VOL. XII. THE UPPER CANADA HERALD. [No. 620.

FOREIGN.

TROUBLE IN SWITZERLAND.

A private letter from Lausanne, in the *Messager*, states that the inhabitants of Zurich and its environs, determined to see the constitution reformed, had armed, to the number of 4,000, and attacked the Government, who were menaced on every side.

According to the *Nouvelliste Vaudois*, and the *Avisco*, the Cantons of Glaris and Tessen have risen in a mass, and have taken arms. Numerous popular assemblages have met at Zurich, Ulster, and Weinselden, to demand reforms.

A private letter from Geneva, of 26th November, says that 12,000 armed peasants have entered Berne, and deposed the Government. The accounts from the Cantons of Soleure, Lucerne, and Arau, are of the same description. In this latter, the two coloured flags of blue and black for the Canton, and blue and red for the Swiss Union, has been every where hoisted.

At Soleure, the Government has published a proclamation, stating that it had convoked an extraordinary meeting of the Grand Council for the 25th Nov. to deliberate upon a revision of the Constitution. It appears that a Revolutionary Council of seventy individuals had already assembled, and were debating questions of reform.

Letters from Zurich, of the 26th November, says that the Grand Council, which met at eight in the morning of the 28th, had acceded to the imperious demands made in the name of the 12,000 people assembled on Monday last at Ulster. Two-thirds of the Cantonal representation have been given to the rural communes, and new elections are to take place as soon as possible. Since 1798 Switzerland has never displayed such a desire to form a free and enlightened Government. In Savoy, also, there is agitation. Several Piedmontese sentinels have been murdered.

The *London Courier*—which, with the change of Ministry, has all at once become a *revolutionary* paper—says—" it was high time for reformation. The despotism of the Sultan is not half so odious as the Constitution of the Republic of Switzerland—a Government which, with a mockery of liberty at home, has ever sold the means of tyranny to any one of the despots of Europe who chose to purchase them.

THEATRICAL ANECDOTE.

[The following humorous narrative occurs in "The voyages and travels of Columbus Secundus," published in Blackwood's Magazine.]

After dinner, however, I was prevailed upon to go and see a play performed by a company of strollers, who kept the inhabitants of Portobello, Musselburgh, and Leith, in theatrical amusements, and I was the more inclined to this, from the dramatis personæ in the bill seeming to be chiefly composed of individuals of the same name, and said to be of the same family. Two fiddles and a bass formed the orchestra; but the apartment was not large, and the music was enough for the size of the room. I do not now recollect the play, but a circumstance occurred towards the conclusion of the first act, which will long imprint the idea of the Leith theatre on my memory. There were, however, a lover and a lady, and the lady liked one person, and her father wished her to marry another as happens in all plays.—After a dialogue, in which the lady and her lover had exchanged vows of eternal attachment and inviolable secrecy, and had managed matters so as they were to live and die for one another, the parties were alarmed by a third person's entering. This was the father of the lady. The lover of course made his exit; and the old gentleman took his daughter roundly to task for keeping up a correspondence with the offensive lover. The change of scenes in a play often stands to the spectator for an interval of months or years in the story, and the young lady denied she had lately seen or spoken to the prohibited personage. "Ah, you lien little cutty," roared out a voice from the third row of seats, "how can ye stand up there, and tell your father sic a downright falsehood! Dinna believe her, honest gentleman—dinna believe her, honest gentleman dinna believe ae word she says, for its no a minute since the fellow left her; I saw him myself'—he just gaed out the tae side as you cam' in at the tither."

This strange interruption to the performance, made the actors look confounded; and the audience testified their approbation by clapping and huzzas. All eyes were now turned to my friend John, (for it was actually he,) who stood up in triumph, as the expressions "well done! capital!" struck his ears from all sides. The disturbance, however, subsided, and the dialogue began as before. John had no patience, when he heard asseverations so contrary to fact repeated again. "I tell ye, mon, ye're dochter's no speakin' true: It's a falsehood every word o't: I'm a father mysel', and I wunna see you imposed on. Just gang till the other side o' the screen, gif ye winna believe me, and ye'll catch the fallow; he canna be far awa." The laughing and applause redoubled at this ebullition; and the manager seeing no likelihood of getting on smoothly, came forward and said: "Ladies and gentlemen—it is scarcely necessary for me to say, that we cannot go on with the business of the evening, if these interruptions are to be continued. If the gentleman be not satisfied with our exertions, the door-keeper will return his money, for we cannot, at this time, alter the play. "A weel, aweel, it's a bargain I'll gang out wi' a' my heart. I never was in a play house before, and if it's a' hes ye gang on wi' here, the sooner I'm out o' your place the better. Ye'se ne'er get my siller again for sic a purpose; nor sall a bawbie o' mine e'er gang to the support of the father o' lies. Ye're far waur than the tumblers and fools; they risk the body, but you ruin the soul" So saying, John and Sandy, who seemed confounded at his friend's conduct, took their leave; and, as I had seen enough of Lieth theatre for one night, I followed their example.

A PROPHECY JUST FULFILLED IN FRANCE.

'The light which has been shed on mankind by the art of printing, has eminently changed the condition of the world. As yet that light has dawned on the middle classes only of the men in Enrope. The Kings and the rabble (of equal ignorance) have not received its rays; but it continues to spread, and while printing is preserved it can no more recede than the sun return on its course. A first attempt to recover the right of self-government may fail; so may a second, a third, &c.; but a younger and more instructed race comes on, the sentiment becomes more and more instinctive; and a fourth, a fifth, or some subsequent one of the ever renewed attempts, will ultimately succeed. In France the first effort was defeated by Robespierre; the second by Bonaparte; the third by Louis XVIII. and his Holy Allies. *Another is yet to come*; and all Europe (Russia excepted) has caught the spirit, and all will attain representative government, more or less perfect."—[Jefferson's Correspondence, vol. 4 p 387.

DOMESTIC.

PROVINCIAL PALIAMENT.

REPORTING.

On this day, Mr. Beardsley moved a resolution to employ Reporters to take down and publish the debates. He said that for some years past no encouragement was offered by this house to Reporters, and the consequence was, that the people of the country had no correct knowledge of the conduct and proceedings of their representatives. The people, it has been argued, had an opportunity of seeing the votes of honorable members—but they wanted to see their reasons for so voting—for, they begin to learn what he (Mr. Beardsley) often witnessed in this House—that honorable members frequently argue one way in debate, and afterwards vote another. They want to see their reasons, and know whether they are consistent in their conduct. The people desired this, of all things, and as to the expense, they cared nothing for it—there was no tax which they would so willingly pay. After Mr. Beardsly had closed his pertinent remarks upon this subject, Messrs. Boulton, Hagerman, Burwell, and Jesse Ketchum, spoke against the motion, which was put and decided as follows:—

YEAS—Messrs. Beardsley, Bidwell, Buel, Duncomb, Howard, Jones, McCall, Perry, Roblin, and Shaver, 10.

NAYS—Messrs. Attorney General, Brant Burwell, Chishom, Cook, Wm. Crooks, Alex. Frazer, Ingersol, Jarvis, Jessuph, Ketchum, Lewis, Arch. McDonald, McKenzie, McMartin, McNab, Morris, Mount, Randal, Robinson, Sampson, Hagerman, Thompson, Van Koughnett Werden, White, Willson, and Wilson, 29.—[Freeman.]

REPORTING DEBATES.

There can be no doubt whatever, but that if a competent and unbiassed reporter or reporters could be found, who would give an outline of the most interesting debates in the House of Assembly during the present winter, he or they would merit encouragement both from the House and the country. But such of our readers as have had an opportunity to peruse the Freeman and Observer of last winter, to read selections from the debates professed to be reported for these papers, are aware that instead of being a report, they were in general intended to ridicule and burlesque the Assembly and the country who had elected them, although their conductors are perfectly competent faithfully to report the most important discussions.—[Advocate.]

APPOINTMENT OF A CHAPLAIN.

A resolution was offered to the consideration of the House of Assembly, on Monday last, declaratory of the religious rights of its members, and denying the power of the Lieut. Governor to dictate to them in the appointment of a chaplain or religious teacher. This resolution was introduced to the House by the members for this county, and is as follows:

Resolved, That the Executive Government of this Province has not been entrusted with the power to control regulate or prescribe to this House the religious duties exercises and ceremonies of its members, nor to incorporate the peculiar tenets of any religious sect or denomination with the civil institutions of the country; nor to appoint a chaplain to this House, nor pay a chaplain so appointed—but that this House has a right to appoint its own chaplains.

Mr. MORRIS opposed the Resolve, and proposed in its place, by way of amendment (seconded by Mr. Fraser of Glengarry, that Messrs. Hugh C. Thomson, Samson, Chisolm, and Sheriff Jarvis, be a committee to consider how far it is expedient for this House to appoint its own officers.

In order to get rid both of question and amendment, Mr. WILSON of Wentworth, moved to proceed with other matters, or "that the question be not now out." His colleague seconded his motion, which was voted for by Messrs. Attorney General Boulton, Brant, Burwell, Chisolm, W. Crooks, Duncomb, Elliott, Ingersol, Sheriff Jarvis, Lewis, Arch'd. McDonald, McMartin, Magon, Mount, McNab, W. B. Robinson, Roblin, Samson, Sol. Gen. Hagerman, Van koughnett, Werden, John Willson, and W. Wilson—23.

Against Mr. Willson's motion voted Messrs. Beardsley, Bidwell, Cook, Alex. Fraser, Rich'd. Fraser, Howard, H. Jones, Jessup, Ketchum, McGill, Donald McDonald, McKenzie, Morris, Perry, Randal, Shaver, Thomson, and White—18.

Some of the persons opposed to Mr. Willson's motion were in favour of Mr. Morris's plan to refer the matter in a general way to Messrs Sheriff Jarvis, Samson, Chisholm, &c. and some were in favour of religious freedom and the original resolution.

In order to obtain a more decisive declaration of the sentiments of the House, Mr. Mackenzie, next moved, seconded by Mr. Ketchum, that it be resolved that until the house shall decide where the right to appoint a chaplain lies, the services of a chaplain be dispensed with:

In favour of this resolution, voted Messrs. Beardsley, Bidwell, Buell, Howard, Shaver, Ketchum, McCall, Archibald McDonald, Donald McDonald, Mackenzie, Perry, Randal, and Roblin—13.

In opposition to the resolution, and in favor of continuing the religious services and worship of the priest nominated and appointed by the Executive Government, voted Messrs. Attorney General Boulton, Brant, Burwell, Chisholm, Cook, W. Crooks, Duncomb Elliott, A. Fraser, R. Fraser, Ingersol, Sheriff Jarvis, Jessup, H Jones, Lewis, McMartin, McNab, Magon, Morris, Mount, W. B. Robinson, Samson, Sol. Gen. Hagerman, H. C. Thomson, Vankoughnett, White, John Willson, and W. Wilson.

This question, which the Hon. House had felt so much unwillingness to make up their minds upon the day before, was again bro't up, rather unexpectedly, by Mr. Samson, seconded by Mr. White, who moved, "That a select committee be appointed to examine whether this House has the right to appoint its own officers," and that Messrs. John Willson, Allan McNab, Morris, H. C. Thomson, and the mover, of course, (Samson) be such committee.

This movement was undoubtedly intended as a put off to the question of the chaplainship, to accommodate those who did not then feel disposed to assert at once boldly the religious rights of the people.

In order, therefore, to ascertain who would and who would not at once assert these rights, Mr. Mackenzie, seconded as before, by his colleague, moved in amendment, that it be "Resolved, that the Executive Government of this Province has not been intrusted with the power to control, regulate, or prescribe to this House the religious duties exercises and ceremonies of its members, nor to appoint a chaplain to this House—but that this House has the right to appoint its own chaplains or to dispense with the services of a chaplain at its discretion." In favour of which resolve, or amendment voted Messrs. Beardsley, Bidwell, Buell, Cook, Howard, Ketchum, McCall, A. McDonald, Mackenzie, Perry, Randal, Roblin, Shaver, 13.

The following Gentlemen, not being prepared immediately to deny that the Lieut. Governor possessed the right of appointing the religious teachers of the people's representatives, voted against the amendment from York county: viz. The Attorney General, Allan McNab, Soliciter General, Sheriff Jarvis, John Wilson, Mahlon Burwell, Brant W. B. Robison, Samson, W Crooks, Elliot, A. Fraser, Ingersol, Jessup, Lewis, D. McDonald, McMartin, Magon, Duncomb, Mount, Berczy, Chisholm, Thomson, Vankoughnet, Werden, White, W. Wilson—28.

The resolution in amendment was consequently thrown out. The House then divided as to whether or not they would appoint the select committee moved for by Mr. Samson, and they decided to appoint it.

ANSWER TO HIS EXCELLENCY'S SPEECH

To His Excellency Sir John Colborne, K. C. B., Lieut. Governor of the Province of Upper Canada, &c.

May it please your Excellency,

We His *Majesty's* dutiful and loyal subjects the Commons House of Assembly in Provincial Parliament assembled, thanking Your Excelleney for the gracious Speech with which it has pleased Your Excellency to open the present Session of the Legislature, beg leave to assure Your Excellency that we participate in the deep sorrow and affliction which the demise of our *Most* Gracious Sovereign has spread thro' the British Empire; an affliction which finds its greatest solace in the reflection that an illustrious *Member* of that House which for more than a Century has wielded the Sceptre of that Empire, whereof we are proud of being a part, has succeeded to the Throne of His Ancestors, declaring His resolution to rely upon the advice and zealous co-operation of Parliament in His *Majesty's* anxious endeavours under the blessing of Divine Providence, to protect the liberties of His People and to promote their happiness—a declaration which will long be borne in grateful remembrance by His *Majesty's* faithful and loyal Subjects.

We also desire to assure Your Excellency, that it will be our constant endeavour to advance by every means in our power the progress of our Commercial Intercourse with the Parent State, which with the tide of Emigration which has recently turned to Upper Canada, is so eminently calculated to advance the prosperity of the Province.

We are fully sensible of the necessity which exists of introducing without delay such an improved system in the mode of constructing our Highways as will enable the Agriculturalists of the more remote Townships to participate in that rapidly increasing Commerce which is now carried on by an inland Navigation, capable of being rendered by the completion of those extensive public works now in progress for connecting the great Waters upon our Frontier, second to none on the face of the habitable Globe.

Our most attentive consideration will be applied to the Estimates and Expenditure of the present year, so soon as the Public Accounts shall be laid before us, and the several Acts which are about to expire will also receive our particular attention.

To the Returns and Reports prepared for our examination showing the effect of the measures which had been adopted to insure an active presecution of the Public Works and to foster the Institutions organized with the sanction of the Legislature will likewise engage our best deliberations, and we participate in the hope expressed by Your Excellency that the course pursued with that view, the encouragement and protection afforded to Emigrants of every description, and a judicious application of means to improve gradually the internal Navigation of the Province will be found to accord with the wishes and interests of the People, and greatly to augment a class of Settlers, who have been accustomed to love and venerate our Constitution and whose labour, enterprise and Capital are essentially contributing to advance the prosperity and welfare of this Portion of His *Majesty's* Dominions.

Commons House of Assembly,
11th January 1831.

Mr. Vankoughnet gave notice of a bill to repeal the laws granting poundage to the Receiver General, and to provide a salary in lieu thereof.

Mr. Vankoughnet gave notice of a bill to prevent the consumption of spirituous liquors within shops.

Mr. Morris gave notice of a bill for the appointment of Commissioners to meet the Commissioners of Lower Canada on matters of mutual interest to both provinces.

Mr. McMartin gave notice of a motion for a select committee on expired and expiring laws.

The Solicitor General gave notice of a select committee to take into consideration the administration of justice in the Common Law Courts of the Province.

Mr. Bidwell gave notice of a bill to allow to persons tried for Felony the benefit of full defence by Counsel.

Mr. Sampson gave notice of a bill to regulate the appointment and office of Sheriffs in this Province.—

MEMBERS OF THE COMMITTE ON ROADS.

Messrs. Morris, McDonald, Wm. Crooks, Burwell, Thomson, Ketchum, Chisholm, Jessup, A. *McDonald*, *Macon* and Vankoughnett.

COMMERCIAL BANK.—The Committee on the Bank Petitions is composed of the following gentlemen—*Messrs.* Solicitor General, Jones, Bidwell, Thomson and A. *McDonald*.

KINGSTON POLICE.—The Solicitor General has introduced a Bill to amend the Police Law of this town, agreeably to the Petition of the inhabitants presented to the Legislature last year.

IMPROVEMENT OF THE ST. LAWRENCE.

REPORT OF MESSRS. WHITING AND CRAWFORD.

From this Report it will be seen that the whole cost of removing all obstructions which exist in the up Navigation, and of rendering it safe, expeditious, and cheap for Boats drawing four feet water, amounts to only £45,167, and the probable cost of the Steamboat improvement to £173,648 16 0

Such is the importance of this great highway, between Upper and Lower Canada, and the necessity which exists for its improvement is so apparent, that it is perhaps unnecessary to advance a single reason in favour of its being undertaken without further delay; for we are convinced that nothing in the power of the Provincial Legislature, can more largely contribute to the prosperity of Upper Canada; and we might submit the subject to that body, with the firm conviction that it would promptly act upon it. But in the performance of the duty assigned us, many interesting facts connected with the Trade of the Country, have been elicited, and we take leave to mention the following:

The quantity of produce sent to Lower Canada by the Saint Lawrence the past season was

Flour,	133,144½	Barrels.
Ashes,	26,084	"
Pork & Beef	15,743	"
Corn Meal,	1,875	"
Whiskey,	1,021 Bls & 3 Hhd.	
Butter,	27 Bls. & 858 Kegs.	
Lard,	235 " & 955 Kegs.	
Wheat,	280,322 Bushels.	
Rye, Corn,	4,881	"
Hogs live & dead,	2,636	
Apples,	652 Bls.	
	&c. &c. &c. &c.	

Equal in all to 316,025 Barrels, estimating 220 lbs weight to be equal to the Flour.

The quantity of Merchandise brought by the Saint Lawrence to Upper Canada, exceeds 8000 Tons.

The amount paid for the cartage of these Goods, at the several Portages, exceeds £4000, and if no other advantage, was to be attained by the proposed improvement, than that of *doing away with the necessity of carting* it would fully justify the expenditure of a much larger sum than is required to effect it, for it must be remembered the losses sustained by delay, breakage and damage to Goods by carting, amount to more than the sums actually paid for it.

This, however, is but a small part of the saving which would be effected, by an improvement of the Navigation. It would enable owners of Boats to reduce the number of men employed on them, so that produce could be taken down at a reduction of at least *one third* it not *one half*, from the present rates. Taking the business of 1830, for data; the account will stand thus:

River transport of, say 300,000 Barrels at 2s. 6d.	£37,500	
Off one third,		£12,500
Do. do. upwards of 8000 tons at 80s. £32,000.		
Off 1s. 9d. per cwt.		£14,000
Annual saving,		£26,500

We cannot but believe it is only necessary that these facts should be made known to the respective branches of the Legislature, and an improvement will be authorized.

THE HERALD.

WEDNESDAY, JANUARY 19, 1831.

No further intelligence from Europe has been received by our last papers from New York.

A Petition praying for the re-introduction of the Kingston Town Council Bill has been forwarded to the Solicitor General.

As a Petition signed by the most part of the people of Kingston, was sent a year or two ago, and fully expressed their sentiments upon the subject, it was thought unnecessary to go to that trouble again.

In drafting the late Bill, it is thought there will be some difficulty in having what may be called the District Town Officers appointed in May. The lawful time for appointing the Assessors and Collectors of the District Tax is in January; and from that assessment the Police Tax is regulated, without any recompense being given to the Assessor, for the information so derived which cannot be the case if a Police Assessor is appointed. And one Collector can at once collect both rates, as at present, and pay the town dues to the proper receiver; this would be a better way than making so many calls upon the people for money, to sour their minds, when there is no occasion to do it.

The propriety is suggested of not altering the general plan of appointing Town Clerk, Collector, and Assessors, and making the general laws for fences and cattle from the lawful time appointed throughout the Province.

That the meeting in May or June be confined to electing the Town Council, and the Officers under their controul.

We have had many inquiries, as to the drift and intentions of some persons who notified an intention of applying to Parliament for a Bill to incorporate a company, to make and keep in repair the road between here and Waterloo.

We are unable to give any information, as to the persons or their intentions, but we should think them to be something after the manner of the Ernest Town Road Society. If it was to erect a Toll gate, they would have declared so in their notice; besides, that could not posibly be their intention, because it must be well known that the public in general disapproved of that scheme some years ago, when the road was first laid out; therefore, it cannot be supposed they would approve of such a measure when the road (altho' bad at times) will not require one third more labour to make it complete, as the worst places in the road are overcome.

It seems the house has not at present employed a reporter. We have selected from the Freeman and Advocate, two articles on the subject to enable our readers to judge of the reasons given for not engaging one for the session. For our part we regret it, because we are apprehensive we shall not be able to give that clear, and distinct idea of the business in the house, that we could wish. This much we are certain, that it is the wish of the public to have a correct idea, not only of the mere votes of their representatives, but the reasons and the arguments made use of, and the good and evil elicited during a debate on a subject, as might influence them to give their vote on a question before them. Although they are our representatives, and are clothed with a great power, in their delegated official capacity, to do good, or evil, it is no argument to prove they are in possession of all the united wisdom of the Province. Yet it may be supposed they have greater opportunities of collecting information, they having (or at least ought to have) the united wants, views, and sentiments of the whole body politic, to judge and act upon. Now, they our representatives at this time assembled at York, and having such superior, and united means of intelligence, by being assembled at the mighty focus where all the great channels of knowledge flow, that can illuminate the mind. It is not to be wondered at in this improving and inquisitive age, that the people should wish to have a part of this accumulated knowledge circulating through the Province so as they can come in for a share of it, if they are disposed and desire information. And as times are hard, they wish to have it done at as little cost as possible. For our part, and those with whom we have conversed, we cannot think of a better, or a more economical plan than by a faithful reporter, one who would not amuse himself in caricaturing the members, but represent their Speeches as they are delivered. With respect to an objection because it is not the custom of the Imperial Parliament to employ reporters, we have to observe that there is no occasion, because reporters are sent from all the daily papers to report for them the proceedings of the Houses; the great demand for their papers being a sufficient remuneration for all expenses incurred for reporters to the House; and the many others employed in various departments. It is well known that it is not the case in Canada with the proprietors of Newspapers.

As to the wish of any gentlemen to model our Provincial Parliament, after the Imperial; we are inclined to believe they would not get much praise from the public for their intentions.

There are many good things appertaining to the Imperial Parliament we never wish to partake of, however pleasant and profitable they may be to a few. Formerly their Parliaments were annual, then triennial, and now septennial. It appears to be the opinion here with people, that three years is quite long enough for the duration of any Parliament, and so said that great statesman, Mr. Fox. Then again, what an exquisite trade is that of a Boroughmonger, and by way of sample, we have given a description of a few of the rotten boroughs, for the edification of our readers; and how the House of Commons, usually called the Representatives of the people, is constituted.

Paying the postage of letters out of the contingent funds is not according to the usage of the Imperial Parliament. The letters to and from Members there are franked, but no charge whatever is made by the Post Office establishment on the country; but here the Province is charged with the amount of postage. We think the small boon of carrying the Members' letters free, for the privilege of using and cutting up our roads, without giving one farthing towards keeping them in repair, would be only a small acknowledgment for the damage they do.

The House was occupied some time respecting the appointment of a Chaplain.—Mr. McKenzie moved his first resolution, which was opposed by Mr. Morris, who wanted a committee to enquire into the expediency of the House appointing its own officers, and both questions were disposed of by moving to proceed with other business. Mr. *Mc*Kenzie then moved, that until the right of the appointment of the Chaplain be decided, the services of the present Chaplain be dispensed with. The motion was lost.

It is not to be inferred from the circumstance that all those members who voted against this resolution, are in favor of recognizing an established Church. They were merely anxious to have the affair of the appointment of a Chaplain referred to a select committee, that a proper decision might be had.

We have been requested to copy the following from the IRISH SHIELD, Vol. II. No. 14.

TO READERS AND CORRESPONDENTS.

This is the last number of the Irish Shield that will appear in the present form. By a reference to the index, it will be perceived that this volume which shall be elegantly bound in a few days, contains a mass of diversified matter, possessing not only interest for the Irish reader, but for the lovers of literature, the arts, and the drama, in general. We think that the impartial justice of criticism will, at least, award our HISTORY OF IRELAND the praise that is due to originality of narrative—industry of research, and appositeness of observation. This volume will be forwarded, free of expense, to any part of the union, on the receipt, at this office, of $3. Such postmasters as may oblige us in making sale of either the first or second volume of the IRISH SHIELD, are allowed to deduct 25 per cent., as a remuneration for their trouble. They are also hereby empowered to receive subscriptions for the weekly paper—the "*Irish Shield, and Literary Panorama*," and make a similar deduction.

All we will say of the weekly publication is, that it shall abound with more original matter, embracing all the varied topics of the magazine, than any other weekly paper in America. The most amusing and instructive articles of the English and Irish periodicals, shall comprise its selection. By intense application, and indefatigable industry, we have elevated the Irish Shield to a lofty literary reputation, so that our countrymen may depend that we are too ambitious of fame, to suffer its declension in the weekly publication.—Let Irishmen give us a fair patronage—a patronage commensurate to our deserts, and we will make the *Irish Shield*, progressively, more worthy of their encouraging auspices. We beg that those subscribers, who are in arrear, will be prompt, in remitting to us the amount, as they are aware that the expense attending a weekly paper is enormous.

THE WEATHER.—We have had severe weather during the past week, the Thermometer for three mornings being below zero. The Ice took across the bay to the Point, and also to Long Island the same day during the past week. We are still without a sufficiency of snow to make sleighing, there being only a slight covering on the ground.

FOR THE UPPER CANADA HERALD.

In an Editorial paragraph lately published in this Town, as a reason for not publishing a communication respecting a decision in the Court of Requests, the Editor says, "We understand it to be the English law, that if a woman carries on trade distinct and separate from her husband; she is liable to be sued in her own name for any debt she may incur. She has not in such case, the privilege of *femme coverte*."

That is an erroneous statement of the law; and, being published for the purpose of removing doubts and influencing the practice in such cases, it may, if suffered to pass without correction, lead unwary persons astray, and induce them to give or obtain credit and enter into contracts incapable of being enforced, and productive of eventual disappointment and loss.

The law of England, adopted here as the law of this Province, on that subject, is directly the reverse. A married woman cannot be sued for a debt contracted by her, while her husband is absent, altho' she carries on trade, in his absence, in her own name, distinct and separate from him.—Such a separation does not dissolve the relation of husband and wife, and remove her legal incapacity, as a *femme coverte* to form contracts, or own personal property, liable for the payment of debts contracted by her on her own account. Her contracts are void, unless made under such circumstances as to bind the husband, and render him, and not the wife, liable to be sued therefor.—This rule of law is clearly settled by a long series of judicial decisions, and is well known to every Judge and Lawyer conversant with elementary Law-Books or the Reports of adjudged cases. TENAS.

FOR THE UPPER CANADA HERALD.

I am astonished to learn that Roman Catholics in this Town have joined in the petition against the Methodists, upon the ground, that, although they are British subjects resident in this Province, (some of whom have fought and bled in defence of the Province) and are under a British Canadian Conference, independent of that in the United States, but agreeing with them in the same system of Church government; yet not having at present a Bishop appointed in this Province, they have received ordination from a Methodist Bishop who resides in the United States: when the Pope, from whom the Roman Catholic Clergy receive all their orders, and to whom they are in all things subordinate, is a foreigner residing at Rome. By joining in a petition upon that ground of complaint, the Catholics put a new weapon into the hands of their enemies. The spirit of this petition is the very principle of intolerance and persecution; and it is easy to forsee that it will produce the usual effect of persecuting attempts. It will unite and strengthen, and eventually increase the persecuted sect, and be remembered against the persecuting party; when the clamour shall be disregarded, and succeeded by a dispassionate consideration of the subject. FENELON

MARRIED—On Tuesday the 5th inst. by the Venerable Archdeacon of Kingston, Mr. Calvin Day and Miss Elizabeth Wright both of the Township of Kingston.

On the 11th inst. at York, JOHN S. CARTWRIGHT, Esq. of Kingston, Barrister at Law, to SARAH, daughter of the late Dr. Macaulay, and sister of the present Justice.

On Thursday the 13th int. by the Venerable Archdeacon of Kingston, Mr. James Allingham, and Miss Eliza Bruce, of the Township of Kingston.

MARRIED—On the 5th inst. by the Rev. Mr Greer, Charles Mabey to Miss Harriet Smith, both of the Township of Sidney.

On the 30th Dec. last, by the Rev. Mr. Thos. Campbell of Bellville, Mr. Alexander McMullin to Miss Rebecca Jones, both of Sidney.

DIED—On Sunday the 16th inst., Mrs. Elizabeth Jane, wife of Thos. Turpin, Esq., in the 58th year of her age.

DIED—Lately, at Bombay, East Indies, George Richmond, Esq. Assistant Surgeon of His Majesty's 4th Regiment of Light Dragoons, and of the Hon. the East India Company's Service—youngest brother of Mrs. Mair of this Town.

Yesterday morning, Dr. John Morin, aged 28.—Funeral on Friday 12 o'clock.

FOR SALE AT PUBLIC AUCTION.

LOT No. 4, in the 6th Concession Richmond—300 acres. The West half of Lot No. 8, in the 1st Concession ditto, and Lot No. 8, in the 2d Concession ditto—337 acres. Formerly the property of the late Andrew Kimmerly, Esquire, on which is an excellent house, barns and out-houses.

Terms—Cash. One-third on the day of sale—one-third in six months—and one-third in twelve months. Sale to take place on the farm of 337 acres, on the 15th day of February next.

The above premises were mortgaged to the present owners, who are now in possession under their Mortgages—the Mortgagors having failed in payment. The lots will be sold separately and possession given immediately after the sale, together with the title of the Mortgagees, on their receiving security for the second and third instalments. For further particulars enquire of the subscriber.

D. BETHUNE.

Kingston, January 17th, 1831.

CAUTION.—I do hereby caution all persons from purchasing the premises now occupied by Mr. M Demmon, in Store Street, or any part of it, the same being in equity mine, in consequence of the term of years having expired, that Anthony Manahan, Esq. was to hold possession of it, agreably to an understanding had with that person, in the presence of C. A Hagerman, and Jno. W. Ferguson Esqrs., prior to his purchase, that the property should revert to me at the expiration of six years, when the rents would satisfy the judgment he had obtained against me, as also one or two other demands in the hands of C. A. Hagerman Esq., which he deemed expedient at the time to assume.

Be it further known that the said property is entailed agreably to the will of the late Patrick Smyth.

WILLIAM BAYARD SMYTH.

Kingston 12th Jany. 1831.

NOW FOR YOUR

CHRISTMAS PIES & PUDDINGS!!!

FLOUR of a very superior quality for sale by the subscriber at a low rate

JOHN COUNTER.

Dec. 18, 1830.

Public Record Office Reference:— C.O. 47/57

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INCHES 1 2 3 CENTIMETRES 1 2 3 4 5 6 7 8