HOUSE OF ASSEMBLY.

WEDNESDAY, March 26.

The house went into committee on the bill for abolishing imprisonment for debt.

Dr. C. Duncombe would make a few remarks before the question should be put. If we can so far provide for the protection of the honest debtor as to put him upon a better footing without injustice towards the creditor. I think it would be a very wise and serviceable act, but we should take care lest while we think we are doing a great deal of good we pass such a law as will open a door to fraud, swindling, and all ovil practices. Various systems have been adopted from the earliest period down to the present time, and the one we practice mistaken supposition that creditors generally will act without a man to be protected by this bill, if he had acted dishonestly at present, that of imprisoning on, I may say suspicion of debt humanity; we may reasonably aftern that where you will find The honest debtor should be protected and the dishonest punmorely, the least suspicion at all events, that the party intends one hard hearted creditor, you will find fifty fraudulent debtors. It is said that hankrupt laws should be passed before leaving the province, is one I think which calls loudly for the I am not in favor of imprisonment, if you can find a sufficient you pass this bill; but if this be passed it will create an adintervention of the Provincial Legislature to prevent its frequent occurrence. But in adopting a system of this kind we should be very cautious lest we adopt it in such a shape as will that in the reign of John imprisonment for debt did not exist in why I would vote for it. As to the principle of the bill I do produce a great deal more harm than good. I have provided England, but in the days of Augustus Casar it did, or else the not believe there will be a dissenting voice in this house. A sundry amendments to the bill which will place the law on the ground it is in the State of New York, and I would impress it upon this house that when you look at the law and see that you are at ouce to break off one of the links between the debtor and the creditor, we must be cautious that we do not in the hon. Speaker that you should not imprison a man who and would be glad to see its benefits extended to the communithis particular, render it too much weakened, but as the bill strives to pay his debts, but there is no injustice in imprisoning ty we represent. only applies to debts which are hereafter to be contracted, I those who make no exertion to pay, such persons should not think it cannot produce any very injurious effects; but on the be exempt from the operation of t e law. Now sir, with res. tertained but one opinion. I am convinced that hon, gentlecontrary, it will go to place the creditor on his guard-it will poet to the very high authorities the learned Speaker has quogo to provent too liberal and injudicious credits, and I think in ted: I agree with every sentiment he has read, but sir, will it system. (Here the hon, gentlemen read a letter addressed to these respects it will have a beneficial tendency, because it is be said that these men were in favor of the entire and utter about him by a clergyman detailing some instances of its evil effects.)

I could mention numerous instances which have come within allowed that confinement does not the better enable a man to litton of the law, without obtaining some equivalent? And pay his debts; the moment you imprison a man, from that moment you put it out of his power to earn anything by which he will be enabled to discharge his debts; and the consequence is, lumself and his family are ruined without the possibility of his creditors being benefitted. If by passing this bill we can conshiels principles of good faith that will be equivalent to the operations of the present law, as in so the interests of the creditor are concerned. I think we shall be doing a great deal of good to the community; still I do not think there is a very urgent necessity for this bill, if the Court of Request's amend ment bill passes into a law, because under the provisions of the law of imprisonment, have the body free under all circum- adoption-give us capital and we do not want credits-give that bill there are no means except by the affidavit of one of the parties by which imprisonment can be inflicted on a person for a less sum than ten pounds, so far as that bill goes to do what is not giving a faithful and true delivery of his property; if on this bill is intended to effect I shall not vote against it on its general principles, but shall vote against some of its details. should much tather the bill were not disposed of to-day, that But a Bill for this purpose must be passed simultaneously with shall not let session after session pass without accomplishing its details may be more fully matured.

Mr. Russenson said he hearthly concurred with the hongentleman from Oxford, as to the propriety of weighing well all the provisions of the bill before they adopted them. That it is highly necessary, however, that debtors should be relieved from the rigor of the law of imprisonment, as at present pursued, he had no hesitation in declaring. I have known individuals to be taken on thirtuen or fourteen capiases at once, while the whole amount of the debts did not exceed £100, and in the end nothing at all recovered. I could ennumerate a vast number of instances of it, were it necessary to do so, of very great hardship on the part of the honest dobter; but as I before not a sever law, it cannot be severe. It is in point of fac: remarked, that whilst we are relieving them, we must take more lenient than any other. I have dways been in favor of care to distinguish between the debtor who is willing to pay to doing away with imprisonment, in case where the person can

the utmost of his ability, and the fraudulent debtor who endea- give security that he will not leave the Province; and with vore to clude the payment of his just debts. punishment morely because he is in debt. If, to be sure, he find it difficult to get persons to be his streties that he would amounts to fraud, then he should be punished, but not otherwise. The mere cheumstance of being in debt without the ability to pay, should not subject any man's person to imprisonment, which is in itself a punishment of a severe nature. I look upon that law as an exceeding hard one which subjects an insolvent debtor to suffer punishment, which is due only to the foulest crime. By the standard of this simple principle, I consider the present law very unsatisfactory, and this brings not qualify themselves for bail, but in such cases. The law me to this question, how can it best be amended? The first is a good law in the aggregate, it is a law which is generally geestion is, are we satisfied with the law !- then, do we think the bill before us better than the law ! I am not prepared to express an opinion upon the details of the bill, for I have not had time to examine them; but what I think very essential is that additional clauses should be devised, if possible, for the discovery of the property of debtors, in cases where a fraudulent concealment is attempted. As to the principle of the measure. The confinement of the person has been considered in all countries. A severe punishment of itself, adequate to the most atrocious offences; and when exercised in all its rigor, it amounts to a severer doon; than even death itself. A person suffering imprisonment is incapacitated from satisfying his creditor, or from providing for himself or his family, or against ditor. In England there is infinitely less reason in my opinion the time of old age or sickness. He cannot move his petition for interiors the law than there is here because the means and show the hardships of his case, nor his willingness to make getting away are not so numerous. In this Country it is only and show the hardships of his case, nor his willingness to make amends to his enexorable creditor who has shut him from the would and from the society of his fellow men. These are great evils, but they are not the greatest; where a father is kept from his family you do not only punish the individual, but you a country the most favorable to the subject, but their law to inflict upon perhaps a numerous family, besides the degrada- somewhat different, to be sure it does not authorize arrests for tion which would naturally fall upon them, an incalculable so small sums as we do, and indeed. I think there is as inner evil by being deprived of the care and protection of he head of evil & hardship in this, for it is chiefly in these cases that a vin the family. And how many families have been ruined and dictive feeling is indulged, it is not the man to whom a large broken hearted, and for no reason but to satisfy the malignity sum of money is owing who acts with a vinductive feeling for of an unjust creditor. And this is not all,—there is a positive the instant he arrests he lessons his chance of payment, he no want in the community of the labor of these persons, for it is ver adapts that course till the last extremity, but the man whpersonal labor as well as the fertility of the earth and the pro- arrests for three or four pounds may with much truth, be preduction of the sea, which constitute the sources of our wealth. We are deprived of the labor of one of the members of society. and he at the same time is an useless consumer, and requires od Speaker said something respecting a party having recours persons supported by the public to take care of him. This to a capias ad satisfaciendum, I do not think his interpretation useless, oppressed and heart-broken individual, is kept in con- of the word was altogether as ingenuous as might have beefinement in under that he may pay his debts, a very excellent expected from that hon, gentleman. The meaning is, that method of enabling a man to pay his debts truly! It has been when you authorise a creditor to resort to the extreme proces the pearties for a long ported of time, both hore and in the min ther country to imprison for debt, but it is not by any means satisfy his debt, you then have the body, and your debt is an universal. There are various countries in which this law tisfied; it is extinguished from that moment, except this, that does not exist. But we have become accustomed to the ope. you have the power to retain him in prison. When you take ration of this law, if we were not accustomed to see men im- out a capias ad satisfaciendum, it is the final process, and you prisoned for dubt, and we had heard the evils namated which debt thenceforth, from he fulfilment of this ultimate proare known to arise from it, we would be struck with horror at the cruelty and harshness of the law. People do not generally consider the evils of imprisonment; it does not fall on tay, is-raise the amount for which imprisonment is authorised the community in a body, but like the pestilence which stalks and stop there; or if you do not choose to do this, give us as throughout the land cutting down its victims by hundreds, the community becomes accustomed to it, and the bumon mind is ment for debt altogether, except in cases where the commis so constituted by an all wise creator, that a long continued sinners appointed to receive the effects of the bankrupt, show practice however barbarous, does not excite any particular also that he has not acted honestly. At the earliest period of our horrence. But let the practice once be discontinued, and there government, no man could be arrested for a less sum than towill not I am sure be the least anxiety on the part of those who pounds sterling. If the law be raised to that, I shall be con now tolerate it, to bring back again that relic of a barbarous tent for one to vote for it with this restriction, that it shall no age. I have the opinions of wise and reflecting men upon this apply to any contract which now exists, and that it shall not g subject. The great mass of the community do not give them- into operation until twelve months after its passing, that the selves the trouble to reflect deeply upon the subject, not have people of the country may not be taken by surprise, and that they the leisure indeed if they would. But there have been the merchants and traders may have an opportunity so to regu some who would not take on trust the commonly received op- late their business as to suffer no injury from so material nions and who have reflected deeply, and their opinions are change. Now this is aproposition which the lovers of huma entitled to so much the more weight and respect. (The learn- nity will readily concur in, and I am sure, the speech of the ed Speaker here cited, Magna Charta, the Bill of Rights, the hon, and learned Speaker, is calculated to produce those fee Constitutional act of this Colony, Lord Bacon, Lord Coke and lings, but it sometimes happens that our duties as legislators, Lord Ellenborough, Sir William Blackstone, Dr. Johnston, require that we should not confide too much in the existence : and President Montasquien;) the first of prayers says forgive us those feelings which are calculated to adorn humanity. Pr our debts, as we forgive our debtors, not only christian religion nishments form a part of our code, it must be so. It is unfor but heathen morality teaches the same thing. Now the author tunately the case, that mankind have not obtained that puritrity of these great men whose names I have mentioned, is un- of intention, that you are not to guard against his doing wrong questionably good, they were not mere Theorists sitting in the and I cannot help thinking, that there is something dishone seclusion of their closers, and devising visionary schemes, they in a person incurring debts which he does not expect to pay were practiced toon. With all this concurrent testimony to It is said, that to be in debt is a misfortune; well I can only fortify us in favor of a change in the present law of imprison- ask hon, gentlemen to look about them, and see among thus ment, I trust there will be no hesitation on the part of a majo- who have failed from misfortune, how few indeed have bee rity of the House to alter the law of imprisonment for debt 1 imprisioned in such a case. As I said before, I consider the doubt very much whether equal authorities can be produced the generality of creditors are kind hearted, and when they se for any other change whatever; it clearly points out in my es- that a person has failed through misfortune, they compossion timation, an orgent necessity for establishing some scheme better calculated for debtor, creditor, and the community at large. It clearly shows the practicability also, but whether this bill is and that country has been pointed to for examples, we fir such as will serve the purpose, is to be considered; so here the that in the State of New York, where a law was recently pa clauses were read. Hon, members I am sure will look upon sed for abolishing imprisionment for delet; the most intellige it as one of the most important measures which can engage their attention, and it will be a matter of gratification to them instances. Cases have there occurred of persons from the bereafter that they assisted to pass it into a law. When a man neighbring States having carried away a great amount of good is taken for debt he is said to be taken in satisfiction, his worthless body is taken in satisfaction of the debt, if men were caunibals, and they might be reasted and eaten, it would be to ged to accept five or six shillings in the pound or else lose a" some purpose. (Hear, hear) If we could sell his body, and If you relax in your principles of government in respect get our debt by that means, it would be to some purpose, but if your remedial law you can seldom get the legislature to retrawe cannot get our nobt wherefore take his body, separate him their stops, it is a difficult matter, it scarcely ever happens. from his family, incarcerate him in a dangeon where he is to. Now, I could have been glad, I efore a measure of this descrip tally deprived of the means of paying us! and call this satisfac- tion had been brought forward, that my hon, friend had movtion! It can be satisfaction only to the hard hearted, grinding for a return of the number of prisoners who have been conereditor. I confess I have often thought the law in this parti- mitted for debt for the last five years-- (omitting names cular exceedingly absurd and preposterous, and would much course,) the period of the imprisonment, and the amount f desire to see it amended, but I would be in favor nevertheless, which arrested, with all the circumstances which come und of adopting any means by which the property of debtors may the knowledge of the Sheriff to be laid on the table; and be more effectually discovered and secured. A man is some, will venture to affirm that instances of hardship will be foutimes confined not because the creditor expects to get his debt to be infinitely fewer in number, and less in extent than be from him, but because he hopes his friends will out of humani- gentlemen seem to suppose; but this is considering the questi-

terCongress all in support and confirmation of my own. Mr. Solution General, as for as the arguments of the learned Prester on in fares of humanity. I take it for granted he will

of the President of the United States expressed in his message, ment is not in some degree a crime. I believe that more my

ry would fall upon creditors, if this measure were adopted, the

with key times more oppression and getted misery and disease

now is suffered by debtors-I believe it would be attend

find no one to differ with him, but we should be very cautious fort than is felt under the present law, and until an efficient deavor to express my opinions as thortly as I can, premising measure. that I am opposed to imprisonment for debt, provided a plan stances unless it is found by the Cammissioners, Trustees, or those in whose hands the present is placed, that the debter investigation this should be found to be the case, I would althis, unless they go hand and hat: I think it would be im- the passing of this measure. provident, unsafe and unjust to pass the fail now before us .of the country in a very eminent digree; this is my opinion .prisonment for debt. Now with respect to ourselves, what is our Law at the present moment? Ithink it is a law which will be found generally to be as humme a law, and which extends as much indulgence to the honest debtor as that of almost any Country. The law which gives imits to our prisons, is respect to the principle of the question, to you suppose that a party cannot procuse bail for the limits, if he is known to be an industrious and an honest man, and it for the limits so could he easily get hail for the Province. The prisciple is precise! the same. Indeed there has been cases where a person has been arrested for so large a sum that he could not get bail, not that he could hot find men willing to be his bail, but because the sum was so large that they could not justify that is they could useful to the community at large, and you should not thereforalter it morely because a case of hardship now and then occurs In legislating upon this subject we should also consider under what circumstances we are placed, here we are beside another Country to which access can be had in ten minutes tune, me ny of the persons arrested in this Province are of that Country who come here for the purpose of speculation, they get inte debt and it is next to impossible to prevent their defrauding the creditor by going away, and I say it is not safe to put i out of your power to retain those persons. Perhaps it may be urged that it is a good thing to discontinue credits, but I think we ought to not fetter trade by lessening the socurity of the cre necessary to alledge that the person owes and cannot get seen rity a hard law you will say, but how is it to be remedied !-You cont find them attempting to do away with it in England sumed to act from improper feeling in the majority of case this is the conviction which rests upon my mind-The learnof the last for definite of finding him presented of property t cess, is considered as satisfied, it can be no further pursued With respect to the remedy of imprisonment, what I have to efficient system of bankrupt laws, and do away with imprison ate him, and do not pursue him with these vindictive feeling which are attributed to them. Sir, looking at another count . men complain that it acts very injuriously, in a vast number on crodit, and afterwards came back and tendered a mere trif' in place of full payment of their debts, and the creditor is obl. ty towards him, come forward and pay the debt. The poor on the single and only plea of humanity, not because you a man most consequently suffer the misery of incarceration until supplying advantage or substituting any thing better. I adv some person steps forward and rescues the victim from the that it is an infringement of the natural liberty of the subject merculess and hard hearted creditor. I am in favor of the prin- imprison him for any other cause than crime; but it is a que ciple of the measure, and I have the opinion of Mr. Walsh and non whether the running into debt without prospect of p.

when we come to legislate upon matters which in their effects system of bankropt laws calmly considered, he adopted-I can will operate very seriously upon contracts. Now I shall on never unless you do this, give my concurrence to the present

Mr. Mc Nah ... I quite concur with some of the sentiments can be devised which will give sufficient security to creditors. which have been expressed by the hon, and learned Scheiter believe no one will contend that it is right to take the body General. I think it is our duly to protect the honest creditor of a man to answer for any thing but crime; this is the only as well as the unfortunate debtor. The great principle of this ground which will justify incarceration. But crimes are of bill is, as to the power of incarcerating the persons of honest various degrees; it is sometimes a crime for a person to get in- debtors, whether this power should rest in any individual or to debt, and when we talk about a person being subject to grie. body of mon---I think it ought not---it never was intended i your imprisonment, being deprived of his liberty, and having should---I think it is a disgrace to our law--and I believe that I behind him a desolate family; we must consider that that per- will be borne out when I say that in no country on the face of son in many instances may have been the means of roining his the earth, except in Upper Canada can an individual be incarcreditor by depriving him of his property. I hold it to be a cerated at the mere caprice of another---but I would not allow substitute. The learned Speaker tells us that the authority of ditional inducement; the public will then require that it should ancient history does not justify imprisonment for debt, I admit be done-the one will lead to the other, and this is reason New Testament does not speak truth; we find it in those days man's liberty ought not to be taken away -he should be comdistinctly recognized, but I do not mean to say that because it pelled to render up his property, and then be at liberty to ex-Vas so recognized by the christian religion, that it therefore in- ercise his faculties for the support of himself and those depen culcutes its practice quite the contrary. I perfectly agree with dant upon him. I am in favor of the principle of the measure,

Mr. Merritt-With respect to this measure I have never en sir, there is no authority which can be produced to establish my own observation. I could mention one case in the District the position that a man whether ie be honest or dishonest, of Niagara, when a poor man was imprisoned for a month whether he be industrious or idle, whether he make exertions and when he had his trial, no debt could be proved against to pay, or whether he make now, that he shall be absolutely him; I had that persons affidavit that he never owed the prosefree from imprisonment, this is no the language of those great cutor a single farthing. In the Ningara District there is but men whose opinions have been quited by the learned Speaker. one feeling on this subject. Imprisonment for debt is confined Those opinions must of course be aken as having been form. I believe, exclusively to England and America, scarce any ed in contemplation of this, that a nan was ready to deliver other nation tolerating its practice. An objection of the hon. up all that he possessed and sir, Jagree in this perfectly, give and learned Solicitor General was, that it would prevent creus stafe efficient, and practicable lankrupt laws and abolish dits; now he could not have advanced stronger reasons for its people the command of capital and they will obtain their commodities on the most reasonable terms, The want of capital is one of the greatest evils that can prevail in a country-it produces in this country at the present moment greater evils than low the party to be held to buil, ustil he should render up all. any other cause could possibly produce. I hope and trust we

Mr. Torantison-I am entirely at a loss to perceive what It would be a thing which would grove injurious to the trade, the intentions of the hon, and learned Solicitor General are with respect to this measure; I certainly understood him to Now the Bill as far as I have been able to judge of it, is not express himself unfriendly to the present law of imprisonment, that efficient measure which would justify us in sholishing im- and that he had no objection to the principle of the bill; this being the case. I think he should suggest such amendments as he may think requisite, to place the law upon the best possible footing, and perhaps the house would upon consideration fall into his views. But it does strike me that if the hon, and learned gentleman would examine the bill he would find that the creditor is protected as far as the property of the debtor goes. I would ask the hon, and learned Solicitor General to define the precise course which ought to be taken, since the principle is admitted. I am sure that hon, gentlemen who have spoken against the adoption of this measure cannot re-Mr. Speaker Bi well. - A debtor should not be subject to any one who has established a reputation of honesty would concile to their minds the propriety of allowing a person to be incarcerated for the trifling sum of five shillings. By the Court It appears to be tolerably com fortable. Two great punishment morely necause no is in debt. If, to be sure, he made difference to get persons to struggles will animate the early proceedings of the should be guilty of any positive fraud, or of anything which not leave the Province? There are very ew instances where the Requests feet only shall be recoverable on actions brought in high court within the jurisdiction of the Court of Request, unless in cases where the debtor is arrested-now what is the effect of that law? It is an inducement to persons to commit the worst of crime, perjury, not only to gratify his own malevolent feelings, but to cave himself the extra amount of costs-it is a thing to be taken advantage of-I speak from my own knowledge--I know that more capiases have t me before its passing. The principle of the bill has been extablished by the adoption of the preamble, let us now proceed to examine its provisions.

Mr. Richardson proceeded to comment upon the differen clauses of the bill consecutively.

The bill was adopted by the Committee and reported to the

Message from His Excellency conveying answer to the Address to His M ijesty on School Lands.

J. COLBORNE, The Secretary of state for the Colonics, having recaived the Address to the King of the 4th December, 1833 from the house of Assembly, respecting the Lands originally set apart for the advancement of Education. The Lieutenant Covernor is acquainted by the Secretary of State, for the information of the house of Assembly, that it appears that the allotment made in 1798, for Schools and large Seminaries, masisted of Twelve Townships; and that although, taken in tacir entire extent, these words amount to a quantity not remote from that named by the Assembly, yet after making the deduction for Crown and Clergy Reserves they would not excied 549,207 acres. That of this quantity 291,944 acres are comprised in the assignments to the University, and to Upper Canada College, while above 240,000 acres are estimated to be actually available for the assistance and endow- proceedings of this Parliament. Measures will be ment of Schools; Only 17,263 acres remain to be accounted early introduced by Mr. Roebuck for the improvefor, and the appropriation of these would be more than explained by the grants which are specified by the Assembly ahaving been made to surveyors for surveying. That he trusts that these explanations will satisfy the Assembly that there has not been an improper diminution of the quantity of the lands general accounts against them. The Land Com reserved in 1798 for Schools and larger Seminaries : that the pany will be especially considered, and it is exandowment of King's College, having been brought under preted some disclosures will take place not very stitution still remains to be amaily adjusted according to the adsice of the Legislature, that the establishment of "a College or cester .- A very general feeling, in favor of the li-University for the instruction of Youth' formed one of the ob- heral party in Canada has been generated by their jeets prayed for in the Address from the Council and Assembly in the year 1797, and that the institution of larger Seminaries tian the District Schools was expressly adverted to in the comrunication by means of which His Majesty signified his comnion, therefore may exist as to the most appropriate share to be devoted to the purpose, there can be no doubt that the allotment, of some of the Reserves for Education to a University is strictly conformable with the objects of the endowment, and that to exhaust the entire amount of the Estates in the enrichment of District Schools would contravene the design of those by whom the property was set apart. But if the application of part of the Reserves for Education to the endowment of a University cannot be deemed a diversion of them from their proper use, it will hardly be denied that the exchange by means of which they were thus applied, was highly advantageous. His Majesty resumed 225,944 acres out of the school Townships, and granted to the Corporation of King's College, in lieu to them, an equal quantity of Crown Reserves, most of them under lease in old and settled Townships where the lands bore a great value, it may be presumed that had this endowment not taken place, the same Reserves would have become the property of the Canada Company, in common with the rest of the Crown Reserves in the surveyed Townships, or at any rate would never have been exchanged for such inferior land as that in the School Townships that with these views, be conveys His Majosty's Gracious permission to adopt a measure which he trusts will be acceptable to the Assembly. Out of the original grant of 549,217 acres, there remain disposable about 240,000 acres, not very advantageously situated, and he authorises the Lieutenant Governor if the Assembly should nisters will oppose the equalization of the duties.wish it, to select this number of acres from the settled. Townships, and to resume to the Crown in hen of them, as is unahenated of the School Townships. The gain which such a transaction would confer upon the endowment for Education is obvious, and it is hoped that this liberal offer will be regarded as a proof of the importance which His Majesty attaches to the great object of the instruction of the people in Upper Ca-

Government House 18th March, 1835.

MISCELLANY.

LONDON, FEBRUARY 7, 1835. tion bath entailed apon each.

the Torics and their Journals crowed most linot under 260, and not over 266. But the great us, if they commenced firing the great guns. Hey

gainers have been the Radical party, who are new supposed to number about 200 in the House.

These gains are at the expense of the Whigs, as a matter of course, a circumstance in which I should think no friend of liberal sentiments will find any cause for regret.

The Whigs who remain cannot of course vote with Sir Robert Peel, and his tribe of Tories, so that they go with the Radicals to make up an opposition of Reformers, under which name both Whige and Radicals may be included.

Of course in the House of Commons we have various shades of opinion.

1 .- We have the ultra Tories, generally distinguished for their ignorance and obstinacy. Sir E. Knatchbull, and the whole tribe of the rural Sir Johns and Sir Thomases, are specimens of this

2.- Next we have the more educated Tories: men who want the excuse of ignorance to excuse their immoral pillage of the people; who would fain exclude all but the priviledged orders from any the slighest share in the business of Government. Sir Robert Peel may stand as the type of this class.

3 .- We have next the Conservative Whige, who approach very nearly to Tories; indeed can scarce ly be distinguished, except in being members of " Whig families."

4 .- We have the liberal Whigs, who approach nearer to Radicalism. They often do liberal things and then seem afraid of them. They seem to regard the demands of the people as something to be strenuously resisted, until they can resist no longer. A consequence of this is, that they do liberal things with an ill grace. Lord Althorp, and Poulett Thompson, may stand for this class.

5 .- Lastly come the Radicals, who are for extending to the people those rights' which justly belong to them. They would extend the franchise to all who contribute to the exigencies of the state: they would secure that franchise from corrupt influence by means of the Ballot; and they would bring the representatives of the people more frequantly before their constituents by means of short Parliaments. The types of this class are, Grote. Roebuck, Hume, O'Connell, Romilly, Bulwer, &c.

Now the great effect anticipated from the dissolution is, a concentration of parties. The ultre Tories will not be heard of in a few years. The more liberal Tories will unite with the less liberal Whige. under the title of Conservatives, and the liberal Whigs and Radicals will form a great movement party. So much for the state of parties at the opening of the second Reformed Parliament.

The House opens on the 19th, in the buildings erected for the purpose, on the site of the late ruing. Commons. The election of a Speaker, and an Address for the removal of Ministers in amendment of the ministeral echo of the speech.

For the Speakership, Abercromby is the Candidate to be supported by the liberals, in opposition to Sir Manners Sutton, who in the event of failure been taken out since that law passed, than in the same space of is to go to the lords, as Baron Lexington. By the way, he has chosen an odd title. I suppose his next step will be Earl of Bunker's Hill and Baron of Lexington. The Reformers are pretty confident that they will succeed in defeating the Tories -- and it is now wispered that Sir Manners will take his Peerage and decline the contest for the Speakership-in that case the great trial of strength will be for the address. Whatever may be the result I shall take care to put you in possession of the issue-

As an important feature in the present state of England, I have no doubt that you feel an interest in the matters which I am now unfolding, still in communicating them to you, I am convinced voir will look at them in reference to their effects on the prosperity of Canada. From the good will of a Tory Government, Canada could have nothing to hope. The present state of Canada, however, makes her affairs assume a national character, and it is the general opinion among politicians, that they will occupy a very prominent place in the ment of the Government of Lower Canada-and it is even thought that the infamous system which the Tories have so long fostered, will be one item in the creminate to Mr. Robinson, the member for Worfair open, and moderate conduct duirng their general elections, the returns or which have just reached this country. Such judicious conduct cannot fail thance with that address. That whatever difference of opi- to have a most benificial effect in England. Pursue then the same upright, manly, and independent course, and you cannot fail to make your way to the hearts of the English people. From the present Ministry you cannot expect much good-but let this be your consolation and your support-that the people of England fully sympathise with you in your struggle. Let the friendly correspondence which, I observe, has been instituted between the two Provinces, be actively continued-let a similar correspondence be set on foot with the Lower Provinces -and there cannot be a doubt but that the British Parliament will see you righted. I say the British Parliament, because I believe you have not much to hope from the present Colonial Minister. I repeat then, look to the Parliament, the people, and the press, and not to the tender mercies of the Tories in power.

There is some thought of the Timber Trade of Canada being brought before the House by Mr. C. Poulett Thompson, and it is doubtful whether Mi-Montreal Vindicator.

CALLAO, January 6th, 1835. There has been sad work here since the 31st of December. The troops in the forts broke out into open rebellion in favor of General Lafuente, who, with his family, was on board the United States ship Fairfield, and was the candidate for the Presidency of Lima. The soldiery were to a man in favor of him. He had been formerly banished from the country -- but had, in the above manner, returned before his time. On the morning of the 1st, a num-The business of the Elections is now over, and ber of the soldiers sailed from the fort, and, rushing the several parties are now engaged in making up down to the Mole where the boats land, fired into their accounts, not of how much money may have every boat they could reach. Lieut. Drummond, of been spent during the struggle, but of the loss or His Brittannic Majesty's ship Satellite, received a gain of Parliamentary strength which the dissolut musket-ball in his knee, which rendered amputation of the limb necessary. A Captain Debroth, of one During the progress of the Elections, and more of the American vessels, received a ball in the arm, especially towards the end of the struggle and had one of his men killed in his boat, Men, women, and children, all confusedly retired on board berally. The conservative gain was the theme of the shipping for protection. The soldiers had preconservative exultation, and some of the liberal viously confined the officers in the fort, before they party, not duly examining the evidence upon which commenced. During the day, there were several the current statements were grounded, shewed, for cannon, and some musketry, fired from the fort upon a time at least, some slight disposition to despond. the town; and in the evening, there were many When the Election advanced, it was found that all volleys of small arms. We, with the rest of the that was ment by "a gam," was, that the Tories shipping, lay close to the front, and immediately unwill be rather more numerous than they were in the der the heavy cannon, but, supposing they would first Reformed Parliament. There were about 190 not attempt to fire upon the shipping, we had retired in the House, whereas there will be about 270; say about 90'clock, ordering the watch on deck to call