rare
 Join'd in one rosy fetter,) seem'd to be
 The very emblem of fond Love, and Faith,
 Link'd in one band of sweetest harmony,
 But in one hour, how chang'd! How soon can Death
 Rob Nature of its treasures most sublime!
 And who, that must not bow the head to Time?
 Which, as the day on yesterday fast travels,
 From out the thread of mystery unravels
 Life's joy or sorrow, fortune or its frown,
 Beyond man's setting up or casting down.

IV.

Again mark Death, who gleams, personified
 From that bold canvass, who mankind assails,
 And in that ghastly portrait, tells of tales
 More harrowing than the never-ending tide
 Of words, which sage or sophist ever writ,
 Or all the keen dexterity of wit,
 Teeming with pithy diction: this behold,
 Nor deeply scan, without the solemn cast
 Which makes all sense of feeling, then wax cold,
 Whilst o'er the soul, stern-Truth's reflection pass'd,
 Warns, that his grasp must reach us all at last.
 All this is solemn, striking to the soul,
 Creating thoughts which rivet to the goal
 Of Reason, truths which cannot pass away;
 The being's end, and the endless beginning
 Of deep Eternity's o'erhanging day:
 This is in Death, that messenger of Fate
 Who, all our passions doth annihilate;
 Grandeur in smiles, or viciousness in sinning;
 Joy in its bud, or Beauty in its bloom,
 Hope in its warmth, or Fortune in its winning,
 Each, are partakers of one common doom!
 Life's sternest lesson is to contemplate
 That all Pride's pageantries close with the tomb,
 And mark its answer; for the what, or whom
 All have the same stern answer for estate,
 The proud, impoverish'd, freeman or the slave,
 All, all lie equaliz'd within the Grave.

PART OF OSIAN'S ADDRESS TO THE SUN PARAPHRASED.

[For the Canadian Magazine.]

O thou bright orb that roll'st above, from whence that light of thine,
 From whence those everlasting rays, that on the world do shine,
 When thou com'st forth in all thy beauty, majesty and might,
 The stars shrink back from thy approach, the moon flies from thy sight;
 But thou alone dost onward move, through endless realms of space,
 Who can attend thee in thy course, or follow in thy race.
 The tow'ring oaks tho' firm and strong, they wither and decay,
 The mountains, rocks, and hills, thro' time do waste away;
 The mighty ocean shrinks, its waters ebb and flow—
 The moon herself is lost in heaven, her splendour is laid low—
 When tempests dark pass raging o'er the world,
 And from above, the thunderbolt is hurl'd;
 And lightnings dire, coming!d with the storm do fly,
 Thou in thy beauty look'st—and laugh'st, from thy bright throne on high.
 But unto Osian now thy beams are dim, his eyes see not thy light,
 Whether thy golden rays appear on eastern clouds, or sinking into night,
 But thou perhaps like me, will fade and die,
 Thy years will end, thy course cease in the sky. W.

THE MAIDEN AND LILLY.

Bonny an' bright was her soft blue e'e,
 As it glanc'd in the shade o' the tristin' tree,
 An' moist was her cheek wi' affection's tear,
 An' flush'd wi' delight as her love war near.
 A lilly grew by—on its breast o' snaw
 Did the elphin dews lit i' the moonbeams sa'
 Will it bide the rude shock o' the threat'nin' waste?
 Will the dews blink clear when the storm cloud's past?
 They'll be shook to the earth an' the lilly will die
 Nor will passion fond maiden hac pity on thee.
 He went an' the tempest rush'd feafully on,
 Night smil'd, but the maiden an' lilly were gone.

W. J. A.

IMITATED FROM HORACE.—LIB. 1, ODE 5.

1.

Ah! tell me, dear Pyrrah, what beautiful boy,
 This evening shall rife these charms;
 Some jessamine arbour, the scene of your joy,
 And Paradise all in your arms!

2.

For whom are you combing your long jetty hair,
 So gracefully artless your dress;
 So tender a look! so bewitching an air,
 Admiration swells into distress.

3.

Your simple young fav'rite will fondly suppose,
 That he is the lad of your heart;
 But, when the seas frown, and the hurricane blows,
 With how much amaze shall he start.

How happy the lovers who calmly defy,

The fair one they cannot esteem ;

But yet in the midst of your scorns let me die,

Ere I live to be frigid like them.

SPANISH ROMANCES.

The passion of love, in Spain, was always associated with dangers and mysteries—and the spirit of chivalry deemed that a lover could hardly be acceptable until he had made his title good by deeds of heroism—by long and weary watchings—or by acts of extravagant devotion. The prize seemed worthless that was won without toil and difficulty. In the southern provinces, even to the time of Charles III. a youth was not admitted to the common privileges of his standing, until he had watched over his arms, and had been solemnly invested with the right to bear them. He was compelled to pass the night in the vigil of prayer—in a solitary chapel—his unconsecrated weapons hanging near. When the day dawned, they received the sacerdotal blessing ; and, from that moment, he was allowed to take his nightly rounds (rondar), and to watch over and protect the dwelling of his beloved.

SHEPHERDESS OF EARLY SPRING-TIDE.

Shepherdess of early spring-tide,
With thy look of innocence ;
God be with thee, gentle maiden !
For I wend me far from hence.

With my flocks I quit for ever
These sweet vales, fair maid ! Alas
Thou wilt see me slumbering never
Mid'st the flowers, and on the grass.
Time from all these joys shall sever
Which made time so gayly pass.
Music's charm and song's endeavour
Cease—sighs break where gladness was.

On the snow-o'ermantled mountain
Shall my bed of silence be ;
By the beech-tree, near the fountain,
I will dwell and think of thee.
'Neath the cypress, dark and shady,
Long my mournful vigils keep,
Never through the night-tides, Lady !
Shall these eye-lids cease to weep.

When the crippling frost is stalking,
O'er the palsied earth—I'll go
With the moon unsocial walking ;
Sending thoughts to thee, and woe.
Waking dreams of vanish'd sweetness,
Watching in thy solitude ;
Nought but heaven to be my witness,
And the birdlets of the wood.

Cancionero de Juan de Linares.

Of the species of *Romances* with which the fair were serenaded, a thousand specimens exist, and they are as varied as they are original. Among a people overflowing with poetic genius, and harassed by an oppressive and tormenting government, which allowed only of a bounded flight to the Muse, it may well be fancied how the imagination would revel among the subjects which were not interdicted, such as chivalry and love. These are treated with an infinite variety of form and language, and though often degenerating into excess, their general character is lively and poetical, and they are seldom tainted with any thing like grossness or indelicacy.

WHO'LL BUY A HEART? WHO'LL BUY? WHO'LL BUY?

Poor heart of mine! tormenting heart!

Long hast thou teased me—thou and I

May just as well agree to part.

Who'll buy a heart? who'll buy? who'll buy?

They offer'd three testoons—but, no!

A faithful heart is cheap at more:

'Tis not of those that wandering go,

Like mendicants from door to door.

Here's prompt possession—I might tell

A thousand merits; come and try.

I have a heart—a heart to sell:

Who'll buy a heart? who'll buy? who'll buy?

How oft beneath its folds lay hid

The gnawing viper's tooth of woe—

Will no one buy? will no one bid?

'Tis going now. . . Yes! it must go!

So little offer'd—it were well

To keep it yet—but, no! not I,

I have a heart—a heart to sell:

Who'll buy a heart? who'll buy? who'll buy?

I would 'twere gone! for I confess

I'm tired—and longing to be freed;

Come, bid, fair maiden! more or less—

So good—and very cheap indeed.

Once more—but once—I cannot dwell

So long—'tis going—going—*fié!*

No offer—I've a heart to sell:

Who'll buy a heart? who'll buy? who'll buy?

Once—twice—and thrice—the money down,

The heart is now transferr'd to you;

Fair lady! make it all your own,

And may it ever bless you too!

Its broken and its wounded part

Your touch can heal. . . Go, lady! try,

And I will give you all a heart,

You would not buy—you would not buy.

THE DRAMA.

CORTEZ; OR, THE CONQUEST OF MEXICO.

PLOT-WRITING is not particularly our forte; and we would rather at any time write a gross of Anniversary Odes *after* Mr. Fitzgerald, than sit down to the dry task of detailing the incidents upon which a modern drama is constructed. A little patriotism—a hair-breadth escape—a heap of love—a battle and a burnt castle—and you have “a grand romantic play.” The heroes must slap their hearts every five minutes—and the heroines lay their hands upon their left sides, and sing!—Cortez is made up of all these ingredients, with a nice spice, or two, of Indian feathers—copper skulls—fighting over bridges—and long tailed horses. All readers, we conjecture—all our readers, we are certain have read of Cortez—the renowned Cortez—stout Cortez, who with eagle eyes “stared at the Pacific.” Romance lies as richly over his history as poet or dramatist could yearn for—and no imagination could add to its lustre. What fabulist could out-dream the Conquest of Mexico! It has been well remarked, that the horses could never have been more aptly introduced than in the present piece, for it will be remembered, that the hero had a small force with him, and the manager’s Cortez is correct in the number of his cavalry to a single nag. The following sketch of the plot is from a contemporary print; and as it briefly and clearly relates the story, we are glad to find a substitute instead of awkwardly serving ourselves.

“The piece opens with the meeting of the Spanish soldiery, and the conspiracy of two of their chiefs to reject the authority of Cortez, and return to Cuba. Cortez successfully appeals to his companions in arms, who desert their seducers, and the latter are put under arrest. Hearing that the inhabitants are about to attack him, the Spanish leader burns his fleet, and leaves his army no choice but conquest or death; and in the meantime, ambassadors arrive from the Emperor Montezuma, who offer him golden presents and assistance to depart; the former of which he accepts, but of course he refuses to leave the country until he has seen the Emperor. This embassy is accompanied by Teluzo, a Mexican hero, who loudly declaims against the foreign sorcerers, and, receiving the present of a sword from Cortez, threatens to employ it to his destruction. The next act opens with Cortez on his way towards Mexico; he is attacked by the independent Tlascalans and Mexicans, and here a dashing battle takes place, of which more anon. Their submission rapidly follows the victory of the Spaniards, and Teluzo, in concert with the priesthood of Cholula, lays a plan for the destruction of the Spaniards, while passing through that town towards Mexico—Montezuma, in consequence of the late victory, having overcome his objection to a friendly reception in his capitol. Cortez is apprized of this danger by a Tlascalan, whose life he had saved, and defeats it just in

time to save his Indian love, *Marina*, who had been led away by her brother *Teluzo*, unknown to him, from being sacrificed by the priests to their ugly Pagod. This transaction, and the destruction of the temple, concludes the second act. *Cortes* subsequently escapes another snare by means of the intelligence obtained by *Marina*; and the piece terminates with the triumphal entry of the Spaniards into Mexico. So much for the main story, which is quite enough for our purpose, without dwelling upon the interest arising from the relationship of *Teluzo* and *Marina*, and an underplot borrowed from the Indian Emperor of Dryden, in which two brothers love the same female, and are led into the usual game at cross purposes, both in love and war, on that account.

These incidents are all sufficient for the purpose of the equestrian, the pedestrian, the patriot, the musician, and the lover; and accordingly, Mr. Bennet is great on his legs, (to use a parliamentary phrase) and Mr. Ducrow is great off his legs—Mr. Griève is triumphant in his pencil, and Mr. Cooper is mighty in his declamation; Miss Paton shivers the air with her bravura, and Mr. Bishop revels in the pleasures of tasteful compilation. There is much, indeed, for the eye, and much for the ear; when a horse has whisked his tail half over the pit, and powdered half the orchestra with sawdust. There is Paton scattering her wild notes about the very next moment; and the next to that, there is "Love in thine eyes," pleasing thee with her fair features and sensible voice. The opera, (we believe it is called *opera*) was very well acted, allowing for the alarm which the bipeds evidently labour under, in guarding against a contact with the quadrupeds. Mr. Cooper, Mr. Cooke, and Mr. Bennett played with good spirit, but poor Cooke had to stand out a long and ferocious song of Miss Paton's, which we, who had seats, thought would never have ended. She rang a complete change of triple,—*what d'ye call ems!* Not a note was wrong or left out. All we feared was that she would tire Cooke, who waited to bear her from danger to danger, and that she would get her head into a horse's *chancery*. Really, if this style be the triumph of singing, we wish to enjoy few such victories. It must be fatiguing to the singer; and it really shakes the hearer into little sixpences. Our notion is, that where sentiment is not,—music is not music. Miss Tree, who has certainly not the execution of Miss Paton (melody forbid that she should have), is worth all the Patons on the earth, with a dozen or two of other popular singers thrown in, for pure heart-singing. Her speaking is singing—"her very foot has music in't" as she moves,—so truly does harmony show itself in the person it loves. Miss Paton is fearful in a storm of song—but give us Miss Tree for the soft showers of melody and its sunshine. The papers have been cavilling about the latter lady's sudden absence,—some alleging that she will not play second to Miss Paton,—and others more properly leaning to the statement made by her friends and physician, that she is too ill to perform; she has no cause, that we know of, to dread a comparison with Miss Paton, and she always looks to us too delicate to be quite out of the reach of illness.

Mr. Fawcett enacted a cowardly farrier, who, of course, follows the heels of the horses, with a knuck which makes nonsense very agree-

able. He is so old and good a stager, that no author may fear trusting very bad jokes in his hands. He sang a song about a widow of Estremadura, which, though dull, as dull could be, tickled the audience into an encore. But we hear the horses trampling—and must give them a charge before we drop our monthly curtain.

The horses, reader! are at both houses,—tittupping, snorting, sidling, tail-whisking, galloping, dying, with a zeal very inglorious and unbecoming in this weak, piping period. Mr. Elliston's horses are numerous, and of many colours. They are too, if we may say it without offence, apparently a *leettle* nearer the corn-bin than Mr. Ducrow's. Not, Mr. Ducrow, that we mean to say, Mr. Elliston's cattle are fit for Sadler's prize show,—or beastly fat,—or very fat,—or *too* fat. Neither do we say, that thine are, "lean as is a rake," but, if we were called upon to decide, we should say Mr. Elliston's had the flesh, and thine, good Mr. Ducrow, the bone. Mr. Elliston's stud, too, has a good variety of colour, and the tails are well suspended, and admirably fastened—whereas Ducrow, in thy lot, the *brown* rather predominates, and one tail told a tale one night (by nearly getting thrown from its horse) which, we trust, is not a common occurrence. On the other hand, however, if Mr. Elliston's nags are better in the foregoing points, they are worse in others. They cover less ground in their gallop, that is, they take up their little frenzied legs, and (like the hackney coachman and the countryman) set them down where they took them up. They are less profuse of the sawdust amongst the fiddlers. They *do* too much;—whereas thy chargers, Ducrow, get two yards in ten minutes, and really seem to *go*—thine, turn about—caper—plunge—and actually leap a poplar with the courage of hunters. Mr. Elliston's crack-horse astounds the gallery with carrying a lady up the Cataract of the Ganges; and, truly, this sounds no bad feat,—but thy cock-horse, Ducrow, wheels about—ascends a precipice, and flings a wild Indian over a bridge into the gulf below! This last beats Mr. Elliston's horse all to tatters. In short, for we must cut our parallel short, the spectator, who is thoroughly fond of four-legged actors, must go to both houses, and study both the studs. We suppose there will be no end to these cattle shows till a horse gets really wild, and makes a stepping-block of Mr. Ware's head some night, previous to a comfortable skull-gallop over the pit. We would give seven shillings to be in the second tier on that night,—particularly if we could induce a few *select friends*, to pay their *three-and-sixpences* on the occasion.

But, seriously, where is all this abuse of the public taste to end? Is it not a wretched thing to see Fawcett shambling about among the saw-dust, as though he had been brought up in the shambles, and to hear beautiful music beat to death by trampling hoofs? Oh! where Shakespeare has so greatly triumphed, and where genius still might triumph, why should the frivolities of Astley's and the pranks of Bartholomew Fair, be played off, and in double tinsel? Lastly, if horses *must* draw (and they generally do) why should they not be kept to the afterpiece, so that the stage should, for a short time, be free and safe for common sense, and two-legged performers; as until this year it has invariably been? Will any managers answer these questions.

Monthly Register

FOREIGN SUMMARY

EUROPE

GREAT BRITAIN AND IRELAND.—On the 3d of February the Imperial Parliament was opened by Commission.

The Commissioners appointed by His Majesty were, the Lord Chancellor, the Archbishop of Canterbury, and the Earls of Westmoreland, Harrowby and Shaftsbury.—The Committee being in attendance, the Lord Chancellor read the following Speech:

My Lords and Gentlemen,

We are commanded by His Majesty to express to you His Majesty's deep regret, that in consequence of indisposition, he is prevented from meeting you in Parliament (upon the present occasion).

It would have been a peculiar satisfaction to His Majesty, to be enabled in person, to congratulate you on the prosperous condition of the country.

Trade and Commerce are extending themselves both at home and abroad.

An interesting activity pervades almost every branch of manufactures.

The growth of the Revenue is such as not only to sustain public credit, and to prove the unimpaired productiveness of our resources, but (what is yet more gratifying to His Majesty's feelings,) to evince a diffusion of comfort among the great body of his people.

Agriculture is recovering from the depression under which it laboured, and by the steady operation of natural causes, is gradually re-assuming the station to which its importance entitles it, among the great interests of the nation.

And no former period has there prevailed throughout all classes of the community in this Island a more cheerful spirit of order, or a more just sense of the advantages which, under the blessing of Providence, they enjoy.

In Ireland, which has for some time past been the subject of His Majesty's particular solicitude, there are many indications of amendment; and His Majesty relies upon your continued endeavours to secure the welfare and happiness of that part of the United Kingdom.

His Majesty has commanded us further to inform you, that he has every reason to believe that the progress of our internal prosperity and improvement will not be disturbed by any interruption of tranquillity abroad.

His Majesty continues to receive from the powers, his Allies, and generally from Princes and States, assurances of their earnest desire to maintain and cultivate the relations of friendship with His Majesty; and nothing is omitted on His Majesty's part, as well as to preserve general peace, as to remove any cause of disagreement; and to draw closer the bonds of amity between other nations and Great Britain.

The negotiations which have been so long carried on through His Majesty's Ambassador at Constantinople, for the arrangement of differences between Russia and the Ottoman Porte, are, as His Majesty flatters himself, drawing near a favourable termination.

A Convention has been concluded between His Majesty and the Emperor of Austria, for the settlement of the pecuniary claims of this country upon the Court of Vienna. His Majesty has directed that a copy of this Convention shall be laid before you, and he relies on your assistance for the execution of some of its provisions.

Anxiously as His Majesty deprecated the commencement of the war in Spain, he is every day more satisfied that in the strict neutrality which he determined to observe in that contest (and which you cordially approved) he best consulted the true interests of his people.

With respect to the provinces of America which have declared their separation from Spain, His Majesty's conduct has been open and consistent, and his opinions have been at all times frankly avowed to Spain and other powers.

His Majesty has appointed Consuls to reside at the principal ports and places of those provinces, for the protection of the trade of his subjects. As to any further measures His Majesty has reserved to himself an unfettered discretion to be exercised as the circumstances of those countries and the interests of his own people may appear to His Majesty to require.

Gentlemen of the House of Commons.

His Majesty has directed us to inform you, that the estimates for the year are prepared, and shall be forthwith laid before you.

The numerous points at which under present circumstances, His Majesty's naval force is necessarily distributed, and the occasion which has arisen for strengthening his garrisons in the West Indies, have rendered unavoidable some augmentation of his establishments by sea and land.

His Majesty has, however, the gratification of believing, that notwithstanding the increase of expense incident to these augmentations, it will still be in your power, after providing for the services of the year, to make arrangements in some parts of our system of taxation, which may afford relief to certain important branches of National Industry.

My Lords and Gentlemen.

His Majesty has commanded us to acquaint you, that he has not been inattentive to the desire expressed by the House of Commons in the last session of Parliament, that means should be devised for ameliorating the condition of the Negro Slaves in the West Indies. His Majesty has directed the necessary information relating to this subject to be laid before you. His Majesty is confident you will afford your best attention and assistance to any proposition which may be submitted to you, for promoting the moral improvement of the Negroes by an extended plan of religious instruction, and by such other measures as may gradually conduce to the same end. Yet His Majesty recommends to you to treat this whole subject with the calmness and discretion which it demands.

It is a subject perplexed with difficulties which no sudden effort, can disentangle.

To excite exaggerated expectation in those who are the objects of your benevolence, would be as fatal to their welfare as to that of their employers. And His Majesty assures himself you will bear in mind that in the correction of a long standing and complicated system, in which the fortune and the safety of large classes of His Majesty's subjects are involved, that course of proceedings alone is likely to attain practical good and to avoid aggravation of evil, in which due regard shall be paid to considerations of justice, and in which caution shall temper zeal.

The address in reply was moved in the House of Lords, by Lord Somers seconded by Lord Norton, and after some debates carried on chiefly by the Marquis of Lansdown and the Earl of Liverpool, the address was carried. In the House of Commons, the address was moved by Mr R. Hill, seconded by Mr. J. Daly. The debates upon it were between Messrs. Brougham, Canning and Peel. The addresses agreed upon were presented by Lord Liverpool from the House of Lords, and the Right Hon. T. Robinson, Chancellor of the Exchequer, from the Commons, to which his Majesty gave the following answer:—

I thank you for this dutiful and affectionate address.

Nothing can be so gratifying to me as the expression of your cordial participation in my sentiments; and there is nothing so near to my heart as to maintain the greatness of the British name, and to promote the welfare and prosperity of my people.

In the House of Commons, the following Resolutions relative to the reciprocity act were passed.

Resolved,—That it was the opinion of the Committee, that his Majesty be authorized, with the consent of his Privy Council, to lay certain countervailing duties on the ships of foreign nations entering the ports of his Majesty's dominions. That his Majesty, &c. may authorize the entry of foreign vessels into the ports of his Majesty's dominions, on the payment of a certain duty, corresponding with the duty payable by British ships on entering the ports of such countries to which such ships belonged.

That his Majesty &c. be authorized to lay upon all American ships entering the ports of his Majesty's dominions, such duties as were levied on British vessels entering the ports of the United States of America."

The other subjects which have been discussed before the Imperial Parliament, are chiefly those recommended in the Speech at the opening, previous to entering on any decisive measure.

The Army and Navy estimates for the year, have been voted. In the latter there is an increase of 4000 men above those of last year—being now 29,000 men. It is the intention of Government to add to the former strength of the army, six new regiments, and a certain number of men to each battalion, which will augment its force 4560 beyond the number of last year. The expence of the whole will be for the army £2,456,373 7 6; and for the navy £1,215,648.

The late change in the Distillery laws has been attended with very great benefit to Ireland. The reduction in duty on home made Spirits has improved their quality, and nearly crushed the practice of smuggling. The same cause has operated in a similar manner in Scotland.

A considerable degree of excitement has been produced in England from the trial of two persons, Thurtell and Hunt, for the murder of a Mr. Weare. The former was found guilty and executed on the 9th February.

A Forgery to the amount of 26,000 Consols had been committed on the Bank of England.

By a Circular from the Colonial Office, the following premiums have been offered for improvements in the Colonies.

Abstract of Premiums offered for the advantage of the Commerce of the United Empire, and the British Colonies.

Cultivation of Hemp in Upper and Lower-Canada, Nova-Scotia and New-Brunswick.

270. To the person who shall sow with Hemp the greatest quantity of Land in the above mentioned provinces, not less than six arpents (each four-fifths of a statute acre,) in the year 1823, and shall at the proper season cause to be plucked the summer hemp or male hemp bearing no seed, and continue the winter hemp (or female hemp bearing seed) on the ground until the seed is ripe; *the Gold Medal, or Two Hundred Dollars.*

271. To the person who shall sow with Hemp the next greatest quantity of land in the same provinces, not less than five arpents, in the year 1823, in the manner above-mentioned; *the Silver Medal, or One Hundred Dollars.*

Certificates of the number of arpents, the method of culture, or the plucking of the Hemp, with a general account whether sown in broad-cast or in drills, and of the expences, soil, cultivation and produce, to be transmitted to the Society, certified under the hand and seal of the Governor or Lieutenant Governor, together with 38 lbs. of the Hemp, and two quarts of the seed, on or before the last Tuesday in April, 1824.

Importation of Hemp from Canada, Nova-Scotia, and New-Brunswick.

272. To the person who shall import to this country the greatest quantity of Marketable Hemp, not less than 100 tons, in the year 1823, the produce of Canada, or of one of the above-mentioned provinces; *the Gold Medal.*

273. To the person who shall import the next greatest quantity, not less than fifty tons; *the Silver Medal.*

Certificates satisfactory to the Society, to be produced by the master of the vessel on or before the last Tuesday in April, 1824, to testify that such Hemp was grown and prepared in Canada, Nova-Scotia and New-Brunswick.

274. To the persons who, in the years 1823 or 1824, shall raise at the Cape of Good Hope, in New South Wales, or in any of the British colonies, and import a substitute for Hemp, not less than two tons, equally cheap, durable and applicable to all the purposes for which Hemp is now used; *the Gold Medal or 50 Guineas.*

A quantity of the substitute, not less than 20 lbs. together with the proper certificates from the Governor, Commander in Chief, or Secretary of the colony in which the same has been raised, to be produced to the Society on or before the last Tuesday in February, 1824.

The Society particularly direct the attention of the public to the *Phormium tenax* or New Zealand Flax.

N. B. The premiums from No. 269 to 274, are all extended one year farther, on similar conditions.

Extirpating the Stumps and Roots of Trees.

307. To the person who shall invent and discover to the Society, the best method, verified by actual experience of raising out of the earth and removing the stumps and roots of trees which have been left after felling the timber, so as to clear the land for the purposes of cultivation; the Gold Medal, or Fifty Guineas.

In consequence of an insult offered to the British flag, by some Algerines, the Hon. Captain Spencer was despatched with two vessels to demand the proper reparation. Having failed in effecting a settlement of the differences, he captured a corvette on his return, and the following notice has been issued from the Admiralty.

Admiralty Office, February 21.—This is to give notice, that the Lords Commissioners of the Admiralty will immediately appoint convoys, to afford protection to the trade through the Straits of Gibraltar, and within the Mediterranean, until the differences with the regency of Algiers shall be arranged.

FRANCE.—The French funds are rather improving—their continued depression is attributable to the war with Spain. The following paragraph from the Etoile in allusion to the President's Message, indicates the sentiments of France respecting the South American States: "France disclaims all intentions against the rights of South America, and if the United States fit out her fleets and prepare for war, she will find no enemy to contend with." The Chambers of Deputies are to be opened early in April, and the election of members has produced a good deal of excitement.—The King has granted a pension of 1500 francs to M. H. Charles de la Fontaine, the only living descendant of the Poet.—Marchaud, valet de chambre to Bonaparte, is married to the daughter of General Bruyer.

The French army on the 10th of February in the occupation of Spain, consisted of four divisions.

The Journal des Débats, of the 17th February, announces with exultation, that the five per cents for money, exceeded par on that day. This is said to be an event which will form an epoch in the history of their finances. Under the ancient regime, the 5 per cents, never exceeded 84; and under Bonaparte they never rose higher than 94.

The King of France had been very sick, his disease was said to be extremely dangerous.

SPAIN.—The government had suppressed a public journal, (the Restaurador) which was under the controul of the Clergy.

An act had been signed by the King acknowledging that he owed France the sum of thirty-four millions of francs and assigning in payment the Salt Mines of Arragon and the Custom of Miranda. The following decree has been issued respecting the South American Provinces.

"By my preceding Decrees, I abolished in my ultra-marine States the soi-disant Constitutional regime, and re-established my Government there upon the footing that it existed previous to March 7, 1820, as it took place in the Peninsula. The provisions concerned only the internal regime. As to the commercial relations I signified to the authorities by my Ordonnance of January 4th, that they were to maintain those relations as they existed, with the consent of the local chief. Having since that period heard my Council of the Indies and my Council of Ministers, I have resolved to ordain as follows:—

1. The direct commerce shall be maintained in my American States with foreigners, subjects of Powers in alliance and amity with Spain; and the trading vessels of the said Powers will be allowed to traffic in those ports as they are in the ports of my European States.

2. A decree shall be issued, or a law enacted to regulate this commerce, and determine the ports in which it shall be carried on, as well in the North Sea and the

Islands, as in the Pacific Ocean. Custom Houses shall be established where Import and export duties shall be received upon the footing of equality between the subjects of the said powers.

3. It shall likewise be determined by the regulations upon this subject, what advantages, preferences, and exemptions ought to be granted to Spanish commerce, navigations, agriculture, and manufactures.

4. Until the two foregoing articles can receive their perfect execution, no innovation shall be made in the actual state of the commerce of America, and it shall be assimilated as much as possible, in other respects, to what is the practice with regard to the Island of Cuba.

His Majesty has given positive orders to the Archbishops and Bishops who have come to the Capital to return to their dioceses. The tranquillity of the times was evinced by the disbanding the Constitutional army, but there was some difficulty in organizing the royal forces, and it is thought a conscription will require to be resorted to.

RUSSIA.—The winter in Kamschacka had been uncommonly mild, but attended with very heavy falls of snow.

The Emperor has in a decree made known his choice of the Princess Charlotte of Wirtemberg, as the consort of his brother the Grand Duke Michael. By an Ukase the Jews residing in Russia, who have embraced the Catholic religion according to the tenets of the Greek Church, are allowed to take orders in that Church.—A numerous promotion in the army took place, and great rejoicings on the 23d of December, when the Emperor entered his 48th year. It is decreed that in future the silver rouble shall be received at the Imperial Custom Houses for three roubles sixty kapecks in paper.

The mediations between Russia and the Porte are still going on. Lord Strangford has received instructions and full powers to carry them on.

PRUSSIA.—The King of Prussia has resolved to alter the Prussian Flag, henceforward it is to be white, adorned with two narrow black stripes at the horizontal extremity, and with the Royal Prussian Eagle in the centre. On the 24th December, the Theatre Gratz at Vienna was destroyed by fire. In the year 1640 the population of Berlin was only 7000; it is now upwards of 100,000 souls.

GREECE.—The affairs of the Greeks are still going on with prosperity. Corinth had fallen and the siege of Missalonghi had been raised. A loan has been effected for the Greeks in London, amounting to one million at 58 per cent. Public meetings have also been held in different parts of England to procure subscriptions in aid of them. Lord Byron continues to animate the cause, and had been elected a member of their Council by the Primates of Missalonghi.

Possession of the village of Voulnia was obtained by a *coup de main*, and seven Turkish boats seized. Two Turkish vessels were taken in the Gulph of Patras, with 300,000 piastres on board. Erestos was also taken. An attack on the island of Mytelene had been attended with complete success. The naval force which had been sent to Tunjs to demand a restoration of some Greek prisoners had been successful.

AMERICA.

UNITED STATES.—The prominent point of information from this quarter, relates to some differences in the interpretation of the act for levying duties on articles carried into the States from this Province. The Collector at Cape St. Vincent on applying for instructions on this subject, was informed by the Comptroller of the Customs as follows:—

Copy of the Comptroller's Letter.

"You request to be informed what course is to be pursued by you, in relation to persons arriving from Canada with carriages, harness and horses, the produce and manufacture of that country, who intend to return with the same articles; and, as a reason for the request, state that you had been informed that a duty had been charged in such cases in other Districts.

"In reply, I have to state, that according to decisions of this Department, in analogous cases, duties are to be exacted; the law making no exemption when articles are brought to the United States for a person's own use, and are afterwards taken to the country from which they were brought. Respectfully, JOS. ANDERSON."

FLORIDA.—The Charleston Courier publishes two important decrees, issued by the Captain General of Cuba, in 1818, under the Royal authority of Spain, declaring the grants of land to the Duke de Alagon and others, to be unalienable. This is important to be known, as the assignee of the aforesaid Duke is now said to be making large sales in this country under his purchase; Col. Hamilton (late of this city,) one of the Commissioners on the Florida Land Claim; and who furnished these decrees, informs, that among the papers and documents detained by General Jackson, from being sent away with Governor Coppinger, there have been found many important royal decrees, defining the powers and privileges of the Spanish Governors, and thus enabling the Commissioners to compare their grants with their authority.—It is conjectured that the seasonable vigilance and energy of Gen. Jackson, at that time, will have preserved for the United States upwards of one million of acres.

SOUTH AMERICA.—It may fairly be considered as a proof of the restoration of tranquillity in this Country, that there are now many natives in Manchester purchasing Goods for the interior of the new republic of Colombia. From Monte Video and Chill there are many flattering accounts of the harvest. The Colombian government have issued a decree ordering that the import duties shall be paid in cash, fifteen days after the arrival or entry of the vessel.

WEST INDIES.—In this part of British dominions, affairs wear an unsettled aspect. Some ships of war, two 74's with a reinforcement of troops 2000 had been sent to Martinique from France; and in England they were preparing to send out additional reinforcements to the army and navy. The cause of this alarm has arisen from appearances of insurrection among the negroes—and the discovery of some plots and conspiracies which it is said have been formed by some of the Missionaries. A new enactment to the following effect has been passed in Jamaica.

NOTICE.—British Vice-Consulate, Portland, February 28; 1824. By an enactment of the Legislature of the Island of Jamaica, all vessels arriving in the ports of the Island, not directly consigned by a certified bill of lading and invoice to a resident merchant; are subject to a charge of five per cent, transient, and 2½ per cent, parochial tax on the gross sales of the cargo.

This regulation is ordered to go into operation from the 1st day of January, 1824, and the consignee has to swear that the same is charged, and that the property was regularly consigned by bill of lading in the United States, duly certified to by the British Consul.

An indorsation after the vessel arrives at a port of the Island, is not sufficient to evade the tax.

JOSEPH P. SHERWOOD;

EAST INDIES.—(Extract from a letter received by an Officer in Montreal, from his friend in the Honorable East India Company's service, dated 1st November 1823.)

The Bengal Government has received orders from home to raise 4 additional regiments of 2 battalions each. We have at present on the Bengal establishment, 2 Regts. of King's Dragoons, 8 Regts. of Company's Interior Cavalry, 4 Troops of European Horse Artillery, 1 Rocket Troop of Europeans, 4 Rocket Troops of Native Horse, 5 Regts. of King's Europeans, 1 Regt. of Company's Europeans, 9 Batts. of European Artillery, 2 Batts. of Native Artillery, 1 Corps of Engineers, 2 Corps of Pioneers, Sappers & Miners, 34 Regts. of Native Infantry, consisting of 2 batts. each, and 1 Colonel, 2 Lieut. Colonels, 2 Majors, 10 Captains, 22 Lieutenants, and 10 Ensigns to each battalion. The 20 Companies consist of 2 native commissioned, 10 non-commissioned Officers, and 90 Privates each. The Madras establishment is nearly as extensive as that of Bengal, and the Bombay establishment one third as large as either. The whole of the Company's army may be estimated at 20,000 regular Cavalry, and 170,000 regular Infantry, of which number 5 Regts. of Cavalry, and 14 Regts. of Foot are British, but paid by the Honble. Company. Exclusive of this force there are 42 Provincial and Local Corps, consisting of 30,000 men. No army in the world is so rich, or liberally equipped as ours. The income of the Company lately been computed at 23,000,000 sterling.

Provincial Journal.

MARCH, 1824.

The articles of chief importance under this head are the Bills passed by His Excellency the Governor in Chief:—His Speech at the close of the Session together with the Laws of the Literary and Historical Society at Quebec.

LEGISLATIVE COUNCIL, — TUESDAY, MARCH 9, 1824.

This day, at 3 o'clock, His Excellency the Governor in Chief came down in State to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod, was sent to command the presence of the Assembly, which being come up, His Excellency was pleased to give the Royal Assent to the following Bills:—

An Act to extend the provisions of the 59th Geo. III. Cap. 22, in favour of the proprietors of the Montreal Library.

An Act to continue for a limited time and amend the 1st Geo. IV. for the maintenance of good order on Sundays, and for repealing parts of the same.

An Act to authorize the Governor, or person administering the Government, to restore goods and vessels seized; to the proprietors in certain cases.

An Act regulating the Common of Yamaska.

An Act further to extend the Jurisdiction of the Provincial Court of the Inferior District of Gaspé.

An Act to repeal so much of the Act of the Imperial Parliament of 24th Geo. II. as inflicts capital punishment for stealing to the amount of 40s. on a navigable river, &c.

An Act to repeal so much of an Act of the Imperial Parliament of the 12th of Queen Anne, as inflicts capital punishment for stealing to the amount of 40s. in a dwelling-house or out-house.

An Act to repeal so much of an Act of the Imperial Parliament of the 10th and 11th William III. as inflicts capital punishments for stealing to the amount of 5s. from a shop, warehouse, &c.

An Act to grant a sum of money to the Society of Education of Quebec.

An Act for the better regulation of the Fisheries in Gaspé and the Counties of Cornwallis and Northumberland.

An Act to authorize the sale of certain goods unclaimed, and remaining with the Clerks of the Peace.

An Act for the permanent establishment of two Market Places in Three Rivers.

An Act to partition the Common of Varennes, among the proprietors thereof.

An Act to extend the provisions of two Acts for the summary trial of small causes, to the Inferior District of St. Francis.

An Act to facilitate the establishment and endowment of Elementary Schools in the Parishes in this Province.

An Act to promote the progress of useful Arts in this Province.

An Act to render valid certain *Actes sous seing privé* executed in the District of Gaspé, and to provide for the want of Notaries in the said District.

An Act to authorize the erecting of a Common Jail in the Inferior District of St. Francis, and providing means for defraying the expenses of the same, and for other purposes.

An Act to authorize J. B. Denonville to erect a Toll-Bridge over the Southern branch of the Yamaska.

An Act to direct the manner in which Justices of the Peace shall keep a register of their proceedings and annually account for fines and penalties levied by them.

An Act for the speedy remedy of divers abuses, prejudicial to Agriculture, and for other purposes.

An Act to amend the 3d Geo. IV. and further to regulate persons keeping houses of public entertainment.

An Act to repeal a certain Act mentioned, to provide for the Police of William Henry and certain other Villages.

An Act to explain an Act of the 2d of his present Majesty; Cap. IV. relating to the Returning Officers' duty and the election of Members to serve in the Assembly.

An Act to extend the provision of a certain Act mentioned, relating to the inspection of Fish and Oil for exportation.

An Act to make further provision with respect to persons to be hereafter appointed Inspectors of Ashes.

An Act to repeal an Ordinance mentioned and to provide more ample regulations respecting Surveyors and the Admeasurement of Lands.

An Act to provide more effectual means to compel in the proper jurisdiction, the appearance of defendants residing in different districts, who ought to be joined in the same cause.

An Act to make further provision for curing, packing, and the inspection of Beef and Pork for exportation.

An Act further to regulate the measure and weight of Coals.

An Act to repeal the 12th section of 41st Geo. III. Cap. 17. which directs the Circuit Courts to be held in the School Houses erected under the Act.

An Act to explain and amend the Acts relating to Voluntary Sheriff's Sales.

An Act to terminate certain disputes relating to the Common of *Baile du Fevre*.

An Act to facilitate proceedings against the estates and effects of debtors in certain cases.

An Act to appropriate a sum of money for printing certain laws.

An Act to appropriate a certain sum of money for the relief of insane and foundlings.

An Act to authorize the Commissioners of Lachine Canal to effect a loan, to establish the rates of tolls.

An Act to appropriate a certain sum of money for the support of the Emigrants' Hospital at Quebec.

An Act to make more ample provision for the regulation of Trade between this Province and the United States, and to continue for a limited time two Acts mentioned.

Withheld—An Act to repeal certain Ordinances, and to amend part of an Act mentioned, to establish a Society in Montreal for preventing accidents by fire.

His Excellency then addressed both Houses in the following Speech:—

Gentlemen of the Legislative Council,

Gentlemen of the House of Assembly,

I am now to close a Session of the Parliament the result of which, I am much afraid, will prove to be of little public advantage; at the same time, your long and laborious attendance is entitled to my best thanks;—but before I prorogue this Parliament, I think it important to the Country, that I should here, as His Majesty's Representative, express my sentiments upon the general result of your proceedings, during the several Sessions in which I have met you. I declare those sentiments in an earnest desire to attract the serious attention of every Member of this Parliament, of every man who values the prosperity of Canada; and I trust I know too well the principles of the British Constitution to express myself in any manner inconsistent with that respect which one Branch of the Legislature owes to another, or with those rights and privileges which belong to each respectively.

A claim has been made to an unlimited right in one Branch of the Legislature to appropriate the whole revenue of the Province, according to its pleasure, including not only that part of it heretofore granted to His Majesty, and which is appropriated by acts of the Provincial Parliament to specific purposes, and subject to such distribution as the King may see fit, but even that portion also of the revenue which is raised by the au-

thority of the Imperial Parliament, appropriated to defray the expenses of the Administration of Justice, and of His Majesty's Civil Government in this Province, and directed by an Act passed in the British Parliament long before the establishment of the present Constitution in this Province to be so applied, under the authority of: the Lords Commissioners of His Majesty's Treasury: this claim made by one, has been formally denied by the other two branches of the Provincial Parliament; nevertheless it has been persisted in, and recourse has been had to the unusual proceeding of withholding the supplies, except upon conditions which would amount to an acknowledgement of its constitutional validity.

This subject has occupied every Session from the first to the last, and is now transmitted to those which shall follow: It has caused incalculable mischief to the Province; and now leaves it to struggle under difficulties—while every inhabitant of it must see that the encouraging aid of the Legislature is alone wanting to arouse powerful exertion, and draw forth those resources, which, without that aid, must in a great measure lie dormant and useless within its reach. But, Gentlemen, I see with infinite satisfaction, that notwithstanding these unfavorable circumstances, Canada is powerfully advancing in improvement, and that the differences which continue to disturb its Legislature, have not interrupted in the smallest degree that general contentment which the people enjoy under the paternal care and protection of His Majesty.

In former years when the supplies necessary for the support of His Majesty's Government and the honor of the Crown in this Province, were not granted, I averted the unhappy consequences which must have resulted from a strict adherence to the letter of the law, and I trust that my conduct on the occasion will be justified and approved where alone I am responsible; but as my advice has been unavailing to prevent this result at the present period, I shall interfere no further:—Adhering now to the letter of the law, I shall guide the measures of the Executive Government by that rule; and according to my best judgment, lamenting that the public must feel those consequences which have so long impended over it, and which I can no longer avert.

Gentlemen of the Legislative Council,

I feel myself called upon to acknowledge the calm, firm, and dignified character of your deliberations and conduct in the discussion of the public business, and I take it upon me in a sense of duty to thank you in his Majesty's name for the support you have uniformly given to the measures I have from time to time recommended to you for the good of the Province.

I fervently pray that the wisdom of your proceedings may make a just impression upon the loyal inhabitants of the Province, and lead them to that temperate and conciliating disposition, which is always best calculated to give energy to public spirit, to promote public harmony, and ensure public happiness: these are the great advantages which result from a wise exercise of the powers and privileges of Parliament.

QUEBEC LITERARY AND HISTORICAL SOCIETY.

At a meeting of the Society, held at the Castle of St. Lewis, on Monday, the 15th of March, the following were finally agreed to as the Laws and Bye-Laws of the Society, viz.

I. The Society shall be denominated "The Quebec Literary and Historical Society," until his Majesty's pleasure be known; and in number of members shall be without limit.

II. The Society shall consist of members resident in the Province, and of honorary members. No person resident in the Province can be an honorary member; nor are honorary members expected to subscribe or contribute to its funds.

BYE-LAWS. 1. Ordinary members residing near Quebec, are expected to attend, regularly the monthly meetings.

2. All Members are invited to present original and written papers, or printed documents connected with the general objects of the Society.

3. No paper or communication shall be read at the monthly meeting which has not been submitted to the Committee, at least ten days previous to such monthly meeting. And it shall be the duty of the Committee to class and arrange all such papers and communications.

4. Honorary members have a right to attend all meetings of the Society, to take part in the proceedings, but not to vote upon questions.

III. A Committee of fifteen Members shall be annually chosen, to regulate and conduct the affairs of the Society, to be summoned at the will and request of the President, or in his absence, of either of the Vice-Presidents.

BYE-LAWS. 1. Five Members of the Committee shall be a quorum for the transaction of business.

2. The Committee of management shall be chosen at the anniversary meeting, by plurality of votes of the members present.

IV. The Officers of the Society to be elected annually, shall be, a President—a First Vice-President—a Second Vice-President—a Treasurer—a Recording Secretary—a Corresponding Secretary—a Librarian.

BYE-LAWS. 1. The officers shall be chosen by ballot from the newly chosen Committee, on each anniversary meeting.

2. As it is not in immediate contemplation to form a Library, it is recommended that the Offices of Librarian, Treasurer, and Corresponding Secretary, be united into one.

3. It shall be the duty of the President, or in his absence, of either of the Vice-Presidents or of any member of the Committee present, who may be elected to the chair, to preside at all meetings of the Society, to regulate the debates, and to preserve order and decorum. In case an equal number of votes shall be given on the affirmative or negative of any question, the presiding Officer, or Chairman shall have a casting vote.

4. The Recording Secretary shall have the custody of the laws, bye-laws, records, and papers of the Society. He shall, under the direction of the President or Vice-Presidents, give due notice of the time and place of all meetings of the Society, and attend the same. As soon as the President, or other presiding Officer shall have taken the chair, he shall read the minutes of the preceding meeting, and shall keep fair and accurate records of all the orders and proceedings of the Society. He shall also cause to be entered, if convenient, the names and residence of all the members of the Society, in their own hand-writing respectively.

5. The Corresponding Secretary shall have the custody of all letters and communications of the Society: he shall attend all meetings, and read such letters and communications as he may have received: he shall prepare all letters to be written in the name of the Society, and to be signed by the President; but the Society may, if it should be thought proper, appoint a special committee to draw up any particular letter or communication from the Society. He shall keep true copies of all letters written in the name of the Society, and preserve the original of all letters received.

6. The Treasurer shall receive and keep all sums of money due and payable, and all donations and bequests of money or other property made to the Society. He shall pay all such sums as the Committee shall direct, to the order of the President, or presiding Officer of the Society. He shall keep a true and faithful account of all monies received and paid by him; and at the anniversary meeting he shall render a particular statement of the same to the Society, which shall appoint a special committee of three members to examine and audit his accounts.

V. The regular meetings of the Society at large shall be holden on the first Monday of every month, except June, July and August; and the anniversary shall be, the second Monday of January in each year.

BYE LAWS. 1. The Committee shall have the power of assembling extraordinary meetings of the Society, by notice inserted in the Quebec Gazette.

2. The President of the Society, or the Officer presiding at the anniversary meeting, shall make an exposé of the proceedings and progress of the Society, during the past year.

VI. Members of the Society resident in the Province shall pay on admission the

sum of five pounds, and the annual subscription shall be three pounds, payable during their residence in the Province.

BYE-LAW. 1. The annual subscription to commence on the anniversary meeting after admission.

2. The annual subscription to be paid in advance upon the anniversary.

3. Any Member by a donation of twenty pounds shall become a Member for life, and be exempted from future annual subscriptions.

4. A Seal of the Society shall be engraved, under which all acts and diplomas of the Society shall be confirmed.

5. No diploma of admission to the Society can be delivered without payment of the entrance fee of five pounds, in aid of the funds.

6. A suitable VIGNETTE shall decorate the diploma, which shall be signed by the President, and countersigned by the Treasurer of the Society.

7. Until the name of the Society shall be finally determined by his Majesty, his Excellency the Patron and Founder of the Society, has kindly offered the use of his Official Seal; and such Seal shall confirm all acts and diplomas of the Society.

VII. All donations of books, pamphlets, manuscripts, and articles of curiosity, made to the Society, shall be received with thanks, and entered on the books by the Recording Secretary, with the names of the donors, a report thereof to be made at the next meeting.

VIII. The admission of Members of the Society shall be by ballot; the nomination to be made at the previous monthly meeting, and to be seconded.

BYE-LAW. Fifteen Members to be necessary to constitute a ballot; and one third black balls of those balloting, to exclude the Candidate.

IX. The laws and bye-laws of this Society may be altered or amended at a regular meeting, previous notice having been given at a former meeting of such intention in writing, signed at least by nine ordinary Members.

Officers of the Literary and Historical Society of Quebec for the current year.

Founder and Patron—His Excellency the Right Honourable George, Earl of Dalhousie, G. C. B., &c. &c. &c.

President—His Excellency the Honourable Sir Francis Nathaniel Burton, K. C. G.

Vice-Presidents—The Hon. the Chief Justice—Vallières de St. Real, Esq.

Recording Secretary—William Green, Esq.

Treasurer and Corresponding Secretary—John Charlton Fisher, Esq. L.L.D.

INCIDENTS, DEATHS, &c.

LOWER-CANADA.

MONTREAL.

The Hibernian Society had a splendid dinner at the Mansion-House, on the 17th instant, in honour of the festival of St. Patrick.—The chair was most ably filled by Mr. O'Sullivan, Vice-Rev. W. Johnston.—The utmost conviviality prevailed.

Between L.1500 and L.2000 has been subscribed here towards the Fund of the Welland Canal.

The Fair which took place on the 25th was indifferently attended, on account of a religious fete kept with strictness by the Canadian population, having fallen on the same day.

The Criminal Court for March closed on the 10th. During this Term, 85 Bills of Indictment were delivered into Court by the Grand Jury, 64 of which were true bills; 20 of these were convicted; four of them were guilty of murder.

The execution of Joseph Leger dit Parisien took place on the 19th. This criminal became penitent when his end approached.

A fire broke out in the brick-store of a house in Notre-Dame-street, belonging to Mr. Barsaloue, occupied as a work-shop by Mr. Gray, cabinet-maker; and we regret to say it extended and consumed the large brick building fronting the street, with the shops occupied by Mr. Gray, Mr. Gibson, tailor, and Mr. Robb, grocer. The occupants had no part of their property insured.

Died.] James Henderson, Esquire, aged 35 years.—Mrs. Caroline Mittleberger, wife of Pierre Auger, Esq.—Mrs. Ursula Bull, widow of the late Hon. G. Painter.—At Glasgow, Jasper Tough, Esq. formerly of the late firm of Gerrard, Gillespie & Co.—Suddenly, the Rev. Thomas Hill.—At London, on the 1st February last, in the 85th year of his age, the Hon. Isaac Ogden, late a Judge of the Court of King's Bench of this District.—At Aberdeen, Mrs. Thain, sister to the Honorable John-Richardson, of this place.—Gordon Alexander Stephenson, aged 24 years.—In Murray, Henry Simons, aged ninety nine years and six months.

QUEBEC.

A Committee has been appointed to forward the interests of the Welland Canal Company. L. 4000 is already subscribed.

The Garrison Amateurs performed the Comedy of *The Poor Gentleman*, with the Farce of *Too late for Dinner*, in their usual style of excellence. His Lordship the Governor in Chief, the Countess of Dalhousie, his Excellency the Lieutenant-Governor and most of the first English families in Quebec were present; we are happy to see that these Gentlemen abate nothing in the spirit with which they commenced their theatrical campaign. We have not yet heard what sum of money was in the House, but we should suppose that it did not fall short of the former night's receipts.

Major Bell's Troop of Quebec Volunteer Cavalry, paraded in the Riding House at the Chateau, dressed in their new uniform, which is extremely neat and appropriate. The Troop went through the several divisions of the Broad Sword exercise with great accuracy.

Died.] Mr. Robert Forrester, a native of Scotland,—Captain William Goddard, Deputy Barrack Master General in Nova Scotia and its Dependencies.—In Pennsylvania, Louis Delanare, Esq. formerly Merchant of this place.

UPPER-CANADA.

KINGSTON.

A splendid Ball and Supper was lately given at Walker's Hotel, by the Officers of the 1st or Rifle Battalion of the 60th Regiment, quartered in this Garrison.

The Sons of Hibernia met at the Mansion-House to celebrate the Anniversary of their Saint. The company, consisting of about 30, sat down at half-past six o'clock, to a dinner prepared in Mr. Moore's best style, and enjoyed themselves to a late hour. Many excellent Songs were given during the evening. The Band of the 60th Regt. was politely permitted to attend.

NIAGARA.

Died.] Robert Kerr, Esq. aged 60 years; Surgeon in the Indian Department.

BROCKVILLE, U. C.

[*Died.*] Roderick Easton, Esq. aged 37 years.—Mr. John Sparrow, aged 45 years.

Provincial Appointments,

(BY HIS EXCELLENCY THE GOVERNOR-IN-CHIEF.)

Joseph Michel Badeaux, Gent. a Public Notary for the Province of Lower-Canada.

Thomas Allstone, Gent. a Surveyor of Lands for do. do.

William Feeton, a culler and measurer of oak, elm, pine, spars under 16 inches, red and white square pine timber, &c. &c. for do. do.

William M'Kutcheon, culler and measurer of oak, elm, red and white square pine, &c. &c. for do.

Abraham Thompson, Gentleman, to vend, sell, and distribute Medicines in the Province.

Thomas Blackwood, John Forsyth, Henry M'Kenzie, George Auldjo, Horatio Gates, George Moffatt, James Leslie, François A. Larocque and Thomas Porteous, Esquires. a Board of Examiners, of all persons applying to be appointed Inspectors of Pot and Pearl Ashes, under the Act passed in the last Session of the Provincial Parliament.

George Rolland D'Arminault, Esquire, Additional Commissioner for the trial of small causes in the Parish of Berthier, in the County of Warwick, in the District of Montréal.

Montreal Price Current.

MARCH, 1824.

PRODUCE OF THE COUNTRY.

IMPORTED GOODS, &c.

Pot Ashes, per cwt.	32s.	a	32s.	6d.
Pearl Ashes, ...	32s. 6d.	a	34s.	0d.
Fine Flour, per bbl.	32s. 6d.	a	35s.	0d.
Sup. do.	37s. 6d.	a	48s.	0d.
Pork, (mess) ...	85s. 0d.	a	90s.	0d.
Pork, (prime) ...	60s. 0d.	a	65s.	0d.
Beef, (mess) ...	55s. 0d.	a	57s.	6d.
Beef, (prime) ...	32s. 6d.	a	35s.	0d.
Wheat, per minot	5s. 9d.	a	6s.	3d.
Barley, ...	0s. 0d.	a	0s.	0d.
Oats, ...	0s. 0d.	a	0s.	0d.
Pease, ...	0s. 0d.	a	0s.	0d.
Oak Timber, cubic ft.	} none in market.			
White Pine,				
Red Pine,				
Elm,				
Ash,				
Staves, standard, 1200,				
West India do. 1200,				
Whiskey, country mf.	2s. 8d.	a	3s.	0d.

Rum, (Jamaica) gall.	3s. 6d.	a	0s. 0d.
Rum, (Leew'd) ...	2s. 9d.	a	2s. 10.
Brandy, (Cognac) ...	6s. 0d.	a	6s. 6d.
Brandy, (Spanish) ...	5s. 0d.	a	5s. 6d.
Geneva, (Holland) ...	5s. 0d.	a	6s. 6d.
Geneva, (British) ...	0s. 0d.	a	0s. 0d.
Port Wine, per Pipe,	£35	a	£55
Madeira,	£40	a	£70.
Teneriffe,	30	a	40.
Do. Cargo.....	22 10	a	25.
Sugar, (musc.) cwt.	50s.	a	60s.
Sugar, (Loaf) lb.	0s. 9d.	a	0s. 0d.
Coffee, ...	1s. 6d.	a	1s. 8d.
Tea, (Hyson) ...	6s. 6d.	a	6s. 9d.
Tea, (Twankay) ...	5s. 3d.	a	5s. 9d.
Soap, ...	0s. 5d.	a	0s. 0d.
Candles, ...	0s. 8d.	a	0s. 0d.
West India Produce, (Rum excepted),	scarce.		