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A LECTURE
On Weights & Measures,

——DELIVERED BY——

R. S. M. BOUCHETTE, Esquire, Com. Customs,

Before the Literary and Historical Society of Quebec, 18th of February, 1863.

Published by request.

There is a branch of Political Economy which, although one of the most important in its application to the dealings between man and man in the prosecution of foreign or domestic commerce, seems, nevertheless, to have, in a great measure, baffled all attempts hitherto made to give it that fixity and uniformity in practice which are, theoretically, its essential elements.—I refer, as you have no doubt already anticipated, to the subject of weights and measures, which you have kindly permitted, that I should examine and discuss before the Society this evening. I have not the pretension to believe that, in treating a question upon which philosophers and statesmen have differed, I am going to relieve it of its difficulties, and throw any new light on the subject; but having, in the course of my reading in connection with a branch of my official duties, collected some facts and opinions in reference to weights and measures, in Great Britain, in France, and in other countries, I thought the Society might not deem it wholly uninteresting to have those facts and opinions brought under its consideration, in the manner in which I am about to submit them, and I beseech the indulgence of the Society, for the imperfect manner in which I may perform the task I have undertaken.

The terms weights and measures, in their familiar import, narrow down our ideas to the daily business transactions of life, in which respect, however, from the multitude and variety of those transactions, the subject assumes a vast practical importance. But its scope is not confined to the operations of the mart; it bears upon far loftier objects, and embraces the arts and sciences. The dimensions of the globe we inhabit, those of the spheres which form part of our solar system, their distances and their density, are all computed by the same general rules by which we measure the distance between Quebec and Toronto, the cubic contents of a cylinder, or weigh an ounce of bread.

My present purpose aims at no higher ambition than, simply to explain the system of weights and measures as it prevails in each of those countries with which we are most intimately connected by commerce; and therefore, to consider those systems as they are found in France, in England, and in the United States, with the second of which, our metropolitan country, and with the United States, an aggregate trade in imports and exports is carried on by this Province, amounting annually to about $80,000,000.

I will also point out what is our own position with regard to the subject under consideration, and will offer a few general remarks upon existing systems of weights and measures, in relation to their bearing and influence on domestic trade, and on foreign or international commerce.

FRANCE.

In France, before the Revolution of 1789, which was one of those upheavings of the social fabric, the vibrations of which were felt in almost every civilized nation of the world, the weights and measures were found to be in the greatest confusion. Reform seemed indispensably necessary; but the bit by bit reform which is characteristic of the wisdom of modern legislation, did not suit that period of bold and sweeping innovations, and the whole system of weights and measures, then existing in France, was suppressed, to give place to a new metrology established by the law of the 7th April 1795.

This, however, was not done lightly. The subject underwent the gravest examination, and the decision appears to have been based upon very enlarged views and philosophical considerations.

With the Bishop of Autun, better known as Prince de Talleyrand, originated the idea of a new system of weights and measures, founded upon the principle of a single and *universal* standard, and it was he, it appears, who first submitted to the National Assembly in 1790, the project of a decree upon the subject. Foreign nations, and especially the British Government, were invited to co-operate in the measure, and it was suggested that commissioners, chosen from the Royal Society in England, and from the Academy of Sciences in France, should meet to confer together on the subject, and carry out the design of fixing a common international standard for the weights and measures of both countries. To this invitation, however, the Government of England did not respond, and the National Assembly of France was left to prosecute alone a scheme which seems to have originally aimed at the establishment of an international as well as a domestic system.

The adoption of a *unit*, which would at once furnish a standard for measures of length, weight, and capacity, suggested itself as the great desideratum, and the *mètre* was chosen as that unit, with its decimal parts, the mètre itself being the standard of measure of length, surface, and solidity; the cubic decimètre or tenth part of the mètre, of distilled water, weighed in vacuo, at the temperature of its greatest density, being the *kilogramme* or standard of weight, whilst the space occupied by the cubic decimètre of water became the *litre* or standard of capacity.

The momentous question, however, the key-stone of the whole fabric, was to fix the length of the mètre upon some more philosophical basis than that upon which some parts of the old system rested, in which, the standard of length, for instance was, it is stated, taken from the length of Charlemagne's foot, as the Greeks had before them adopted as their standard of that measure the length of the foot of Hercules.

Opinions were divided as to the best mode of obtaining the mètre—some advocated as the most accurate test, the length of the pendulum vibrating seconds in a given latitude, or at the equator; others preferred the fractional part of a terrestrial meridian.

To examine into this important question, a commission was appointed by the National Assembly, composed of some of the most eminent members of the Academy of Sciences of France. Borda, La Grange—who has been designated as the Newton of France,—La Place, Monge and Condorcet, composed this commission, which, on the 19th March, 1791, reported in favor of selecting the fractional part of the meridian, i. e. the 10-millionth part of the quarter of the meridian, instead of the length of the pendulum, as the standard unit sought for.

The thrilling events which immediately followed 1791, a period historically known as the Reign of Terror, for a time eclipsed this learned Commission, several of the members of which were dismissed by the Committee of Public Safety, as not being thorough Republicans.—*Ils étaient soupçonnés d'être suspects*—but in 1795 all the operations which had been commenced under the direction of the Academy of Sciences, in reference to the standard of weights and measures, were resumed, and the National Convention which had succeeded to the National Assembly, prosecuted the original plan to its final accomplishment. The admeasurement of the arc of the meridian was at once resumed, and eventually completed by Delambre and Méchain. The accuracy of their respective operations will readily be conceived, when it is stated that, after a series of triangulations and levels, over a country upwards of 600 miles in extent between Dunkirk and Barcelona, upon two bases, the one of 6075.90 toises, the other of 6006,25, the latter base, though at a distance of 400 miles from the former, when calculated by inference from the chain of triangles between them, differed from its actual measurement less than one foot.

Such were the means by which the length of the *mètre* the fundamental unit of the French metrical system, was established; and if I have dwelt upon this branch of the subject longer than is consistent with the humble practical view which, at the outset, I professed to take of the question, I shall perhaps be forgiven on account of the deep interest we must all feel in the triumphs of science, and in the contemplation of those large and ennobling conceptions which are so well calculated to impress us with the vast resources and elevation of the human mind.

The standard mètre thus definitively adopted is equal to $443\frac{296}{1000}$ lines or $36\frac{84}{100}$ inches of the old French measure, and corresponds nearly to $39\frac{37}{100}$ inches English measure. The length of the pendulum vibrating seconds at Paris, that is 86,400 oscillations in 24 hours, is $440\frac{850}{1000}$ lines old French measure, or $\frac{99.183}{100.000}$ of the mètre, and therefore $\frac{817}{100.000}$ shorter than the mètre as measured on the meridian. The attempt to regulate the length of the pendulum by a given number of decimal oscillations, that is 100,000 in 24 hours reduced its length in the same latitude to $\frac{74.183}{100.000}$ of the mètre.

The mètre is the centre of the French system of weights and measures. From it are formed in decimal ratios two scales, the one ascending, the other descending, and it furnishes the standard not only for linear, superficial and, solid measure, but it also, with its decimal parts, becomes the standard of weight and capacity, as I have had already occasion to mention.

This ascending and descending scale has its application to all the forms of measurement and by means of Latin and Greek prefixes you at once know whether you are dealing with multiples or divisions of the standard, the Latin prefixes being indicative of the descending scale, whilst the Greek are applied to the ascending scale. Thus we have, with reference to measures of length, capacity, and weight, the following nomenclature.

LENGTH.

The Millimètre or.....	.001	of the Mètre.
" Centimètre "	.01	
" Decimètre "	.1	
" METRE "	1.—39.37	Eng. Inches
" Decamètre "	10.	
" Hectomètre "	100.	
" Kilomètre "	1,000.	
" Myriamètre "	10,000.	

CAPACITY.

The Millilitre or.....	.001	of the Litre.
" Centilitre "	.01	
" Décilitre "	.1	
" LITRE "	1.—.26418	of wine
" Decalitre "	10.	gallon, rather
" Hectolitre "	100.	more than a
" Kilolitre "	1,000.	quart
" Myrialitre "	10,000.	

WEIGHT.

The Milligramme or.....	.001	part of the
" Centigramme "	.01	Gramme.
" Decigramme "	.1	
" Gramme "	1.—15.43	grains
" Decagramme "	10.	
" Hectogramme "	100.	
" Kilogramme "	1,000.—about	2½ lbs. avoir-
" Myriagramme "	10,000.	dupois

And then, with respect to solidity and surface, the following, viz:—

SOLIDITY.

	The Decistère..	.1 of Cubic Mètre.
35.3166 cub. ft.	" Stère.....	1. or a Cubic Mètre.
	" Decastère..	10. or 10 Cubic Mètres.

LAND MEASURE.

	The Centiare..	.01 of the are or sq. mètre.	
4 sq. perches nearly.	" Are.....	1. one hundred sq. mètres.	
2½ acres nearly	" Hectare...	100.	10,000 square mètres.

It would be impossible to devise a decimal system more perfect and harmonious in its parts, coupled with a nomenclature so expressive of the multiple or division of the unit of weight or measure it represents: as remarked by Mr. Adams in his admirable report to Congress on this subject, in 1821; "no two words express the same thing; and no two things are signified by the same word."

Beautiful, however, as this system is admitted to be in theory, it was, from its inception, met with the most overwhelming difficulties in practice. A population of millions, accustomed for ages to a particular mode of domestic trade, could not readily give up the use of the weights and measures with which they were familiar, and they so pertinaciously clung to their old system, that the Government of France was forced to make, at different times, such concessions to popular usages, and so to modify the laws, that the result, for nearly forty years, was to produce enhanced confusion in reference to the weights and measures of the country.

It was not until the reign of Louis Philip that this great metrical system may be said to have been, as a whole, imposed upon France. The law of the 4th July 1837, which abrogated the decree of the 12th February 1812, permitting under certain restrictions the use of old weights and measures with their former designations, utterly swept away the old system, so far as a legal enactment could do it, and bodily substituted in its place the decimal metric system, which I have just described. The use, however, of the old weights and measures was tolerated until the 1st January 1840, after which date heavy penalties were attached, not only to the use of such old weights and measures, but even a reference to them in contracts was prohibited, and a notary who should in any deed of conveyance describe lands by the abrogated terms of measurement instead of using the language of the new metrology, was not only fined, but the deed itself was declared to be null and void. Such is the present stringency of the law upon this subject in France.

Measures were, however, immediately taken to facilitate as far as possible the dissemination of the system. On the 17th August, 1839, was promulgated the "*Ordonnance du Roi sur la vérification des poids et mesures.* "The *surveillance* of the *vérification* is by it assigned to the *préfets* and *sous préfets* of Departments into which France is divided, but the *vérificateurs* or Inspectors are appointed by the Minister of Public Works, Agriculture and Commerce. It is provided that each Department should be put in possession of a complete assortment of standard weights and measures, duly stamped in the Department of the Propotypes, and these standards are to be verified every ten years.

Great pains were evidently taken in the framing of this ordinance, the details of which appear amply to provide for the effectual administration of this important branch of domestic national economy. Whether the law of 1837 and the ordinance first referred to, have wholly succeeded in the establishment of the new system throughout France, may yet be problematical. It has unquestionably triumphed in all the great centres of commerce of the Empire, but I have heard it stated that some deviations from it still exist in other parts of the country, notwithstanding the stringency of the law, so much is the *vis inertiæ* of the human mind opposed to change.

It would appear from evidence given before the Committee of a British House of Commons last year, that the French metrical system prevails or is about being adopted, in the following countries, viz:

France,
Holland,
Belgium,
Italy,
Spain,
Portugal,
Switzerland,
Greece,
And part of South America.

Having thus given you a brief account of the decimal system of the French metrology from its origin in the days of the Revolution to its final establishment under Louis Philip, as the only legal system recognised or tolerated in France, I shall now cross the British Channel and inquire into the system of weights and measures which prevails among a people so famed in the annals of the world, not only for their indomitable courage in war, and their profound knowledge of the science of government, but for their pre-eminent skill in the industrial arts and the world-wide scope of their commerce, the result at once of the wisdom of their commercial laws and of that enterprise which has in all directions extended the boundaries of the British Empire.

ENGLAND.

The policy of all communities that have grown sufficiently large to have commercial dealings, whether it be in the sale or barter of commodities, or of lands, will naturally be to adopt some *uniform* weight or measure by which quantities may be ascertained. The wisdom of this policy appears to have been felt at an early period of the history of the British people, and the records of Parliament of the remotest dates bear evidence of the attempts made through legislation to establish uniformity in weights and measures; but whether the defects were in the legislation itself, or whether there are any inherent obstacles in the nature of things to baffle the attainment of this uniformity, certain it is that later enactments on the same subject do not appear to have been more successful in reaching the gaol than the primitive laws, framed ages ago for the accomplishment of that momentous object.

We find in the great Charter of Henry III, which was a confirmation of the famous Magna Charta of King John, his predecessor, an express enactment having for its object the establishment of *uniformity* in weights and measures. This was in 1266. Avoirdupois and Troy weights do not at this time appear to have been the standards of weight in England. The first mention of avoirdupois weight in the English statutes is to be found in a statute of Edward III, anno 1335.

The weight of the *silver penny* sterling, was it seems, the basis of the whole fabric of the system of 1266. This penny was the $\frac{1}{240}$th part of the Tower pound, and was equal in weight to 32 kernels of wheat. (51 Henry III.) But the language of the law itself is so singularly precise, and the system of uniformity as to coins, weights and measures, which it prescribes, is so ingenious, that I must quote the words themselves.

"By the consent of the whole realm of England, the "measure of the King was made; that is to say; that "an English penny called a sterling round, and without "any clipping, shall weigh 32 wheat corns in the midst "of the ear, and 20 pence do make an ounce, and twelve "ounces one pound, and eight pounds do make a gallon of "wine, and eight gallons of wine do make a London bushel "which is the eighth part of a quarter."

It would, perhaps, be impossible to lay down in fewer words so complete and congruous a system as that here defined, and it shows how much in all ages, and we might say in all countries, the tendency was to borrow standards of weight and value from the cereal products of the earth, and how wheat especially was considered as the basis of values.

It would involve a lengthy enquiry, and exceed the legitimate limits of the present paper, if I were to trace the various phases of the English system of weights and measures, as found in the statutes at large. I can only invite those whose curiosity may tempt them fully to investigate the subject, to consult the report of Mr. Adams, which I have already referred to, a report full of profound research and of most philosophical views on this important question.

It will suffice for me to state that, despite of the efforts of statesmen and legislators to impart uniformity and permanency to the system of weights and measures within the British realm, that system at this day would appear to be in a state of imperfection and confusion, which modern enactments have in vain endeavoured to remedy.

The fundamental law of weight and measures in England at this day is the statute 5 Geo. IV cap. 74, which is in a great measure a declaratory act, but of which the provisions are so important, that at the risk of appearing to you somewhat tedious, I would solicit your permission to dwell upon it with some particularity.

5 GEO. IV, CAP. 74.

1.—From and after the 1st May, 1825, the straight line or distance between the centres of the two points in the gold studs in the straight brass rod now in the custody of the Clerk of the House of Commons, whereon the words and figures "Standard Yard 1760" are engraved, shall be, and the same is hereby declared to be, the original and genuine standard of that measure of length or lineal extension called a yard; and that the same straight line or distance between the centres of the said two points in the said gold studs in the said brass rod, the brass being at the temperature of 62° of Fahrenheit's thermometer, shall be and is hereby denominated the "*Imperial Standard yard,*" and shall be, and is hereby declared to be, the unit or only standard measure of extension wherefrom or whereby all other measures of extension whatsoever, whether the same be lineal, superficial, or solid, shall be derived, computed and ascertained; and all measures of length shall be taken in parts or multiples, or certain proportion, of the said standard yard, and that one third part of such yard shall be a foot, and the 12th part of such foot shall be an inch, and that the pole or perch shall contain five such yards and a half, the furlong 220 such yards, and the mile 1760.

3.—This section provides that the yard, if lost, &c., may be restored by reference to the length of a pendulum vibrating seconds of mean time in the latitude of London, in a vacuum at the level of the sea, in the proportion of 36 inches to 39 inches and $\frac{1393}{10000}$th part of an inch.

4.—Standard brass weight of one pound Troy weight made in the year 1758, shall be the Imperial standard Troy pound, and is declared to be the unit or only standard measure of weight, from which all other weights shall be derived, computed and ascertained; $\frac{1}{12}$ part an ounce, $\frac{1}{20}$ of the ounce 1 pennyweight, and $\frac{1}{24}$ of such pennyweight shall be 1 grain, so that 5760 such grains shall be a Troy pound, and 7000 such grains shall be a pound avoirdupois, $\frac{1}{7}$ of the said avoirdupois pound shall be 1 ounce, and $\frac{1}{16}$ of the said avoirdupois ounce 1 dram.

5.—Standard pound Troy if lost, &c., to be restored by reference to a cubic inch of distilled water weighed in air, by brass weights at the temperature of 62° Fahrenheit's thermometer, the barometer being at 30 inches, the weight of which is equal to 252 grains $\frac{458}{1000}$ of a grain, of which the Imperial Troy pound contains 5760.

6. The measure of capacity as well for liquids as for dry goods, not measured by heaped measure, shall be the gallon containing 10 pounds avoirdupois weight of distilled water weighed in air, temperature 62° Fahrenheit's thermometer, barometer 30 inches—unit of all *standard measures* of capacity *the Imperial standard gallon*, as well for wine, ale, beer, spirits, and all sorts of liquids, as for dry goods not measured by heaped measure—and parts and multiples—quart ¼, pint ⅛—2 such gallons a peck, 8 such gallons a bushel, and 8 such bushels a quarter of corn or other dry goods, not sold by heaped measure.

11.—Copies and models of the said standards to be deposited in the office of the Chamberlain of the Exchequer at Westminister, and to be sent to the Lord Mayor of London, &c.

12.—Magistrates in Counties, Cities and Towns, etc., in England, Scotland and Ireland, to purchase models, etc., for their respective Counties, etc.

14.—Bulk of 10 lbs. avoirdupois weight of water equal to 277 cubic inches, and $\frac{274}{1000}$ths of an inch, constituting the capacity of a gallon, and so forth for parts and multiples.

23.—56 Acts or parts of Acts relating to divers weights and measures in Great Britain repealed.

† 4 & 5 WILL. IV, CAP. 49.

4.—Heaped Measures abolished.

5.—Justices in Quarter Session in England to determine number of copies of Imperial standard weights and measures which they may deem requisite for the comparisons of all weights and measures, in use in counties, &c., and shall direct that such copies, verified and stamped at the Exchequer, shall be provided and deposited under care of Inspectors, to be appointed or valued by them.

12.—Stone to consist of 14 standard pounds avoirdupois, the cwt. to consist of 8 such stones, and the ton of 20 such cwt. Contracts made by any other stone, cwt. or ton, after 1st January 1835, null and void.

13.—All articles to be sold by avoirdupois weight except gold, silver, platina, diamonds, or other precious stones and drugs, which may be sold *in retail* by Troy weight.

14.—Weights and measures in use to be stamped. Penalty £5 and forfeiture.

5 & 6 WILLIAM IV, CAP. 63, 1835.—REPEALS 4 & 5 WILLIAM IV, c. 49.

4.—Abrogates necessity of identity of shape or form in standards.

5.—Copies of Imperial standards to be sent when defective to the Exchequer at Westminster, to be again compared and verified, on payment of fees of verification only.

6.—*Winchester bushel, Scotch ell, and all local and customary measures abolished.* Penalty for selling by any other than Imperial measures or multiples thereof, ½ ¼ ⅛ $\frac{1}{16}$ $\frac{1}{32}$ 40s. "Provided always that nothing herein contained shall prevent the sale of any articles in any vessel where such vessel is not represented as containing any amount of Imperial measure, or of any fixed local or customary measure heretofore in use.

7.—Heaped measures, abolished.

9.—Coals to be sold by *weight and not by measure.*

9.—All articles to be sold by avoirdupois, except gold, &c., which may be sold in the retail by apothecaries' weight (Troy ?)

12.—Contents of weights and measures to be stamped on them

13.—No weight of lead or pewter to be stamped unless cased in brass, copper or iron, and so marked "cased"

21.—No weight above 56 lbs. to be stamped.

22.—Expenses of providing copies of standard weights, and the remuneration to Inspectors to be defrayed out of county rates.

This act was followed by the 4th and 5th William IV Cap. 49,† which appears chiefly to have been intended to provide for the means of distributing standard weights and measures; but its provisions seem to have been insufficient or imperfect, since it was repealed the following year by the 5th and 6th William IV. Cap. 63, (1835.) This last act renders unnecessary identity of shape or form in standards, and provides for their adjustment. One of its most important features is that it abolishes, *the Winchester bushel,* (a) the *Scotch ell,* AND ALL LOCAL AND CUSTOMARY

(a) This measure is traced back to the reign of Edgar, anno 972, and it derives its name no doubt from the fact that the standard was by law kept at Winchester.

measures. *Imperial measures* as established by the 5th George IV, are the only legal measures recognized or "parts and multiples thereof." The binary division is affirmed, and the ½ ¼ ⅛ $\frac{1}{16}$ and $\frac{1}{32}$ are specifically designated as the only legal aliquot parts. But there is a somewhat singular proviso attached to the 6th clause, it is this:—"Provided always that nothing herein contained "shall prevent the sale of *any articles in any vessel* where "such vessel is not represented as containing any amount "of Imperial measure, or of any fixed local or customary "measure heretofore in use.

Whether this proviso was artfully introduced with a view of rendering the act in some degree nugatory, or whether the bearing of the proviso was not weighed or understood, certain it is that it opens a wide door for the evasion of the otherwise stringent provisions of the law, and it appears in fact to have had that effect.

The evidence given before the Committee of the House of Commons, the report of which Committee was presented to the House so recently as the 15th July last, (1862,) would tend to the inference that notwithstanding the strenuous efforts of all legislation to reduce weights and measures to positive and practical uniformity, extreme irregularity and disorder still prevail upon this subject in Great Britain. It is stated, for instance, by one of the witnesses examined before the Committee, that wheat is sold by the bushel of..... 168 lbs.
73 lbs.
80 lbs.
70 lbs.
63 lbs.

It is sold also by the bushel of 8 gallons at Saltash, and of 20 stones at Dundalk.

The load consists in some places of 5 quarters, in others of 5 bushels, in others of 3 bushels.

At Royston, or Stowemarket, it is composed of 488 quarts, and at Ulverstone of 144 quarts. And so it is with weights and land measures.

The cwt. may contain 100 lbs.
112 lbs.
130 lbs.

As to superficial measure, it is stated that at Falmouth an acre of land, consists of 4,840 square yards. *
At Preston of... 10,240 square yards.
And..... 9,000 square yards.

* That is the legal acre in square yards.

The instances here mentioned are simply given as illustrations of the diversity of weights and measures stated to exist in England; but if the extent of that diversity be estimated by the fact stated by Dr. Kelly, before a Committee of the House of Lords in 1823, that 200 laws had been enacted to secure uniformity in weights and measures without success, and that 500 various measures have been adopted in defiance of those laws,* one would

* London Morning Chronicle, May 1836.

almost be led to the inference that the subject matter is one which naturally eludes legislative subjection. With these alleged facts before us how idle, however wise, seems to have been the injunction of Magna Charta, nearly six centuries ago, that there should be but one weight and one measure throughout the realm.

There is reason, however, to believe that this statement of the extraordinary variety of weights and measures in use in Great Britain, is in some degree, if not greatly, exaggerated. It is not at all improbable that many of the alleged differences in weights and measures are more apparent than real, and result more from the modes of expressing, and perhaps of combining them, than from any difference in the weights and measures themselves. Their basis or fundamental value as a weight or a measure might still be referable to some recognized legal standard, and the difference of expression would probably, as remarked by Mr. Franklin before the Committee, be analogous to a difference of dialect between two counties.

I have now given you a brief, and I am afraid but a very imperfect, out line of the history of weights and measures in England, and have specially drawn your attention to the Imperial acts which define what are at the present day the standards of weights and measures in the United Kingdom. We have seen that the standard yard of 1760, "the Imperial standard Yard" is declared to be the *unit* or only standard measure of extension, and here it may be observed that, although the act declared that "one third part" of the said standard yard shall be a foot, and the "twelfth part of such foot shall be an inch," the yard itself is the only *standard*, the foot and the inches being but a designation of the parts into which the yard may be legally divided. Then as to weight, *The Imperial standard Troy pound* is declared to be the *unit* of weight, $\frac{1}{12}$ part of which is an ounce, $\frac{1}{20}$ of the ounce one pennyweight, and $\frac{1}{24}$ of such pennyweight one grain—5760 such grains being a pound Troy, and 7000 a pound avoirdupois.

The standard unit of all measures of capacity is the Imperial standard gallon containing 10 pounds avoirdupois weight of distilled water, weighed in air at the temperature of 62° Fahrenheit's thermometer. This is equal to $277\frac{274}{1000}$ cubic inches, or about ¼ more than the old wine gallon.

To those who, like ourselves, are familiar with the English system of weights and measures, the act cited of 5 Geo. IV, will appear simply declaratory of pre-existing standards, but it has theoretically, nay legally, done away with distinctions which had for ages, I may say, existed between the Winchester bushel and the Imperial bushel, the wine gallon and the ale gallon, the Scotch ell and English yard, and abolished all local weights and measures.

It may be questioned, however, how far the uniformity aimed at by this law is perfectly consistent in all its relations with the nature of things. The Imperial gallon, for instance, is made a common standard measure for liquid and dry substances—for wine or for wheat. But in these are found an inherent difference of specific gravity, and the metallic weight which would be equiponderant to a gallon of wine, would not be equiponderant to a gallon of corn. Thus in the difference between the specific gravities of the wheat and the wine, nature seems to have indicated two standard measures of capacity.

It is not, however, my province to discuss just now the merits of particular systems. My purpose is chiefly to state what those systems actually are, and consistently with that view of the task I have assumed, I now pass from

(*Concluded on the fourth page.*)

NEW ADVERTISEMENTS THIS DAY.

Quebec Mercury.

TUESDAY, APRIL 14, 1863.

Parliamentary Summary.

HOUSE OF ASSEMBLY.

The Speaker took the Chair yesterday at three o'clock, P.M.

A number of petitions were brought up, read and received; and amongst others one very interesting and well written, from Mr. Wm. Hoople, of the County of Stormont, presented by Mr. Ault, praying for remuneration as discoverer of the navigable channel down the "Long Sault" Rapids, on the northern shore of the river St. Lawrence, in the year 1848.

Mr. Pinsonnault, the member elect for Laprairie, was introduced by the Hon. Mr. Cartier and Mr. Dufresne, and took his seat in the House.

In answer to an enquiry by the Hon. Mr. Galt, the Hon. Finance Minister stated that a proclamation would shortly be issued re-imposing canal tolls, but at a reduced rate and better classified than under the la e tariff.

Hon. Mr. Drummond, on motion of Mr. Morris, seconded by the Hon. Mr. Galt, was granted permission to absent himself from attending on the North Riding of Leeds contested Election Committee, as he had important business in the country, which required his personal attendance, and as the contest had been terminated by the contesting member withdrawing the protest, and each member agreeing to pay his own costs.

The Hon. Mr. Cartier inquired what course would be pursued by the Government on Tuesday (to-day) in reference to bringing forward their measures; when the Hon. J. S. Macdonald informed the hon gentleman, they would be prepared to go on with every measure before the House, with the exception of the Postal Service Bill.

Three Bills were read a third time and passed. Several private and local Bills advanced a stage in Committee of the House, and were reported.

In answer to questions by Mr. Ferguson, the Premier replied that it was impossible for the Government at present to say at what exact time the Governor's residence and the Public Buildings at Ottawa would be ready for the removal of the Executive to that city—he hoped in less than a year from this time; neither, as there was a great difference of opinion outside of the House as to the alternate system, was the Government prepared to say if that system ought to be carried out even if they were not to go to Ottawa or Toronto; and that inquiry would be made relative to the insurance of the Government House at Toronto which had been destroyed by fire, and the information requested would be laid before the House as soon as ascertained.

The Hon. Mr. Morin made an inquiry in reference to the tug service between Lachine and Kingston. In reply the Hon. J. S. Macdonald stated that the contract had been given out at $16,000 instead of $20,000 as formerly, and a reduction of 10 per cent. had been made on the former tariff.

The Hon. Attorney General West opposed, in an animated and strong speech, the resolution moved by the Hon Mr. Alleyn in reference to the Aylwards' execution. He contended that the resolution implied a direct charge against the Representative of Her Majesty, as well as against one of the ablest Judges of the land. The hon. gentleman read the Royal instructions, which regulated the conduct of His Excellency the Governor General in such matters, and he showed that His Excellency could have used the Prerogative of mercy even if the Executive had advised him to the contrary, there was no precedent to warrant any interference when he did not see fit to use that Prerogative. He requested the mover to withdraw the resolution, otherwise he (the Hon. Attorney General West) would press the House to decide the question.

The Hon. Mr. Alleyn maintained that the Governor General was not the Representative of Her Majesty; he would not withdraw the resolution, but was determined to speak to it even if he had not a single supporter in the House. The hour for adjournment, (six o'clock) having arrived, the Speaker left the chair, and the subject was dropped.

After the recess a large number of Bills passed a second reading.

Mr. Dunkin in moving the second reading of a Bill to amend the laws in force in Lower Canada respecting the sale of intoxicating liquors, and the issue of licences therefor and for other purposes, explained at length the advantages which were expected to be derived from the application of the Bill, especially in imposing penalties on tavern-keepers and others for supplying liquor to persons and allowing them to go abroad whilst intoxicated.

The Hon. Mr. Sicotte made a few remarks favorable to the Bill, and pointed out where some changes were necessary to prevent certain clauses from intefering with Municipal Law.

Mr. Anderson was well pleased with the general principles of the Bill, and would wish to see it applied to Upper Canada.

The Hon. George Brown entered the House at nine o'clock. He was introduced by the Hon. Messrs. Dorion and Mowat, and took his seat amidst cheers.

A lengthy discussion took place on the Bill to amend the law relating to Crown Debtors, in which the Hon. Messrs J. S. Macdonald, Wilson and J. H. Cameron took part.

The Bill to amend the Currency Act was also discussed at length. The discussion was principally in reference to the value of silver, and what amount should be made a legal tender. The Hon. Minister of Finance, Messrs. Galt, Sicotte, Cartier, Joseph Dufresne, Daly, each gave their views.

The Hon. J. S. Macdonald did not wish to allow a subject of so much importance to be passed without due investigation.

The Bill was finally referred to a Select Committee.

The House adjourned at five minutes past midnight.

One who has occupied the position of an Executive Councillor, and is a lawyer by profession to boot, might be supposed to have some general knowledge of the nature and scope of the prerogative, and some slight acquaintance with the functions of parliament in relation to the administration of justice. Mr. Alleyn is a living evidence to the contrary. He is a lawyer, and yet assigns to the House the duties of an ordinary Court of Appeal. He has been Provincial Secretary, and yet is unaware of the authority vested in the Governor General with regard to convicted offenders. Upon no other supposition than that of his unacquaintance with the principle and practice involved in these points, can his notice of motion in reference to the Aylward case be held to be intelligible.

True, partisanship may have had some connection with the proposition for which he has made himself responsible. To declare, "That this House deeply regrets that "His Excellency the Governor General "was not advised to exercise the royal pre-"rogative of mercy, and to commute the "sentence of death recorded against Rich-"ard Aylward and Mary Aylward, who "were executed at Belleville on the 8th of "December last"—may to party eyes seem an excellent mode of affirming want of confidence in the government. It is a covering for a vote of censure, of which blind partisanship may eagerly avail itself. But here, again, Mr. Alleyn is at fault. Professedly a party man, he has nevertheless acted independently of his party. On his own showing, he has ventured upon a non-confidence motion, without consultation with those with whom he acts; apparently placing a powerful party in antagonism not only to the government but also to the representative of the Queen, and raising an issue respecting the prerogative which no party affecting to be constitutional can provoke with impunity.

For the information of Mr. Alleyn, and those who share his extraordinary unacquaintance with the authority vested in His Excellency, irrespective of his advisers, so far as the exercise of the prerogative is concerned, we may quote the tenth article of the Royal Instructions, which runs thus: "And whereas we have by our "said commission given and granted unto "you full power and authority, when you "shall see cause, to pardon offenders con-"victed of any crime, and to remit fines, "penalties, and forfeitures: now we do "hereby require and enjoin you to call upon "the judge presiding at the trial of any "offenders to make to you a written report, "of the cases of all persons who may from "time to time be condemned to suffer death "by the sentence of any court within our "said province, and such reports of the said "judge shall by you be taken into conside-"ration at the first meeting thereafter "which may be conveniently held, of our "said Executive Council, at which meeting "the said judge shall be specially summon-"ed to attend, and you shall not pardon "any such offender unless it shall appear "to you expedient so to do, upon receiving "the advice of our said Executive Council "therein, but in all such cases you are to "decide whether to extend or withhold a "pardon, according to your own deliberate "judgment, whether the members of our "said Executive Council concur therein or "otherwise, entering, nevertheless, on the "Minutes of the said Council, a Minute of "your reasons at length, in case you should "decide any such question in opposition to "the judgment of the majority of members "thereof."

The refusal to commute the sentence of the Aylwards cannot, then, be treated merely as a ministerial procedure. It was not a matter in which the views of ministers were necessarily conclusive. On the contrary, it was one in which His Excellency was called to give the final decision, whether his advisers concurred with him or not. The condemnation affirmed by Mr. Alleyn's motion, therefore, extends beyond the ministers and the judge who presided at the trial, and includes in the most unequivocal manner the judgment of His Excellency. There can be no shifting off of this aspect of the question. It arises inevitably out of the constitutional relation, and Mr. Alleyn must be prepared to meet it, if he persist in pressing a motion of which his own party are unquestionably ashamed.

If not himself ashamed of the motion, why delay it after the fashion of yesterday? When a member challenges a government to a trial of strength on a question of right or wrong, he does not usually postpone it from day to day. He is supposed to have made up his mind before hand to the result of the contest, and to be prepared for all its chances. How is it that Mr. Alleyn, who does not hesitate to censure Mr. Chief Justice Draper, one of the most distinguished occupants of the Upper Canada bench, shrinks from his position on the floor of the House? How is it that Mr. Alleyn, after censuring the Governor General on the notice-paper of the House, chooses to defer the consequences of the same notice, as applied to his Excellency's advisers?

Though Mr Alleyn prefers delay, ministers decline to be parties to it. Mr. Sandfield Macdonald yesterday refused to submit silently to a menace which its author should be compelled to maintain or at once to withdraw; and we shall see how soon, and in what style, Mr. Alleyn attempts to justify the false step which he has taken.

Crown Lands Department—Report of the Commissioner.

The annual Report of the Commissioner of Crown Lands has been published. Of all the State papers yearly required to be issued, perhaps there is none which the general public examine with so much attention, and in which so universal an interest is felt as that which shows the condition of the public domain. By means of this report, the progress already made in the settlement of the country is in some degree indicated, and the future attractions to new settlers, in the shape of additional roads, and new surveys, are partially foreshadowed. The revenue derived fom the sale of these lands is also sufficiently considerable to give additional interest to this exhibit of departmental affairs.

It may be safely inferred from the report now under consideration that the maximum of the annual sales of the public land has already been reached, and in view of the fact stated, that the best tracts of land in Upper Canada, formerly held by the Crown, have already been disposed of, a gradual decrease in future years may be predicted.

During the past year, upwards of 200,000 acres less were sold in Upper Canada than during 1861, the sales of the former year reaching upwards of 342,000 acres, and in the latter year only 136,500. A diminution in the sale of lands in Lower Canada is also recorded, but the difference between the two years is inconsiderable, when compared with the falling off in the Western section.

The total number of acres of Clergy lands in Upper Canada sold during the year was 29,771, and in Lower Canada, 36,504. Of Crown lands in Upper Canada, there were sold 101,511 acres, and in Lower Canada 232,186 acres. The amount of sales of Clergy lands in Upper Canada was $60,666 49, in Lower Canada, $30,914 19. Of Crown lands in Upper Canada $120,627 53, and in Lower Canada $106,197 65. Thus, the quantity of Crown and Clergy lands sold in Lower Canada exceeded that of Upper Canada by 127,408 acres; but the amount of sales in Upper Canada was greater by $44,182 18. The total amount of collections, on old and new sales, of both services was, in Lower Canada $80,517 75, and in Upper Canada $401,095 50, the latter being in excess of the former by $320,577 75.

Assuming that the purchasers in one section paid their instalments with the same regularity as those in the other, the difference of amounts would be caused by the difference in the price of land, that in Lower Canada being cheaper. On the assumption that 200 acres were purchased by each individual, the number of new settlers on land in Upper Canada for the last year would be 656, and in Lower Canada 1,293. This disparity in numbers, other things being equal, cannot be the result of disparity in price, or of immigration. Neither is it attributable to the fact, as stated in the Report, that the best lands of the Crown, in both sections of the Province, have already been sold; for, notwithstanding the unfavorable description given of the disposable Crown lands in Upper Canada, they are generally admitted to be of better quality than those in the Lower Province.

In Lower Canada, we learn from the Report, that, after deducting the sales for last year, there are 5,908,557 acres of Crown lands surveyed, and in market; and in Upper Canada 2,839,358 acres. The whole quantity of land sold during the past year is less by 252,471 acres than in 1861. The falling off is equal to about 38½ per cent. This is attributed to the commercial and monetary derangements resulting from the civil war in the neighboring country; to the retarding influence of the war upon immigration; and to the diminished means of purchasers within the country by reason of the deficient harvest of 1862.

The amount of revenue accrued from timber dues and ground rents during the year was $279,991 04, and from slide dues $54,402 12, making the total accrued from these sources $334,393 16. The amount of revenue collected from timber dues and ground rents was $303,769 33, and from slide dues $49,987 26, making the total revenue collected during the year $353,756 59, an additional sum of $15,603 85 having been collected from other services.

The amounts of collecting from the different services of the Department are stated thus:—From Crown, Clergy, Common and Grammar School lands $761,890 83; Woods and Forests $369,360 44; Indian Department, embracing receipts for lands and timber, interest on investments, and annuities, $203,711 72; Jesuits' Estates, Crown Domain, and Seigniory of Lauzon, $38,796 97; Fisheries, $9,724 61; making a grand total of $1,323,484 57. From this must be deducted disbursements and charges of management.

Some interesting information is given in relation to Colonization Roads, and their progress of settlement. These are opened by Government through the unoccupied lands of the Crown, and serve to promote their readier sale and settlement, by rendering them easier of access. On each side, grants of 100 acres are given to actual settlers, who are expected to keep them in repair.

An exploratory survey of the Manitoulin Island has been made, for the purpose of selecting for sub-division during the ensuing summer such portions as are fit for settlement. Numerous applications for the purchase of land have already been received. We regard this as the first practical step to the subsequent settlement and development of the north shore of Lake Huron, which, apart from its agricultural resources, possesses abundant wealth in its fisheries and mines. The exploratory survey of the north shore of Lake Superior will doubtless cause more attention to be paid to the fishing and mining capabilities of that long neglected region.

The Report embodies some suggestive remarks on the subject of surveys, and the methods sometimes resorted to in order to obtain them. It is stated that surveyors and others have occasionally represented to the Department that certain tracts comprise a very large proportion of good land, and have presented petitions from persons who pretended to be settlers, impatiently waiting for a sub-division of their lots. It is believed that in more than one of the Townships from which representations of this kind were made, there is not to-day a single *bonâ fide* settler. This, we imagine, is worse than the error of a certain surveyor who reported a Township to be so rocky and worthless that the survey then in progress was abandoned, though it has since turned out to be one of the finest Townships in that section of Upper Canada, and is now well peopled by thriving settlers.

We now come to the Commissioner's action on the internal economy of the Department. Here we find important changes and reductions. It appears one of his first acts was to put a stop to unnecessary surveys. For the previous five years the Crown surveys cost the country $486,119, in round numbers half a million, or $100,000 per annum. Mr. McDougall states that the survey ordered since 1st June, 1862, will not cost more than $34,000, or for a year say, from June, 1862, to June, 1863, about $50,000. Unless there is a change of administration and policy, there will thus be a reduction of $50,000 per annum under the head of Crown surveys. The departmental regulations, some of which had fallen into disuetude, were revised and supplemented so as to secure from the employees fair work for fair wages. The system of allowing a large portion of the work of the office to be done after office hours, and paying for it as "extra work," was put a stop to. The allowance for special services, which had been fixed at $5 per diem, was reduced one half. The effect of these and other measures of economy have told very sensibly on the expenses of management for 1862, although Mr. McDougall had but half the year to operate upon. From a statement, furnished by the Auditor General, of the expenses of 1862 as compared with 1861, we learn that a reduction has been made of no less than $48,371, or 28⅓ per cent.

Six clerks have been dispensed with at headquarters, and seven salaried agents, or employees in various parts of the province. The annual saving by this reduction of the staff, is stated at $10,925. Putting these several reductions together, and assuming that the saving in expenses of management will not be greater for a whole year than it appears to have been for half a year only, we may estimate the annual saving:—

On Surveys	50,000
On Management	48,371
On Salaries	10,925
Total	$109,296

This is a most gratifying result, and attests the zeal and energy with which the Commissioner has applied himself to the task of reform in his department. It may be remarked that the management of the Colonization Roads of Upper Canada was transferred to his department during the year, which entails a considerable amount of work; that though the quantity of land sold during 1862 was less than in 1861, yet the number of letters written and received, the patents issued, and the collections from all sources, were greater. There has, therefore, been an increase of work, with a large reduction of expense. This is the kind of reform the country needs. Let Mr. McDougall persevere in the good work he has begun, and though bigots may howl, and demagogues rave because he will not aid them in their mischievous and impracticable policy, he may safely appeal to the good sense, liberal feeling, and patriotic sympathies of the people of Upper Canada for his justification.

PROVINCIAL PARLIAMENT.

LEGISLATIVE COUNCIL.

Monday, 13th April, 1863.

The House met at 3 o'clock.

After routine,

THE PRINCE OF WALES' MARRIAGE.

Hon. Mr. TESSIER said that four weeks ago the House had manifested its sincere participation in the common joy which then pervaded the nation at the marriage of His Royal Highness the Prince of Wales with Her Royal Highness the Princess Alexandra of Denmark, by passing a motion of adjournment on the day appointed for the celebration of the nuptials; but now that the auspicious event was officially known to have taken place, it was proper that it should be the subject of formal recognition on the part of the House, and he had no doubt hon. members would agree with him that it could not be better done than by passing an Address of congratulation to Her Majesty. At a time like the present, when war, with its attendant evils, was scourging the neighboring country, it was especially grateful to recollect that this Province belonged to a power which had always been ready and able to protect her subjects, however distant from her shores—and which he had no doubt would continue to be so in the future. In view then of the happy event which had so interested the whole empire, he would move the following resolution, seconded by Hon. Mr. Ross:—

"That an humble Address be presented to Her Majesty, to congratulate Her Majesty on the happy nuptials of His Royal Highness the Prince of Wales with Her Royal Highness the Princess of Denmark, and to assure Her Majesty of the sincere and heartfelt satisfaction which the House derives from an event which must be so gratifying to Her Majesty, and which, they trust, will be so conducive to the domestic happiness of His Royal Highness."

Hon. Mr. ROSS said he was sure that the terms of the resolution expressed the feelings of every member of the House, as well as of the whole people of United Canada. He rejoiced over an event so auspicious in every respect as the marriage of His Royal Highness the Prince of Wales, on account of Her Majesty—because of the joy that it would afford her—on account of the Prince, of whom we had warm personal recollections, and on account of the nation at large who were devoted to the Queen and her family. In no part of Her Majesty's dominions was there a more loyal feeling existing than in Canada, which was one of the most important dependencies of the empire. Our loyalty arose from the many privileges and liberties which we enjoyed, as well as from the protection which was afforded to us, and he repeated, in conclusion, that United Canada rejoiced with the United Kingdom and empire at large at the Prince's marriage, and wished him and his fair consort the fullest measure of happiness.

The motion was then put and carried.

On motion of Hon. Mr. TESSIER, the Resolution was then referred to a Committee composed of Hon. Messrs. Moore, Dessaules, Crawford, and the mover and seconder, and the House adjourned during pleasure.

The House resumed, and the Committee reported an Address founded on the Resolution, which was adopted, ordered to be engrossed, and signed by the Speaker, and then presented to His Excellency by the members of the Government, who were members of the House, for transmission to the foot of the Throne.

MALAHIDE TOWNSHIP INVESTMENT BILL.

On motion of Hon. Mr. LEONARD this Bill was read a third time and passed.

SEPARATE SCHOOLS BILL.

Hon. Mr. McCRAE moved that the order be discharged for the 2nd reading of the Bill, and that it be the first order for Wednesday next. The hon. member said that his reason for pursuing this course was that the Bill was an important one or rather the question had been rendered so by circumstances, and as he saw many vacant seats of hon. members, who would no doubt be glad to take part in the deliberations of the House on the subject, he thought it was proper they should have the opportunity.—Carried.

MEMBERS ELECTION LAW AMENDMENT BILL.

Hon. Mr. ROSS moved the second reading of the Bill, the sole object of which was to remove the election Poll Books from the custody of the Clerk of the Crown in Chancery to that of the Clerk of the branch of the Legislature interested in such elections.

Hon. Mr. MOORE desired to ask whether the Bill, if passed, would have the effect of abolishing the office of the Clerk of the Crown in Chancery.

Hon. Mr. ROSS said it would not, for there were many other important duties devolving upon that officer, which could not be put in other hands. He wanted each Legislative Chamber to have charge of the Poll Books referring to its own elections, so that when it was deemed necessary or expedient to consult them, they should be easily accessible.

Hon. Mr. MOORE suggested that if the Bill were passed, it would be necessary for the Returning Officer to leave certified copies of the Poll Books with the Secretary Treasurer of the Counties or Electoral Divisions, before sending away the originals else in the event of loss of the latter very great inconvenience and trouble would follow.

Hon. Mr. ROSS replied that the law actually in force at this moment provided for the making of a duplicate copy in such a case, which was to be left with the Registrar of the County.

Hon. Mr. FERGUSSON BLAIR said he had no objection to allow the Bill to go to a second reading if it were to be referred to a Special Committee, for though the object proposed, was no doubt a desirable one, yet the change would involve legal questions which would require consideration.

Hon. Mr. ROSS said he would refer the Bill to such a Committee.

Hon. Mr. DESSAULES maintained that there was occasion for the change proposed, and he would state as a proof that an hon member had applied to the Clerk of the Crown in Chancery, for a copy of the Poll Book relating to his own election, and he had had not only much difficulty in obtaining it, but he had been treated by that official in a most provoking, uncourteous, and even insulting manner. When the Poll Books were in possession of the Clerk of the House, access could always be had to them without the danger of incurring such affronts.

The Bill was then read, and referred to a Special Committee of Hon Messrs. Fergusson Blair, Dessaules, McCrae, Belleau, Boulton, and the mover—Hon. Mr. Ross.

DIVISION COURTS.

Hon. Mr. McMaster moved the second reading of this Bill.

Hon. Mr. FERGUSSON BLAIR said that in his opinion some of the provisions of the Bill were good and some bad. For instance, he agreed in the necessity of withdrawing the patronage from the Judges, but he did not believe in the propriety of putting it into the hands of the Municipal Councils. He also thought it proper to prevent Clerks of Courts and Bailiffs from being candidates for Municipal honors, but he did not wish to commit the Government to the measure, especially as there was one on the same subject before the other House, prepared by a member of the Government. He would not, however, object to let it go to a Committee.

Hon. Mr. ROSS was not in favor of giving the Municipalities the power which it was proposed to take from the Judges, for instead of an improvement it would most likely be an injury. He thought the measure was exactly such a one as should be under the especial control of the Government, and although he was highly pleased at the able manner in which the hon. mover had introduced the bill last Friday, and therefore intended no reflection whatever upon him, yet the management of the Courts of Justice and all the machinery of Justice were subjects with which laymen could not be expected to be sufficiently conversant to enable them to deal therewith with perfect safety.

Hon. Mr. FERGUSSON BLAIR said he had consulted the Attorney General on the subject of the Bill, and the hon member might be sure that it would not be allowed to pass into law without close inspection.

Hon. Mr. AIKINS was highly in favor of the Bill, and thought the hon member who had introduced it deserved the greatest credit. It was but too well known that the patronage possessed by the Judges of the Division Courts in Upper Canada, had been exercised in too many cases in a most improper manner. He did not see any danger in allowing any Bill to originate with private members, seeing that it was for the Government to control the legislation, and when they ceased to be able to do this they had to retire and allow those that could to take their places. The Bill was not perfect, but it could be rendered a very good one, and he hoped it would.

Hon Mr. PERRY said that he approved of some clauses of the Bill, but he certainly could not approve of the proposal to transfer the patronage to the Municipal Councils. Why if that were done in the County of Northumberland, and some question in connection with the matter should arise which required the appearance of the Council in Court, their attendance for one day only would involve a cost of £50. There were 32 members, and they always charged 7s. 6d. a day for their attendance, besides 9d. a mile for travel. Then the Bill proposed to give the power to the Councils to interfere with the arrangements of the Circuits, and this, if carried out, would necessarily lead to great difficulties. He thought that if the patronage were withdrawn from the Judges, it might perhaps be put into the hands of a local Board to be composed, for instance, of the Judge, the Sheriff, the Treasurer, the Registrar, and the County Attorney.

Hon. J. SIMPSON said that it was high time something was done in reference to the Division Court officials in question, for as things stood at present, in consequence of the way in which the Judges had exercised their patronage, it was almost useless for any one to sue unless he were prepared to submit to any exactions these gentlemen might propose. The hon. member spoke at some length, and represented the iniquities practised under the present regime as loudly demanding for an immediate remedy.

The Bill was then read and referred to a Special Committee, and the House adjourned.

LEGISLATIVE ASSEMBLY.

Monday, 13th April, 1863.

The Speaker took the chair at three o'clock

NEW MEMBER.

Mr. A. PINSONNEAULT, the newly-elected member for Laprairie, was introduced by Hon. Mr. Cartier and Mr. Joseph Dufresne, and took his seat.

FIRST READINGS.

The following Bills were introduced and read a first time:—

Hon. Mr. ROSE.—Bill to amend the laws of Lower Canada on the subject of tavern licences.

Mr. O'HALLORAN.—Bill to enable certain religious societies in Lower Canada to appoint trustees for the management of lands held by them.

Mr. JOBIN.—Bill to amend the Act respecting the administration of criminal justice in Lower Canada.

Mr. BOURASSA.—Bill to amend the Act of Lower Canada relating to the measurement of coal and the weight of hay and straw.

BILLS WITHDRAWN.

Mr. JOSEPH DUFRESNE moved for leave to withdraw two Bills relating to turnpike roads introduced by him on Friday last, and which were distributed by error without his having an opportunity of revising the same with the assistance of the parties interested. After correcting them, he intended to introduce them again.—Carried.

RETURNS.

Hon. Mr. SICOTTE presented the returns of the Inspectors of gaols and asylums; of the number of employees in the Prothonotary's Office, Quebec, and a synoptical table of the parishes of Lower Canada.

THE CANAL TOLLS.

Hon. Mr. GALT enquired what were the intentions of the Government in respect to the canal tolls?

Hon. Mr. HOWLAND replied that before proceeding to the order of the day, he had intended, in accordance with his promise, to state that it was the intention of the Government to re-impose the canal tolls. (Hear, hear.) The regulations would be framed within two or three days, and the proclamation would probably issue on Wednesday, and take effect on the opening of navigation. (Hear, hear.) There would be a new classification of the scale of tolls, and their imposition would take place in a modified form. The proclamation would give the full particulars.

Hon. Mr. GALT had heard the announcement with great surprise. That at a time when Parliament was sitting, the Government should think fit to repeal a policy which had been in operation for three years, in this hasty way, without previous notice, and without taking the opinion of the House on the subject, appeared to him to be not only inimical to the best interests of the country, but disrespectful to the Legislature. He begged to give notice that on Wednesday next he would move for copies of the Order in Council and of the Proclamation. (Cheers and counter cheers.)

SOUTH LEEDS ELECTION.

Hon. Mr. DRUMMOND read an agreement made between the contestant of the seat of Mr. Tett, M. P. P. for South Leeds, and the sitting member, for the withdrawal of the petition, on the conditions of the same not being declared frivolous or vexatious, and of both parties paying their expenses, and craved permission under these circumstances to be excused from further attendance on the Committee, as he desired to leave the city.

Mr. MORRIS meved that Mr. Drummond be excused, and the motion was agreed to.

GOVERNMENT BUSINESS.

Hon. Mr. CARTIER enquired what measures the Government intended to take up to-morrow?

Hon. J. S. MACDONALD answered that the Government would be prepared to go on with all their measures with the exception of the Railway Postal Service Bill.

THE MILITIA BILL.

In reply to Hon. Mr. ROSE,

Hon. J. S. MACDONALD said the Militia Bill would probably be introduced to-morrow.

THIRD READINGS.

The following bills were read a third time and passed:—

Bill to amend the Act chapter 17 of the Consolidated Statutes for Lower Canada, respecting the Royal Institution for the advancement of learning.—Mr. Dunkin.

Bill to incorporate L'Union St. Jean Baptiste, in the parish of Montreal.—Hon. Mr. Dorion.

Bill for the relief of the late Hon. Charles Jones.—Hon. Mr. Sherwood.

BILLS IN COMMITTEE.

The following bills were then severally passed through Committee of the Whole:—

Bill to authorize Hilaire Théberge to erect a toll-bridge over the South Branch of the River Yamaska, in the Village of the Parish of St. Pie.—Mr. Laframboise.

Bill to incorporate the St. Mary's Elevating and Grain Warehouse Company of Montreal.—Hon. Mr. Rose.

Bill to incoporate the Sutton Mining Company.—Mr. Knight.

Bill to authorize the St. James's Club of Montreal to issue stock for the purpose of raising funds to build a Club House and dependencies.—Hon. Mr. Rose.

Bill intituled, "An Act to authorize the Mechanics' Institute of Montreal to raise a Loan, and for other purposes"—(from Legislative Council).—Hon. Mr. Rose.

OIL SPRINGS' ROAD CO.

On motion of Mr. DALY, the Bill to incorporate the Oil Springs' Road Company was read a second time.

THE OTTAWA BUILDINGS.

Mr. FERGUSON asked whether the Ministry could inform the House at what time, or about what time, the Governor's residence and the Public Buildings at Ottawa will be ready for the removal of the Executive Government to that city?

Hon. J. S. MACDONALD replied that it was impossible for the Government to say at present at what time the buildings at Ottawa would be ready to receive the Government.

REMOVAL TO TORONTO.

Mr. FERGUSON then enquired whether, if the buildings be not finished, or ready for the uses intended, at the expiration of the period fixed upon for the continuance of the Government at Quebec, it is the intention to remove to Toronto, in pursuance of the agreement entered into for the alternate meetings of the Legislature every four years, pending the removal to Ottawa?

Hon. J. S. MACDONALD said the hon. gentleman appeared to take a great interest in the city of Toronto—greater even than that of its representatives. He would answer the question in this way. As to the first part of it,—the Government had not considered the question whether to go to Toronto or not; and as to the other part of it, there was a difficulty in coming to the conclusion that there had been an agreement entered into for the alternate meetings of the Legislature every four years at Toronto.

Hon. Mr. ROBINSON took occasion to say, in reference to what had fallen from the Premier, as to the forwardness of the hon. member for South Simcoe in advocating the interests of the city of Toronto, that that hon. gentleman had put these questions on the paper without consulting the members for the city; and it was their opinion that these interrogations had been submitted more in the interest of the city of Ottawa than in that of the city of Toronto. (Hear, hear, and laughter.)

Hon. Mr. MORIN asked whether the Government asked by public advertisement for tenders for the performance of the tug service between Lachine and Kingston, for the year 1863; whether the contract for that service has been given, and lastly, whether the Government has received any proposition offering to perform the service gratuitously upon the conditions and subject to the obligations imposed upon the last Contractors?

Hon. J. S. MACDONALD said the Government intended to issue notices for a new contract for such service, to commence on the opening of navigation next season. For the present year they had concluded arrangements with the person who performed the service last season, at a reduction, however, of $4000. The sum of $20,000 was the price paid last year; this year it would be but $16,000, and there would be besides a reduction of ten per cent. on last year's tariff. In reference to the last clause of the interrogation, he might say that the arrangement spoken of had been concluded before the offer there referred to was received. It should be further remarked that there was a condition attached to the offer of gratuitous performance of the service requiring the tariff to be the same as last year—making the proposed rate higher than would be now paid.

YORK SEDENTARY MILITIA.

Mr. FERGUSON moved for an Address to His Excellency praying for "copies of all Petitions, Letters, Memorials, and other documents which have been addressed to the Governor General of this Province, to the Executive Council, Provincial Secretary, and the Adjutant General's Department, between the dates 1st July, 1859, and 31st December, 1861, in so far as the same relates to Returns made by the officer commanding the Fifth Battalion of York Sedentary Militia in Canada West, as also, in so far as such correspondence and documents relate to monies received by the same officer for commissions, exemption fees, and fines exempted from Menonists and Tunkers during several years, and which monies have not been returned to the Government as the law required." He (Mr. Ferguson) thought that if it was true that any defalcation existed, the guilty party should be punished.

Hon. J. S. MACDONALD suggested that the last part of the motion asserting that the money had not been returned to the Government should be struck out, for it could not be shown to be correct until the information asked for was brought down.

Mr. FERGUSON had no objection.

The motion was then adopted.

PILOTAGE IN THE RIVER ST. LAWRENCE.

Mr. LANGEVIN moved the House into Committee of the Whole on Wednesday next, to take into consideration the following resolutions.

1st. Every branch Pilot who shall have charge of a vessel of more than six hundred tons within the present limits of Pilotage below Quebec, shall be entitled to claim and receive, and the master of such vessel shall be bound to pay him besides the amount fixed by Schedule A of the Act twelfth Victoria, chapter one hundred and fourteen, for the distance as performed, "six dollars" for each one hundred tons above six hundred tons for said pilotage from Bic Island or any other place below the anchorage of the Brandy Pots off Hare Island, to an anchorage or mooring ground in the Basin or Harbor of Quebec or *vice versa* and in proportion to the distance so performed for any of the smaller distances mentioned in the said schedule; but this increase in the rate of pilotage shall not apply to the Canadian Line of Ocean Steamships, nor to the first sea trip of any vessel built in Canada.

2. The words "six pounds sterling" wherever and whenever they occur in the forty-fifth section of the said Act, shall be replaced by the words "sixty dollars."

3. The master of every vessel shall employ a pilot for the purpose of moving his vessel from one place to another in the Harbor of Quebec, whenever such move is one of those mentioned in Table II. of said schedule A of the said Act, under a penalty not exceeding the sum of ten pounds currency.

4. The Trinity House of Quebec may, if they find it expedient, extend the pilotage ground below Bic Island, determine the new distances to be performed, and regulate the price for the new distances on the then rates of pilotage for the present distances, and in that case the words "Bic Island" in the twenty-first section of the said Act shall be replaced by such words as shall indicate the farthest place below Quebec fixed by the said Trinity House as the extreme station of Pilotage in the River St. Lawrence.

Hon. J. S. MACDONALD said that in assenting to the motion the Government must not be understood as committing itself to the policy which the legislation proposed would force upon the country.

Hon. Mr. CAUCHON remarked that the Government desired to ascertain the opinion of the House before venturing upon a policy on the question.

Hon. Mr. GALT was glad to find that the honorable gentlemen opposite pursued a different course now from what they did when they sat on the Opposition side. Then they were always ready to take the Government to task for acting as the honorable gentleman at the head of the Government acted now.

Hon. J. S. MACDONALD said there was no change in his conduct. On a question of so much importance as this it was desirable that the Government should have every information possible to be obtained.

The motion was then adopted.

QUEBEC AND TROIS PISTOLES NAVIGATION COMPANY.

Hon. Mr. ALLEYN moved that the Quebec and Trois Pistoles Navigation Company be required forthwith to furnish to this House the statement under oath of their affairs, debts, credits, profits and losses, for the years 1859, 1860, 1861, and 1862, as required by the 16th Vic, Cap 247.

The motion was carried.

CHARGES AGAINST OFFICIALS.

Hon. Mr. MORIN moved an Address to His Excellency for a copy of the Commission of Enquiry appointed to investigate the charges brought against Didace Tassé, Esquire, Coroner and Revenue Inspector in and for the district of Iberville; and also for a copy of the said charges. Also for a copy of the Commission appointed to investigate the charges brought against Alexander M Delisle and William H Bréhaut, heretofore Clerk of the Peace in and for the District of Montreal, and also for a copy of the said charges.—Carried.

THE AYLWARD CASE.

The next motion on the paper was one given by the Hon. Mr. ALLEYN to the following effect:—"That this House deeply regrets that His Excellency the Governor General was not advised to exercise the Royal Prerogative of mercy and to commute the sentence of death recorded against Richard Aylward and Mary Aylward who were executed at Belleville on 8th December last."

On his name being called by Mr Speaker,

Hon. Mr. ALLEYN said—Stand!

Hon. J. S. MACDONALD said that a motion of this extraordinary nature ought not to be allowed to be postponed for a single hour, and he should resist the attempt which was now being made to defer it. The motion involved a principle of the highest importance, and one which was above those, so well understood, on which the Government might sit on those Benches. If their acts were wrong, no time should be lost in arraigning them before the bar of public opinion. But there was no precedent for the course taken by the hon. gentleman for Quebec in placing a notice of this character on the paper and then allowing it to stand over from time to time, shrinking from taking upon himself the responsibility of bringing it forward. (Hear, hear.) If it were the case that members of an Administration, in view of a vote of want of confidence being printed on the notices, should seek at the earliest moment, to the exclusion of all other business and if necessary every other consideration, to test the fact whether they did or did not possess the confidence of the country, how much more necessary was it not, that no time should be lost in disposing finally of a question of such great gravity as that now before the Chair? (Cheers.) For this was an attack, not only covertly made against the Government, but directly against the Governor General. (Cheers.) He asked the hon. member, was there ever a precedent for such a course? If it were a motion brought up by a young and inexperienced member, it ought to be to some extent excused. But there was no palliation for the conduct of the hon. member for Quebec—an old member of the House, and of considerable experience also as a Minister of the Crown. More than that, he enjoyed the confidence of his party on the Opposition Benches; and it was hardly possible to suppose that he would have ventured to place on the Orders a motion so important in its character—calculated as it was to bring disgrace and contempt on the Government of the country and on the Prerogative of the Crown—without previously consulting them and taking their advice on the subject. (Hear, hear.) If such were not the case, it was their duty to the Crown, the House, and the country, that they should make the avowal as distinct and emphatic as the language of the motion itself. (Hear, hear.) For himself and those supporting him, he felt it his duty to insist on the motion being proceeded with at once, or on its being at once withdrawn. (Cheers.) It could not be permitted to hang over a single day. They would be committing not simply a blunder but a crime, if a motion were allowed to remain in suspense which assailed not alone the Government but the Prerogative of the Crown; and if this motion were not withdrawn, the Government would press for its immediate disposal by the House. (Hear, hear.) The exercise of the prerogative was entirely a matter belonging to the Representative of the Sovereign. It was that upon which neither the Government nor Parliament might encroach, but which His Excellency had the express right to exercise in acc rdance with his own views. Certain he was that, such being the case, the House would frown down all such motions, and if the hon. member for Quebec had not sufficiently considered the matter before moving in the manner he had done, he hoped he would rise and acknowledge his mistake and withdraw the obnoxious resolution. Were the House to adopt a motion of the kind, they would be adopting a precedent the like of which had never before been witnessed either in Great Britain or in a British colony. The Prerogative of the Crown was centred in His Excellency.

Hon. Mr. ALLEYN—What! Are you going to discuss the motion now?

Hon. J. S. MACDONALD—I am going to shew the House that it is a direct attack on His Excellency the Governor General.—(Cheers.)

Hon. Mr. ALLEYN.—I rise to a question of order. I contend that the Premier has no right to go into the discussion of a question which I do not intend now to go on with.

The SPEAKER.—The hon. gentleman has a right to move in the matter.

Hon. J. S. MACDONALD said he was going to make a motion to oppose the postponement. The Government wanted to try the question immediately. (Hear, hear.) Allow him to inform the House of the position occupied by the Governor General in this country in this respect. Here were the instructions sent out to His Excellency by the Queen:—"And whereas We have by Our said Commission given and granted unto you full power and authority, when you shall see cause to pardon offenders convicted of any crime, and to remit fines, penalties, and forfeitures: Now, We do hereby require and enjoin you to call upon the Judge presiding at the trial of any offenders to make you a written report of the cases of all persons who may from time to time be condemned to suffer death by the sentence of any Court within Our said Province, and such reports of the said Judge shall by you be taken into consideration at the first meeting thereafter, which may be conveniently held of Our said Executive Council, at which meeting the said Judge shall be specially summoned to attend, and you shall not pardon any such offender unless it shall appear to you expedient so to do, upon receiving the advice of Our said Executive Council therein, but in all such cases you are to decide whether to extend or withhold a pardon, according to your own deliberate judgment, whether the Members of Our said Executive Council concur therein or otherwise—(hear, hear)—entering, nevertheless, on the Minutes of the said Council, a Minute of your reasons at length, in case you should decide any such question in opposition to the majority of the members thereof." Now, the motion was to the effect that the House regretted the Government had not advised His Excellency to remit the sentence of death passed on these unfortunate people. But the Royal instructions proved that the Governor General had the power to enforce or remit the death penalty contrary to the views of his advisers. And because His Excellency had not in this case exercised the Prerogative in opposition to the recommendation of the Cabinet, the hon. member for Quebec brought forward against him a vote of censure. (Hear, hear.) He asked the hon. gentleman to point out a single precedent for passing censure on the Representative of the Queen for his exercise of the Prerogative. All the authorities, on the contrary, concurred in deprecating the bringing forward of such motions in Legislative bodies; because by that course of conduct the Legislature was made a court of appeal from a court of justice, and was turned into a political engine for carrying out, or perverting, as the case might be, objects for which the courts of law were established. And not only did the motion under consideration bear against the distinguished Nobleman at the head of affairs in this Province, but it was calculated also to cast a stigma on one of the most able, upright, and conscientious Judges of the land. (Hear, hear.) In transmitting the evidence for the guidance of His Excellency, the opinion of the Judge was also forwarded; and he denied *in toto* that this was the proper tribunal to enquire as to its correctness. He repeated that the precedent here sought to be established was fraught with serious consequences; and he sincerely trusted that the House would insist on the honorable gentleman withdrawing his motion or proceeding with it at once. (Cheers.)

Hon. Mr. ALLEYN said the Premier had wasted a great deal of virtuous indignation, though not upon the motion he had moved, because he had not moved any. (A laugh.) He (Mr. Alleyn) did not intend to go into the question at present, and thus follow the course the Premier had taken; but he must say that he had not consulted any member of the House prior to putting the notice on the paper.

Hon. J. S. MACDONALD.—Hear! hear! A vote of want of confidence, and no one consulted! (Hear, hear.)

Hon. Mr. ALLEYN assured the House that if he imagined he was attacking either the Prerogative of the Crown or the administration of justice, he would withdraw his motion. But after what had been said, if he stood alone in the House he would discuss the question when the proper time came for so doing. He had been accused of attacking the Governor General, the Representative of the Sovereign. He denied that His Excellency was the Representative of the Sovereign—he was the highest Executive Officer, but not the Representative of the Sovereign. No one respected the Governor General more than himself; but when a great question like this was at stake he would allow no personal respect to interfere with his duty. He again distinctly denied that the Governor General was the Representative of the Sovereign, and that he (Mr. Alleyn) desired to break down the barriers of restraint and admit democratic doctrines. When the Sovereign took the coronation oath, she pledged herself to administer justice with mercy. This was one of her prerogatives. But it was a prerogative held in trust for the people; and it was impossible that a prerogative held in trust for the people could be exercised without the advice of the representatives of the people, or in other words the Government of the day.

Hon J S MACDONALD—(it being the hour for the Speaker to leave the Chair,)—said he hoped that the question would be disposed of after dinner, if the honorable gentleman did not at once withdraw his motion.

Hon Mr ALLEYN—I will not withdraw it. I will discuss it, if I stand alone.

The SPEAKER then left the Chair for the six o'clock recess.

After the recess.

Mr. SPEAKER said the Hon. Mr. Alleyn had the floor.

Hon. Mr. ALLEYN said there was no motion before the Chair.

Hon. J. S. MACDONALD hoped the hon. gentleman would withdraw the motion.

Hon. Mr. ALLEYN thought it was well, in a question of so much importance as this, to give three or four days' notice of the motion. In offering it, he had no intention of attacking the administration of justice in Upper Canada. He had great respect for the judiciary of that section, and in that regard was quite conservative; but, at the same time, he thought that no men were infallible. He was not, however, prepared to enter into a discussion upon the motion, but if it were allowed to stand, he should certainly bring it up again. He wished it to stand till Monday next.

Hon. J. S. MACDONALD appealed to the House to say whether a motion of this grave character should be allowed to stand on the

paper. He would not consent to its being postponed, and he called upon the House to say whether it was of such a nature as to admit of this delay. If the honorable gentleman desired to bring it up in any other shape, after consultation with his colleagues, his (Mr. Macdonald's) side of the House was prepared to discuss it at any time and in any form. But he would ask, as a matter of fair play, and in the name of the exalted Justice whose position was concerned in it, that the House should not allow it to be postponed. (Hear, hear.)

Hon. Mr. ALLEYN—As the honorable gentleman is unwilling that it should stand, I will allow it to drop, and give notice of my intention to move at a future period. (Hear, hear.)

The motion was then dropped.

COLLOCATIONS BY SUPERIOR COURTS.

Mr. JOLY moved for an Address asking a Return of Collocations by the Superior Courts, for the Districts of Montreal and Quebec, for the year 1862.

After some debate it was agreed that the Return, with some additions suggested by Hon. Messrs. Cartier and A. A. Dorion, should be granted.

MONEYS PAID TO TOWNSHIPS IN L. C. UNDER CAP. 41 CONSOLIDATED STATUTES.

Mr. JOSEPH DUFRESNE moved for an Address for a Statement of Moneys paid to Townships in Lower Canada, in virtue of section 88, chapter 41, of the Consolidated Statutes of Lower Canada.

Hon. Mr. SICOTTE said there was an objection to the motion, and added that the Government had every disposition, in consequence of the distress which prevailed in some of the Northern Counties, to give the law a liberal interpretation.—Carried.

HOUSE IN COMMITTEE.

Mr. LANGEVIN moved the House in Committee on the Bill to prevent public executions. Mr. Robitaille in the Chair.

The Committee rose and reported the Bill without any amendment.

SALE OF INTOXICATING LIQUORS.

Mr. DUNKIN moved the second reading of the Bill to amend the laws in force in Lower Canada respecting the sale of intoxicating liquors, and the issue of licences therefor and for other purposes. The hon. member said that he did not propose introducing any new principle, nor yet to amend the Municipal laws on the subject in question, but he wished by his Bill to provide an effective administration of the principles of law already in force. He then went on to explain the defects in the system in use. The fact was that the Municipalities had not the power to give a practical application to the law, but if his Bill were passed it would give them such power. In other words he wanted to give these bodies additional powers in this behalf. The hon. member then went on to explain in detail the various provisions of the Bill, and to specify the penalties it imposed upon the keepers of taverns or places where liquor was sold, whether licensed or unlicensed, from which the drunkard got the drink, in consequence of which such drunkard might have caused damage to others or to himself.

Hon Mr. SICOTTE said that the basis of the Bill was the supposed defect in the Municipal system, and he (Hon. Mr. Sicotte) admitted that some such changes as the hon. member proposed might be necessary, but he feared that it would be very difficult to work out the provisions of the measure as now brought in. The honorable member went on to state that, in his opinion, the Bill rather created than removed difficulties, and that it would require to be much amended before it could be made practical. With such changes, however, the objects proposed might be accomplished, and, if they were, a very great benefit would be conferred on the country.

Mr. DUNKIN was quite willing to make any modifications which would improve the measure.

Mr. ANDERSON said he would be glad if the Bill could be so altered as to be made to apply to Upper Canada, where some such measure was as much wanted as in Lower Canada.

Hon. Mr. ABBOTT suggested some amendments.

Mr. DUNKIN again stated his willingness to accept any suggestions.

The Bill was then read and referred to a Special Committee.

INSPECTION OF GAS METERS.

Mr. CRAWFORD moved the second reading of the Bill to provide for the inspection and stamping of gas meters.—Carried.

HON. GEORGE BROWN.

At this stage the Hon. George Brown appeared at the Bar of the House, and being introduced by the Hon. Messrs. A. A. Dorion and Mowat, took the seat lately occupied by Mr. Rankin.

PORTWARDEN, MONTREAL.

Hon. Mr. ROSE moved the second reading of the Bill, and said it was important the measure should have despatch, as he understood that unless the appointment the Bill contemplated was made there would in all probability be a large difference in the rate of insurance against the shipping of the port.

Hon. Mr. SICOTTE said that there were provisions in the Bill of an objectionable nature, and he would suggest that the measure should be referred to a Select Committee, to inquire carefully into the whole subject before proceeding into Committee of the Whole.

Hon Mr ROSE said he had no objection to that course.

The Bill was then read and referred to a Select Committee of Hon Messrs Galt, Howland and Brown, and Messrs Buchanan, Langevin and the mover.

WOMEN AS TRADERS.

Hon Mr ROSE moved the second reading of the Bill to regulate the condition on which wives separated from their husbands may carry on business as traders in Lower Canada. Much injury had resulted from the irregular and unrestricted manner in which they had been allowed to do so, and it was very necessary that the terms upon which such business was to be conducted in future should be definitely settled.

Hon Mr SICOTTE suggested some changes after the Bill was read a second time.

SECOND READINGS.

The following Bills were then severally read a second time and referred to Select Committees:—

Bill to amend the Common Law procedure Act—Hon Mr Cameron.

Bill to amend the Act respecting Division Courts, Chapter 19 of the Consolidated Statutes of Upper Canada—Mr M C Cameron.

Bill to amend Chapter 19 of the Consolidated Statutes for Upper Canada, intituled "An Act respecting Division Courts—Mr Morrison.

Bill to amend the Municipal Corporations' Act of Upper Canada—Hon Mr Cameron.

Bill respecting the execution of deeds by married women in Lower Canada affecting real estate in Upper Canada—Mr Morris.

Bill to amend the Assessment Act of Upper Canada, in respect to arrears of taxes on non-resident lands, and miscellaneous provisions—Mr Mackenzie.

CROWN DEBTORS.

Hon Mr CAMERON moved the second reading of the Bill relating to Crown Debtors. He remarked that under the present law the position of the debtor of the Crown—those who had become security for officers of the Crown and others—was one of extreme hardship; and he thought the attention of the Government should be called to the necessity of providing some measure of relief.

Hon. J. S. MACDONALD had not had an opportunity of examining the Bill carefully, and as it had come up sooner than anticipated, he hoped the hon. mover would allow it to stand.

Hon. Mr. CAMERON had no objection to the Bill standing over, but he wished to draw the attention of the House to the injurious working of the present law. If a man entered into security for an employee in the customs, post office, or any other department where security was necessary; and if twenty years afterwards a defalcation took place, the Crown had the right of going back to the property owned by the surety at the time of the bond, and forfeiting it, no matter who might have innocently become possessed of it in the meantime. This was a hardship which should not be allowed to continue, for the Crown should not be placed in a different position with regard to its debtor from that between subject and subject.

Hon. J. S. MACDONALD said the rights of the Crown had to be protected as well as those of individuals, and it was the duty of those who occupied seats on the treasury benches to see that they were not infringed upon. Supposing this safeguard and remedy for defalcation were taken away, what remedy would the public have? The defaulter and the surety might collude, and thus prevent a discovery of the defalcation, till the property of the latter was disposed of, when the Crown would have no redress. The law, as it stood, might act with hardship upon some, but it was important that fraud upon the revenue of the public should be prevented.

Hon. Mr. WILSON said that the Bill would take away from the public every chance of recovering from the security the amount of any defalcation which might occur, and, in return, would confer hardly any benefit whatever. It was necessary that the Crown should have every protection against the acts of dishonest public servants, and if this Bill were passed, it would have the effect of destroying that protection. The Crown should not be placed in this matter upon the same footing as the subject, for if it were defalcations would probably be much more frequent and certainly more injurious to the public.

Hon. Mr. CAMERON said he would be prepared when the Bill came up for discussion to meet the objections raised by honorable gentlemen opposite. In allowing the Bill to stand, it was not because he had heard any thing to change his opinion with regard to its provisions.

The Bill was then allowed to stand.

THE CURRENCY.

Mr TASSE moved the second reading of the Bill to amend the currency, and in support of the motion adverted at some length to the losses which for a considerable time had been experienced by farmers and others who brought goods to market, and were obliged to accept payment in silver which they could not get rid of except at a large discount. He regretted having been obliged to deal with the subject himself, but as the Government had declared they had no intention of taking up the matter, he had no other alternative than proceeding with the Bill.

Hon Mr SICOTTE said that the evil complained of was beginning to disappear, and he had no doubt that the measure proposed would do more harm than good if it were passed. He thought that the general feeling of commercial people would be opposed to the legislation suggested, and for his part he did not sufficiently understand the question of money to trust himself to deal with it, and he very much feared the honorable member himself was not much better qualified for the task.

Hon Mr CAUCHON did not see that the question was so profound as to preclude its being understood by either lawyers or doctors. It was clear that the farmers were exposed to constant loss and it was not only of late that this evil had been experienced. The fact was that even the Banks were suffering from the glut of American silver which bore a higher value nominally than it really possessed. It seemed certainly desirable to ascertain the real value of American silver in its relation to gold and to fix it by law. If this were done the evil of further importations of such coin would be stopped. It was well known that this money was allowed at least six per cent under its nominal value, but while it was allowed to pass at such nominal value there would be a constant influx of it to the country. The Bill proposed to fix the value of such silver at what it was known to be worth, and for his part he did not see that any violence would be done to any interest whatever. There were no petitions against the Bill, and he was sure the Banks were not opposed to it.

Hon Mr GALT thought the Attorney General East had treated this matter in rather too facetious a manner when its importance was considered.

Hon. Mr SICOTTE said he had not intended to treat the matter lightly, on the contrary he wished to draw out the opinions of such men as the Minister of Finance and the honorable member for Sherbrooke who were well known to understand the subject better than professional persons like the mover of the Bill and himself.

Hon. Mr. HOWLAND said he very much questioned the wisdom of attempting to fix a legal value upon the coin in question. Then the principle of the Bill was incorrect in other respects. It would be incorrect to class all silver coins together, some being of much greater relative value than others, and it would involve a very extensive research to arrive at the real value of each separate kind.

Hon. Mr. GALT said the honorable Minister of Finance had not adverted to the main fact at issue, which was that a very serious inconvenience was now felt, and had long been felt from the very large quantity of American silver which had been introduced into the Province. This coin had no legal value whatever, and he conceived that it was as important to give it a determinate value as to the British shilling. In a country like this, where gold was scarce and where it could only be had from the Banks who imported it, it certainly appeared desirable that the silver currency, which was so much more abundant, should be put upon such a footing as to be legally valuable in trade—and he could not see that any inconvenience would follow if it were made a legal tender to a certain limited amount. He did not say that it should be a legal tender to the extent of $400, but perhaps it might be in the sum of $200. Then as to the precise or real value of American silver, he really did not see that there was any insurmountable difficulty in discovering and fixing it. He hoped the Government would not prevent the Bill from being sent to a Committee.

Hon. Mr. SICOTTE said that the mover of the Bill proposed to fix the rate of American silver at a reduction of six per cent, and he (Mr. Sicotte) was of opinion that if this was done the whole of that coin would soon be drained out of the country. The taking of such a discount by the Banks had already had the effect of driving a great deal of it away, and if it were removed what should we have in lieu of it? He had reasoned the matter with some farmers who had complained to him of their losses and had convinced them that it was even better for them to submit to the loss of the discount than to lose the market for their products.

Hon. Mr. GALT did not conceive that the fixing of a legal value upon American silver, even if at a discount of six per cent., would have had the effect of preventing the Americans from buying the grain and animals which they come to Canada for. Indeed it was probable that in consequence of the discount upon the money they brought, they had to pay larger prices than they would if the money were a legal tender at the value it now possessed nominally. It was quite clear that they did not expect to pass their bank-notes at their nominal values, and it was only because the difference had been but comparatively small on their silver that the parties who sold their grain and horses, had not calculated and deducted the discount as they were now doing on the paper. He did not believe that the Banks had imported any large amounts of American silver, and for the reason that they could not pay their notes with it. The British shilling had a legal value smaller than that for which it passed from hand to hand, but the fact of such value was an advantage to the trade of the country, and he could not see what inconvenience would arise from also giving a legal value to American coin. He certainly hoped the Government would not prevent an enquiry which in the present state of the currency seemed to be at least very much called for.

Hon. Mr. SICOTTE said he had simply desired to hear the opinions of such men as the hon. member for Sherbrooke, and if it were deemed expedient to refer the Bill to a Committee for the purpose of inquiring into the objects contemplated by the Bill, he would not offer it any opposition.

Hon. Mr. HOWLAND said the reason why American silver was so plentiful in Canada was that it was received here at a higher rate than its intrinsic value, as fixed by a gold standard. He held that the House could not attach a positive value to gold, seeing that it was merely a commodity, which fluctuated in price according to demand. The present standard value of American silver abroad was about four per cent. Account was kept at Montreal of the import and export of American silver, and at the rates at which it was now held it was found to be rapidly going out of the country. If a fixed rate of six per cent were imposed, the effect would be, either on the one hand to force it up to this value, and in a short time to send it out of the country, or on the other hand, if the price of the commodity should fall in other markets, a fixed rate here would bring such large quantities to this country as to flood us with it. (Hear, hear.)

Hon. Mr. CAUCHON said a great deal had been said about silver being a commodity. It was no more a commodity than gold, or any other coinage. The law said what a sterling pound was, and every sub division of it, and if they fixed a standard for English money why not for American silver? They might act with as much propriety in the one case as in the other.

Hon. Mr. HOWLAND suggested that the Bill should be read and referred to the Committee on Banking. The hon. gentleman had referred to a standard having been fixed for British silver. Such was the case. But what was the effect? The rate was established above its intrinsic value, and the country, as a consequence, became flooded, until the value of the English shilling was reduced by traders to 24 cents.

Hon. Mr. GALT said there was a large quantity of American silver in the country which was unproductive, and it was worth while to consider whether it could not be made productive.

Mr. DALY supported this Bill. It was the duty of the Legislature to make British silver a legal tender to a higher value than at present, and also to make American silver a legal tender.

The Bill was then read a second time, and a desultory conversation arose as to whether it should be referred to a Select Committee or to the Committee on Banks and Insurance Companies.

The SPEAKER ruled that as a motion for referring a public Bill to a Select Committee, it was not in order to move, by way of amendment, to refer it to a Standing Committee.

A Select Committee was then struck so as to accord with the views of members on both sides, and the Bill having been referred,

The House adjourned at five minutes past twelve.

BY TELEGRAPH.

[Special to the MERCURY.]

Further by the "AFRICA."

Latest European News.

THE "ALABAMA" AND THE BRITISH GOVERNMENT.

A memorial relating to the seizure of the Peterhoff, was presented to Earl Russel on the 20th. He promised that it should be laid before the law officers of the Crown, and receive immediate attention.

The Times in an article assumes that a demand for the surrender of the Peterhoff will be complied with as promptly as in the Trent affair, and says, the Federal government loses dignity by employing Wilkes.

In the House of Commons on the 27th, Mr. Foster asked whether Government attention had been directed to the danger to England's friendly relations with the United States, owing to the fitting out of vessels of war for the Confederates in English ports, in contravention of the Foreign Enlistment Act. He reviewed the case of the Alabama, and said that the House was bound to enquire into the Government in that matter, more especially as he believed other vessels were fitting out.

The Solicitor General asserted that the charges of the American Government were most unfounded, and warmly defended the British Government, and stated that the American Government had not always respected neutrality when their own interests were concerned.

Sir J. Baring, and Mr. Bright deprecated the remarks of the Solicitor General as calculated to increase the irritation in America.

Mr. Laird, the builder of the Alabama, maintained that the whole transaction was most open and legitimate.

Mr. Fitzgerald called on the Government to prevent the repetition of the Peterhoff case.

Lord Palmerston expressed regret at the tone of some speeches, but it was nevertheless the fact, that when the American Government found itself in difficulty, it raised the cry against England to create political capital. It was dangerous for the British Government to overstep the law, and he asserted that the Government had done all in its power to enforce the law. He believed if they had seized the Alabama nothing but suspicion could have been formed against her. The Government would be glad if there were neither vessels built nor shipments made to the belligerents. He could only assure the House that, when grounds were shown, the Government would not be slow to enforce the laws honestly and impartially.

Parliament adjourned for a fortnight, over the Easter holidays.

Portland, 12th.

The S. S. North American arrived here at 8 o'clock on Saturday evening.

She brings 345 passengers, among whom are Capt. Robert Kalloch, Capt. E. A. Swift, James Cooper and Capt. N. H. Zealand, whose ships were destroyed by the Alabama.

REPULSE OF THE FEDERAL FLEET BEFORE CHARLESTON!

THE IRON-CLADS SUNK AND DISABLED.

CHARLESTON NOT TO BE TAKEN FROM THE SEA!

RESIGNATION OF GEN. McCLELLAN.

General Foster to Surrender to the Confederates.

BATTLE OF MURFREESBORO'.

Washington, April 11th.

The Richmond Whig of Friday has been received. It gives the following further particulars of the attack on Charleston:—

"Charleston, 6th, 8 p.m.

"All is quiet thus far. The people and troops are in high spirits at the result of yesterday's fight. The Keokuk is certainly sunk. The fighting between the iron-clads and our forts was chiefly at a distance of 900 yards. The Monitors cannot pass Fort Sumter without coming within 500 yards of our batteries. The impression is very general that the enemy will renew the attack after repairing damages. Seven Monitors and the Ironsides are still off the harbor.

"Charleston, 8th, 10 p.m.

"The latest official intelligence from the bar states that only two of the iron-clads have gone south, leaving seven remaining, besides the Keokuk, which is sunk about 10,000 yards from Morris Island.

The Yankee machine called the Devil, designed for the removal of torpedoes, has floated ashore and fallen into our hands.

All is quiet now.

The enemy is constantly signalling, but no renewal of the attack is anticipated before tomorrow.

The Yankees have been busy all day repairing damages.

Charleston, April 9th.

All is quiet this morning.

The Monitors are still in sight.

Yesterday evening many pieces of the Keokuk's furniture, spy glasses, &c., were washed ashore on Morris Island beach.

Many of the articles were covered with clotted blood.

The impression prevails through our batteries that the slaughter on board the Keokuk was terrible.

New York, 11th.

The Boston Journal says that a letter received in this city, dated Newbern, 6th, P.M., states that news has just been received that General Foster had been reinforced, and had driven back the Confederates.

A naval officer has just received the following despatch:—

Washington, Saturday, 8 A.M.

Captain Atwell reports that he was at Hilton Head on the 9th, where he saw the Monitor Nahant repairing. She had 5 holes in her chimney. It was reported that she had had 500 shots fired at her by the Confederate batteries in Charleston harbor, but was not severely injured. Some rivets had been started from her turret, which precluded her guns from being worked to advantage.

Washington, 12th.

The following has been received at the headquarters of the army:—

Murfreesboro, 11th.

To Major General Halleck, General in Chief.

The following despatch was received from General Granger on the 10th.

Van Dorn made his promised attack at one o'clock directly in front and on the town. The infantry regiments on guard in the town, and the cavalry pickets held him at bay, till their ammunition was exhausted.

The dense smoke and atmosphere favored their operations, enabling them to approach very near without our being able to observe them. Our siege guns and our light batteries opened on them with murderous effect, literally strewing the ground with men and horses. I had halted Stanley 4 miles out on the Murfreesboro road, and he at once crossed his forces over at Height's Mills, vigorously attacking Forest's Division—moving down on the Lewisburg Pike—capturing six pieces of artillery and some 260 prisoners; but owing to the unfavorable nature of the country was unable to hold them, being attacked by greatly superior numbers, we being outflanked and nearly surrounded.

Our loss in killed, wounded and missing, is less than 100, while the enemy's cannot be less than three times that number. They were repulsed on all sides, and driven back until darkness prevented the pursuit.

Capt. McIntyre, of the 4th Regulars, took the battery and prisoners, bringing off 30 odd of the latter.

(Signed,) G. GRANGER, Major-Gen.

Major-Gen. W. S. ROSENCRANS.

New York, 12th.

The Confederate despatches state that in the engagement of the 7th all the Monitors were frequently hit, with results unknown.

One gun was dismounted in Fort Moultrie, and one man killed.

A special telegram to the Herald (dated Washington, April 11th) says that a rumor is in circulation that Gen. McClellan has tendered his resignation.

Cairo, 12th.

The despatch boat New National has arrived from Vicksburg, which place she left on Saturday, and brings the news that the iron-clads Louisville, Mound City, Carondelet, Benton, Lafayette, and two others, were prepared to run the blockade, and it was expected that they would execute the movement on Friday or Saturday night. It is also said that the transports are prepared with log and cotton bulkheads, with the intention of running the batteries.

The reported arrival of Gen. Osterhouse at Carthage, 10 miles below Warrenton on the Louisiana side, with a heavy force, is confirmed.

The last account from General Foster states that the Confederates had sent in three flags of truce for him to surrender Washington.

Foster's reply to the last was to send no more flags, if they did he would capture them, and if they wanted Washington to come and take it.

The Mary Sandford arrived at Morehead on Friday from off Charleston with information of the entire attack which commenced at three o'clock and lasted three hours.

The Keokuk passed half a mile above Sumter where she met obstructions on both sides, when she received a shot that passed through her between wind and water, from which she sunk in eleven hours.

The Nahant was within 200 yards of Fort Sumter in the action and received a shell at the junction of the turret with the deck, which prevented the turret from revolving and rendering her useless for the time.

The Ironsides received 150 shots, sustaining no damage further than the starting of a few bolts.

The rest of the fleet is unimpaired and hauled off, the object of the reconnoissance being accomplished, which was to ascertain the locality of the obstructions.

Our entire loss was two killed and seven wounded.

As the Sandford left, some iron-clads were going to blow up the Keokuk.

The Tribune's special account of the Charleston fight, says:—

The squadron arrived off Charleston on the morning of the 5th, and spent the day in examining the bays and channels; the wind being too high to cross that evening, the Admiral disclosed his plan of attack, which was to sail up and attack the north-west face of Fort Sumter at 600 or 800 yards. About 8 o'clock on Monday morning the signal for the movement was given and the vessels started slowly In consequence of a fog, however, they were obliged to postpone the intended attack till the next day. During the P.M., one of Gen. Ferry's brigades worked its way up by the land and established communication with the fleet, but no portion of the land forces got into the action. On the 7th at 4.15 P.M., the fleet got under way and passed the Morris Island batteries without being fired upon, pushing right in toward Sumter.

The new Ironsides worked badly, and in consequence of the current was obliged to anchor two or three times.

Fort Moultrie fired first upon the Weehawken, which was within 500 yards of Cumming's Point Battery. Fort Sumter and Battery B immediately opened, and the action became general and terrific. The Monitors still pushed on, replying vigorously, and passed the north-east face of Fort Sumter when they discovered three lines of obstructions with torpedoes, &c., one of which exploded, but did no great damage. Finding it impossible to get across the obstructions, they turned about and steamed down the harbor.

The Patapsco's 200-pounder had become disabled, and the turret of the Passaic so bent that the vessel was practically out of use.

The other boats also passed up to the north-east face of Fort Sumter till they also were stopped by obstructions, and turned back after being under fire for three-quarters of an hour.

All the Monitors were ordered back, and at one o'clock the entire fleet was out of range, and the action ceased.

Admiral Dupont intended to renew the attack next day, but upon ascertaining that the Keokuk and Passaic were entirely disabled, and three others partially so, he concluded to desist—in which he was sustained by all the Commanders.

The Monitors were hit from 50 to 60 times each, except the Keokuk, which received about 90 shots, and was penetrated at the water mark no less than 19 times. She was kept afloat until next morning, when she sunk in the bay with her colors flying. All on board were saved.

The Ironsides was hit 60 times, but not damaged.

There are 11 large holes in the side of Fort Sumter, apparently running through the walls.

The entire firing only amounted to 150 rounds when our correspondent left.

Two of the Monitors had left for Port Royal, and the others were to follow.

Our entire casualties amounted to 13, of whom but 2 or 3 were killed.

The New York Herald's accounts says that a rumor was in circulation both at Port Royal and at Charleston Bar, that our troops were rapidly gaining the rear of the city of Charleston.

Headquarters Army of the Potomac, April 11th, 1863.

A refugee, who left Richmond last Tuesday, has arrived within our lines.

The bread riot in that city was witnessed by him and caused the greatest consternation among the authorities.

The effect upon the troops was very demoralizing—the men being very clamerous and demanding that their families should be fed.

Reinforcements are hurrying up to Fredericksburg as rapidly as possible.

Most of them are conscripts and convalescents.

Several divisions are encamped about Richmond, one of which started off in great haste at the time.

Averill visited Culpepper, but returned again in a few days.

Two iron-clad gunboats are afloat in the James River.

The Virginia lies near Drury's Bluff and has made several attempts to pass the obstructions, but failed.

The third is unfinished, but is rapidly approaching completion.

The correspondence of the Times says of the Charleston fight:—The iron ships exposed to a concentric fire from different points, unparalleled in the history of warfare. The fleet found it impossible to pass up beyond Fort Sumter and assume the appointed place, owing to obstructions which extend across the entire channel from Sumter to Moultrie, while above these, near the middle ground, were three rows of piles, and above were three Confederate iron-clads.

The fleet was thus compelled to sustain this terrific fire, and nobly it did so for 30 minutes. During that time not less than 3,500 shots were fired by the enemy.

The N.Y. Times publishes an article containing a detailed account of the fight.

The correspondent says the trial was decisive; the ordeal of two hours served to prove that the defensive power of iron-clads was sufficient to stand the terrible force of offensive enginery of the works it had to assail, while the comparative weakness of the offensive powers of iron-clads took away all advantages.

The result of the reconnoissance proves the inefficiency of the iron-clad fleet to take Charleston alone.

The Nahant received 30 rounds, several causing bad fractures of the deck and sides. The most fatal blow was by a heavy rifled shot, which struck the pilot house and dislodged several bolts, wounding all the inmates.

The Passaic received 25 or 30 rounds. The most extraordinary shot was from a ten-inch Confederate projectile, which struck the top of the turret, scooping a huge portion of iron, breaking all the eleven plates of an inch thickness each, and spending its force on the pilot house on the top of the turret, in which it made a crater three inches deep and raising the pilot house three inches. Another shot hit the turret, forcing the place it struck inward and disabling the carriage of one of the eleven-inch guns, by the shock of which portions of the interior iron casing fell, lodging in the groove of the turret, stopping its revolution.

The Nantucket had her turrets so jarred, that the cover of her port could not be opened, and consequently her 15-inch guns could not be eased. The other Monitors received more or less shots, but were not disabled.

New York, 13th.

The steamer Honduras from New Orleans 3rd, and Key West, 6th, arrived this morning. She fell in with the U. S. bark Pursuit, and towed her into Key West. The Pursuit had been at Lamba Bay.

Three Confederates disguised as women, appeared on shore with a white flag. A boat with an officer and 10 men, went from the boat to see what they wanted. When they landed, 50 or 60 Confederates rose from the bushes and fired on the boat, wounding 5 men. The rest of the crew jumped overboard, and using the boat as a barricade, pulled her off shore, at the same time firing on the Confederates, killing one of the disguised ones—the boat finally got to the ship. The officer in command was wounded in the arm.

New York, 13th.

The steamer Dudley from Newbern, 3rd, has arrived. She brings the following:—

It was reported that General Foster would have to surrender from want of provisions.

The Federal transport Mortern left Newbern on the 7th instant, with 800 men of General Sperola's brigade to reinforce General Foster by way of Tar river. Meeting with a number of Confederate batteries, the troops were forced to return. No one was hurt.

Gen. Foster's force at Little Washington consists of 1,200 men.

On the 5th inst., a force of 8,000 men left Newbern, by way of Neuz River, under Gen. French, to reinforce Gen. Foster, but meeting with a superior force of Confederates, they returned to Newbern, on which place the Confederates are marching.

Washington, 13th.

The Navy Department has received merely a brief memorandum from Admiral Dupont in regard to the attack on Charleston.

The reports of the various commanders had not been prepared by them previous to the leaving of the despatch boat, which arrived here yesterday.

It is ascertained that former despatches contain nothing more in addition to what is published to-day.

Fortress Monroe, 11th.

The Richmond papers of the 10th say that the bombardment of Fort Sumter was not resumed up to 10 o'clock on the 9th, but that the Charlestonians expected it would be on the next day.

Some skirmishing has been going on today at Williamsby, and it is rumored that the Confederates are between Williamsburg and Yorktown.

It is also rumored that the Confederates are threatening Suffolk, but nothing serious is anticipated in either direction at present.

Cincinnati, 13th.

Gen. Burnside has issued an order, pronouncing the death penalty on all persons found guilty of aiding Confederates. All persons sympathising with the Confederates are to be arrested, tried and sent beyond the lines.

The order says it must be distinctly understood that treason expressed or implied will not be tolerated in this department.

LOCAL & MISCELLANEOUS.

Corns, &c.

Professor Libby, the chiropodist, intends leaving this city on Saturday next. Persons troubled with corns would do well to give him an early call.—See advertisement.

Admitted to Practice.

Mr. Ovide Poris, of Montreal, was admitted to practice as a civil engineer, after undergoing a most creditable examination. Mr. Poris studied in the office of Chas. Baillarge, Esq.

Runaway.

A runaway occurred in Dauteuil Street on Saturday. The horse was stopped at St. John's Gate. The lad who was driving had his hand severely cut by being thrown out of the sleigh.

The Shooting Match.

The return shooting match between Captain Bowen's company of Foot Artillery and Capt. Knight's company of Diamond Harbour Rifles will take place on Thursday next, on the same ground as before.

The Ice-Bridge.

The rain of the last few days has had the effect of rendering the roads on the ice dangerous. On Sunday, a horse fell through and was nearly drowned. At the lower end, large pieces are breaking off every day.

Bazaar.

The bazaar in aid of the Charitable Society of the Roman Catholic ladies of Quebec will open to-day in Ross's Buildings. This Society has been established several years, and its object is one that ought to commend itself to the charitable dispositions of the public in general.

Transmission of Ammunition.

A large amount of ammunition was sent from this city to the West yesterday, intended, it is said, for the forts on the frontier. On reference to our shipping columns, it will be seen, that five vessels have left English ports for Quebec, with Government stores.

Ladies' Protestant Home.

The magnificent Conservatory at Woodfield, the property of Mr. James Gibb, is now open to the public, and the proceeds of the admission money are to be devoted towards the funds of the above institution. The Conservatory will be kept open for the remainder of the week.

The Terrace.

Durham Terrace is once more becoming the favorite resort of pedestrians seeking an agreeable walk and the fresh air off the river. It is customary in the spring for the regimental bands to play on certain afternoons, and we hope the commanders of the regiments now in garrison will allow the continuance of a practice that tends in so great a degree to the pleasures of the citizens.

Miss McCaffrey's Ball.

Miss McCaffrey's Juvenile Ball took place last night in Russell's Hotel. There could not have been less than four hundred children, who participated in the dance in the early part of the evening, and not less than two hundred of the parents and friends remained until an early hour this morning. The band of the 17th Reg., was present, and kept up the music until the programme was gone through. The supper was provided by Mr. Russell, in his usual style, and all parted highly satisfied with their evening's entertainment.

Stabbing Affray.

A stabbing affray occurred on Saturday, in Richmond street, St. John's suburbs. The facts of the case are as follows:—A man named John McGilley, a resident of that street, was standing at his door, and observed the prisoner, Octave Bedard, following a man up the street. He (McGilley) called to the man to stop, but he continued his course. Bedard then returned and spoke to McGilley; a few cross words passed, but before McGilley had attempted to strike, or made any preparations for defending himself, Bedard stabbed him in the left side with a clasp knife, the blade of which is about 2½ inches long. After receiving the blow, he attacked Bedard and knocked him down, but was removed by some of Bedard's friends. The wound was then carefully dressed by Dr. Dusault, who will be examined to-day. The wounded man could not say, in his examination, whether the wound was dangerous or not. The investigation will be closed to-day.

A Jeremy Diddler Arrested.

An investigation took place yesterday, in the inner room of the Police Court, into the facts connected with a dinner for thirty, which a certain Mr. Michael A. Ratte had ordered at Mrs. Brown's, said Michael representing himself as a Captain of the Militia Force. The evening on which the friends of this gentlemanly individual met at Mrs. Brown's was passed in a highly agreeable manner, and after the guests had departed, Mr. Ratte informed Mrs. Brown that he had not sufficient money about him to pay the costs of the entertainment; but that if she would be so obliging as to send the next day to Room No. 10, Legislative Assembly, he would immediately pay. Accordingly, in good time, Mrs. Brown despatched a messenger to the official abode of the assembled wisdom, but her messenger was politely informed that the late Amphitryon was not employed in the building. Mrs. Brown happened, however, to meet her Jeremy Diddler the day following, and that plausible individual instructed her to be sure to send at once to an indicated office in Louis street. But here, strange to relate, the messenger received an answer similar to that which had awaited his mission to the Assembly. Mrs. Brown immediately laid information with the police, and had him arrested.

RECORDER'S COURT.

BEFORE J. CREMAZIE, ESQ., RECORDER.

Twelve prisoners were brought before this Court yesterday. One of these, on voluntary confession, was committed. Four, for being drunk and impeding passengers, were also committed. Five, for the same offence, were admonished and discharged, and two paid the fines imposed.

ASSESSMENTS.—One summons, for $16, was paid before entry. Two defendants, for $880 93 stall rent, made default to appear.

One hundred and thirteen summonses for $201 were issued.

POLICE COURT.

The cases of the girls for frequenting houses of ill-fame, were continued until Friday.

COMMERCIAL.

The Customs' receipts yesterday amounted to $859 20.

THE NEW YORK MARKETS.

[By Telegraph.]

New York, 13th.

Stocks dull and close firmer.

Money on call at 6 a 7 per cent.

Sterling Exchange dull at 110½ specie.

Gold 150¼.

Flour — Receipts 12037 barrels. Market dull, prices without material change. Sales 5000 barrels, at $6 15 a $6 50 Superfine State; $6 70 a $7 00 Extra State; $7 20 a $7 35 choice do; $6 85 a $7 25 Superior Western; $6 30 a $6 75 common to medium extra Western; $6 80 a $7 00 com. to good shipping brands ex round hoop Ohio. Canada flour 10c better. Sales 450 bbls. at $6 85 a $7 00 for common; $7 10 a $8 50 for good to choice extra.

Rye Flour—Steady. $4 00 a $5 25.

Wheat—Receipts 2878 bushels. Market a shade firmer but nominal. Sales 2000 bus. at $1 42 a $1 53 for Chicago Spring; $1 64 a $1 66 Milwaukee club; $1 67 a $1 69 Amber Iowa; $1 70 a $1 74 winter red Western; $1 74 a $1 77 Amber Michigan.

Rye firmer—$1 08 a $1 10 afloat and delivered.

Barley quiet at $1 45 to $1 63.

Corn—receipts 1252 bushels. Market heavy and 1c a 2c lower. Sales 26,000 bushels, 89c and 91c sound mixed Western; 82c a 88c mixed.

Oats dull, at 82c a 85c for Canada, Western and State.

Pork dull. Sales 300 barrels, at $13 75 a $14 00 for mess; $11 75 a $13 25 for prime.

SHIPPING INTELLIGENCE.

NOTICE TO SHIP CAPTAINS.

Masters of vessels and others entering the Harbor of Gaspé are notified that a black buoy, with a white flag, has been placed on the point of Sandy Beach, in three fathoms of water.—On coming in the buoy must be kept on the left hand side.

FURTHER NEWS FROM THE TRAVERSE.

We are indebted to Messrs. Gillespie, Crawford & Co. for the following telegraphic information relating to the present state of the Traverse:—

L'Islet, 4 p.m.

To Messrs. Gillespie, Crawford & Co.

There is too much ice in the river for a ship to pass the Traverse. Will send further information soon.

CAPT. VAUGHAN, Pillars' Light House.

DEPARTURE OF PILOTS FOR BIC.

Yesterday afternoon the Pilot schooner No. 2 left Indian Cove for Bic, with about twenty Pilots.

DESPATCH OF THE FIRST VESSEL OF THE ANCHOR LINE TO MONTREAL.

The Belfast *News* says:—A line of steamships is about to be established between Belfast and Montreal. The first sailing will take place on the 11th of April, and, from the very reasonable tariff of fares, we cannot doubt that the line will be very popular. We trust it may have so much success that, instead of monthly sailings as contemplated at present, there may be soon sailings bi-monthly, if not more frequently. The respectability of the agents here guarantees that the interests and comforts of the passengers will be properly attended to.—The first ship leaves Glasgow to-day, the 10th.

Complete List of Vessels

Loading at the Port of Liverpool for Quebec and Montreal.

The following is an authentic statement of the names of vessels loading at Liverpool up to March th, for Quebec and Montreal. It will be seen, in reference to our list of sailings, that some of these vessels have since cleared.

FOR QUEBEC.

Margaret Ann, Nicholas,	January	10
Catherine, ——,	"	15
Charlotte Harrison, Griffiths,	February	5
Prince of Wales, Flarty,	March	4
Chalpultepec, Arkle,	"	9
New York Packet, Thompson,	"	9
Mamelon, Urquhart,	"	12
Avon, Hue,	"	12
Clarissa Currier, Cameron,	"	12
Janet Kidston, Bruce,	"	12
John Parker, Betts,	"	12
Simonds, Leavitt,	"	12
Golden Light, Kennett,	"	12
Bunshire, Card,	"	12
Urgent, Williams,	"	12
Wide Awake, Williams,	"	12
Belle, Wilson,	"	12
Berlin, Evans,	"	13
Portland, ——,	"	13
Achilles, Wallace,	"	13
Ottawa, Crawford,	"	12
Advice, Dick,	"	16
Ronochan, Scott,	"	16
Marchmont, White,	"	16
Renfrewshire, Davies,	"	16
Great Britain, Flett,	"	17
Alexander, Strang,	"	17
Tasmania, Driver,	"	18
Paramatta, McPherson,	"	18
Devon, Gray,	"	18
Marathon, Galna,	"	18
Volant, Thomas,	"	18
Consul, Bevan,	"	18
Nina, Burns,	"	20
Colonist, Westgarth,	"	23
Onward, Welsh,	"	23
Agamemnon, Herron,	"	23
Argonaut, White,	"	23
Nlord, Hansen,	"	23
Eliza Bonsall, Cameron,	"	23
City of Ottawa, Barrett,	"	23
Eliza, Munday,	"	24
City of Manchester, Ditchburn,	"	24

FOR QUEBEC AND MONTREAL.

Fatuna, Ryan, March 19

FOR ST. JOHN'S AND QUEBEC.

Uranica, Key,	February	25.
Advice, Williams,	March	3
Primrose, Watt,	"	12
Donegal, Wiltshire,	"	12
Scipio, Hill,	"	14
Diana, Irving,	"	14
Ituna, Warey,	"	17
Albion, Dalrymple,	"	17

FOR HARBOR GRACE AND QUEBEC.

Martha, Sawer, March 21

☞ Owing to the want of space we are compelled to defer the publication of the Montreal List till next issue.

(Per North American.)

(Compiled from the London and Liverpool papers, from the 21st to the 23rd ult., inclusive.)

THE SPRING FLEET.

VESSELS SAILED FOR QUEBEC.

Pomona, Brereton, Hull, March 24.
Pearl, McKenzie, Hartlepool, March 21.
Sea King, Divine, Liverpool, do 23.
Reliance, Brittain, do, do 23.
Delgany, Gallie, do, do 23.
Olive Branch, Robertson, Liverpool, March 23.
David, Logie, Liverpool, March 23
Magnet, Keating, Liverpool, March 23.
Tinto, Brown, do, do 23.
Annie, ——, Shields, March 24.
Mangerton, Minks, London, March 25.
Baldur, ——, Deal, March 25.
Christiana, Cooper, Shields, March 24.
Charles Chaloner,* Brodie, London, March 25.
Confiance, Wright, Deal, March 25.
Wanderer, Jackson, Dublin, March 25.
Urda, Funnemark, do, do.
Neinden, Pederson, do, do.
Lady Jocelyn, Grantham, Hartlepool, Mch 24.
Orion, Atkins, do, do.
Eliza Olive, Jenkinson, Liverpool, March 25.
Golconda, Davis, do, do.
Almira, McIntyre, do, do.
St. Lawrence, Simpson, do, do.
Montezuma, Sulis, do, no.
Harriet, Durham, do, do.
Culloden, Ness, do, do.
Emigrant, Bogle, Sunderland, do.
Neptunus, Lodvigsen, Texel, March 24.
Clarinda, Milne, Aberdeen, do.
Glencairn, ——, Clyde, March 23.
Urania, Anderson, Deal, March 26.
Robert Ingham, Forrest, Shields, March 25.
Quebec, Pilgrim, London, March 20.
Garibaldi,* Seeberg, London, March 23.
Tadmor, Hogg, Grangemouth, March 21.
Tordenshjold, Bjerkaas, London, March 24.
Martin Luther, Beverley, Aberdeen, March 21.

* Cleared in ballast.

VESSELS SAILED FOR QUEBEC AND MONTREAL.

Canada Belle, Henderson, Liverpool, March 23.
Iona, Lamont, Liverpool, March 25.
Ariel, Bumond, Antwerp, March 21.
Allan-a-Dale, do, do.

ENTERED FOR LOADING FOR QUEBEC.

City of Ottawa, Barrett, Liverpool, March 24.
Eliza, Munday, do. do.
City of Hamilton, Ditchburn, do, do.
Dunbrody, Williams, New Ross, March 25.
Boreas, Sweeney, do, do.

LOADING FOR QUEBEC AND MONTREAL.

Margaret Ann, Nicholas.

ENTERED FOR LOADING FOR MONTREAL.

Diadem, Wilkie, Newcastle, March 24.
Anglo-Saxon, Crokine, do, do 24.
Dumfries, Donaldson, do, do 24.

SAILED FOR MONTREAL.

Pericles, Ferguson, Liverpool, March 25.
Wm Fisher, Rodgers, Maryport, do 23.
Caspian, Liddle, Sunderland, do 24.
Emblem, Parker, do, do 24.
Anglo-Saxon, M'Donald, Shields, do 25.
Deodar, Cappon, Cadiz, do 29.

MARITIME EXTRACTS.

AMMUNITION, &c., FOR QUEBEC.

The ships Christina and Robt. Ingham cleared on the 25th ult., from Shields with military stores for this port. The latter vessel on her voyage, will call at La Rochelle and discharge part of her stores, after which she will proceed to Quebec with remainder of cargo. The ship Anglo-Saxon also cleared on the 25th from Shields with military stores for Quebec and Montreal.

The ship City of Quebec, which entered for Quebec and Montreal during the month of January, has re-entered at London on the 25th, for Montreal only.

ARRIVALS AT THE HOTELS.

RUSSELL'S HOTEL.

Capt E Hunter, Liverpool; Thos Hunter, England; T De Witt, Montreal; W P Phillips, Kingston; H Williams, Harvey Mills; W Goverin, St Catherines; T K Edwards, Toronto.

(Continued from the first page.)

the consideration of weights and measures in Great Britain, of which I have given but a very general idea, to the few remarks I have to make upon the same subject in reference to the

UNITED STATES OF AMERICA.

When British settlers colonized Virginia in the reign of Elizabeth, and the Pilgrims emigrated to New England in 1620, they carried with them the laws and institutions of England, so far as those laws and institutions were applicable to their new condition, and among these the weights and measures of the parent state were naturally imported by them.

The weights and measures thus introduced were afterwards universally adopted in the then North American Colonies, and although partial modifications appear to have been from time to time made by the local legislatures, or to have been introduced by usage, yet the standards of British weights and measures were, in general, the only legal standards recognized in the Colonies, most of which had procured duly stamped and authenticated copies of those British standards from the English Exchequer or from Guildhall, in the City of London.

Deriving their system from such a source, it is scarcely to be expected that any wide differences should exist between the British and the American systems of weights and measures—indeed both countries have a common standard of extension, *the yard*, and a common standard of weight, the pound Troy of 5760 grains, and the pound avoirdupois of 7000 such grains, the parts and multiples of such standards being the same in the two countries.

They had also a common standard of *capacity* until 1826, when an act of the British Parliament, excluding all other measures of this order, adopted as the standard unit of capacity the "Imperial standard gallon," equal to 277 $\frac{274}{1000}$ cubic inches, both for liquid and dry substances, thus doing away with the wine gallon of 231 cubic inches, the ale gallon of 282 cubic inches, and the corn gallon of 272 cubic inches.

The old English wine gallon is the only recognized standard of liquid measure in the United States. It contains 8.339 pounds avoirdupois of distilled water, at the temperature of about 39°. Farenheit, its capacity being as before stated, 231 cubic inches, which is almost exactly equal to a cylinder of 7 inches in diameter and 6 inches deep.

The dry measure is the Winchester bushel. It contains 2,150.42 cubic inches, and holds 77.6274 pounds avoirdupois of distilled water at the temperature of its greatest density, and with the barometer at 30 inches. Its capacity is represented by a cylinder 18.5 inches in diameter and 8 inches deep.

The hundred-weight has been reduced, as in Canada, to 100 pounds, and the ton to 2000 pounds, but the old hundred—weight of 112 pounds, and ton of 2240 pounds, seem still to be used under the designation of the *long hundred weight* and the *long ton*; but these it is presumed are merely permissive, the reduced weights being the standards.

With the few differences pointed out, resulting from comparatively recent legislation in both countries, the weights and measures of the United States are similar to, and it may be said identical, with those of England.

Both countries have the same mile, yard, foot, and inch, the same acre, the same pound avoirdupois, and pound Troy.

And although the measures of capacity have since 1826 been changed in England, the Winchester bushel and wine gallon, the standard measures of capacity in the United States, are mere copies of English prototypes.

CANADA.

We now come to the weights and measures as established by law in Canada. The leading statute upon this subject is an act of the Legislature of Lower Canada, the 39th George III. cap. 7, which is to be found in the Consolidated Statutes of Lower Canada, cap. 62. Under this, three sets of various kinds of beams and scales, and four sets of standard weights and measures were imported from England, and these were declared to be the standard weights and measures of the province.

The weights and measures thus imported, were all made of brass and consisted of:

1.—*Avoirdupois* weights in sets as follows:
From one dram to four ounces,
" ¼ ounce to 4 pounds and
" 4 lbs. to 56 lbs. the standard being respectively 4, 7, 14, 28, and 56 lbs.

2.—Troy weights, in sets.
From ½ a grain to 1 ounce,
" ¼ of an ounce to 64 ounces
7 lbs. to 28 lbs. in weights of
7, 14 and 28 lbs.

3.—*Wine* measures, in sets from 1 gill to 1 galon.

4.—*Winchester* measures, in sets from 1 gill to 1 galon.

5.—*Winchester* bushels and ½ bushels.

6.—Canada measures (old French measures) from a *poisson* to a *pot*.

7.—The *minot* and ½ *minot*.

8.—"The English standard foot rule."

9.—"The Paris standard foot rule."

10 The "English standard yard."

11.—The "English standard ell."

1.—The pound *avoirdupois* "with its parts, multiples and proportions," was made the standard weight "for weighing all goods, wares, and merchandise, butcher's meat, flour, meal, bread, biscuit and other commodities whatever, commonly sold by weight" ("gold, silver, coin, bullion, drugs and precious stones only excepted.")

2.—The *pound Troy* was the standard for weighing gold, silver, bullion, drugs and precious stones, as above excepted, from the applications of the avoirdupois weight.

3.—The *wine gallon* was made the standard liquid measure of Lower Canada, for "wine, cider, beer and "spirituous liquors of all kinds, treacle and molasses, and "all other liquids commonly sold by gauge or measure "of capacity."

4.—The *Canada minot* was the standard for measuring "all rents, payable in wheat or other grain, and also for measuring all grains or seeds, fruits or roots whatever, in cases in which no other special provision is made in any act, and likewise for lime, sand, ashes, or any other kind of commodity, usually sold by measure of capacity, where no special contract is made to the contrary.

5.—The English *Winchester bushel** is made the standard for measuring salt, wheat, oats, peas, barley and other grains or seeds, in cases *only when such articles have been specially sold* or contracted for by such measure, and in cases in which no special provision is made for the mode of sale in any other act.

* 18½ inches diameter, 8 inches deep Contents 2150.42 cubic inches. The present imperial bushel contains 2218.1907 cubic inches. —(SIMMONDS.)

6.—*The Paris foot* was applicable to the measurement of lands, or lots granted or sold by the arpent or foot, and also, to the measurement of all kinds of wood, timber and stone, and "all manner of masons', carpenters', and joiners' work, or any other article or any other kind of work commonly measured by the foot or other measure of length, etc., where no special contract exists to the contrary."

7.—*The English foot* is applicable to the measure of lands granted by the British Crown, and also to the measure of wood, timber, etc., as above; *provided a special contract has been made for that purpose.*

8.—*The English yard* is made the standard for measuring all kinds of cloth or stuffs made of wool, flax, hemp, silk or cotton, or any mixture thereof, and all other kinds of goods, wares and merchandise commonly sold by measure of length.

9.—*The English ell*, "containing 3 feet 9 inches of the standard English foot" above mentioned, is declared to be the standard measure by which cloth or stuffs of wool, flax, &c. *may* be sold *when specially sold or contracted for by that measure.*

We thus find that the legal weights and measures of Lower Canada have been borrowed from the old English standards as they existed antecedently to 1825, with the addition of certain French measures of length and capacity, *i. e.* the Paris foot, the *minot*, and the *pot*, *pinte*, *chopine* and *poisson*. But the law is silent as to the cases in which the latter measures of capacity are to be applied, and we are left to believe that they are merely legalized as measures by which liquids may be sold in retail, although the declared standard measure of capacity for all liquids, is the wine gallon.

In Upper Canada the measures of length, weight and capacity are the same as in Lower Canada, being derived from the same source, except that no French measure whatever is recognized in the former.

Under the system just described, grains were uniformly sold by the Winchester bushel, or by the minot, as measures of capacity, the cwt. was 112 lbs. and the ton 2,240 lbs. More recent enactments have changed the law in these respects and by acts passed in 1859, to be found in the Consolidated Statutes of Canada, cap. 53, the following is declared to be the *standard weights* which in all cases shall be held to be equal to the Winchester bushel of grains and seed, viz:—

Wheat, peas, beans and clover seed...	60 lbs.
Indian corn and rye.....	56 lbs.
Barley, timothy seed and buckwheat	48 lbs.
Oats.....	34 lbs.

The acts in question do not, however, stop there. The 22nd Vict. chap. 21, prescribes the *weight* which shall be equal to the Winchester bushel of the following articles, viz:—

Potatoes, turnips, carrots, parsnips, beets and onions.....	60 lbs.
Flax seed.....	50 lbs.
Hemp seed.....	44 lbs.
Blue grass seed.....	14 lbs.
Castor beans.....	40 lbs.
Salt.....	56 lbs.
Dried apples.....	22 lbs.
Dried peaches.....	33 lbs.
Malt.....	36 lbs.

It may therefore be considered that, as a measure of capacity, the Winchester bushel and the minot are abolished, as standards, except in cases where the parties have specially agreed to buy and sell by measure instead of by weight.

By the same act the hundred-weight of 112 pounds, and the ton of 2240 pounds are abolished, and the hundred-weight is declared to be 100 pounds and the Ton 2000 pounds avoirdupois, thus assimilating our hundred-weights and tons to those of our neighbors in the United States, and making one step towards the decimal system of computing weights.

With regard to the verification of the weights and measures of commerce, we find that at an early period of the legislation of Lower Canada, the law which authorized and directed the procuring of standards from England, provided for the annual inspection of weights and measures in the Province, and assigned that duty to certain public officers then known as Revenue Inspectors and now designated by law as Collectors of Inland Revenue.

At the period referred to, one of these officers resided in each of the principal districts into which Lower Canada was divided—Quebec, Montreal, and Three Rivers,—and to each of these officers was entrusted one of the sets of standard weights and measures imported under the act; the 4th and remaining set being confided to the custody of the successive clerks of the Legislative Assembly, by whom they were carefully preserved until April 1849, when they were destroyed by the conflagration of the Parliament Buildings at Montreal, thus meeting with the same fate which had twice attended the standard weights and measures of England, deposited in the Exchequer at Westminster.

We are thus left without reliable standards to resort to for the comparison and adjustment of the standards themselves, which are now in use in the various districts of the Province, the accuracy of which may well be questioned, when it is considered that the original sets from which copies have been made, and which are still used for the verification of the weights and measures of commerce, have been in use for upwards of 60 years, thus placing us very much in the condition of some of the States of the American Union, in which, until the subject was taken up by Congress after the Report of 1821, the original standards in many instances had not been verified since the declaration of independence, and in some cases, as in Massachusetts, standard weights had been 100 years without comparison or verification to test their accuracy.

The necessity, therefore, of providing new sets of duly authenticated and reliable English standards, has become paramount, and there can be no doubt that so important a branch of the commercial economy of the Province, will receive the immediate and earnest attention of the government.

GENERAL REMRRKS.

Having thus considered what are the recognized legal standards of weights and measures in France, in England, in the United States, and in Canada; we are naturally led to the consideration of the systems themselves, which have been shown to prevail in those countries—systems which, in the main, resolve themselves into two—that is to say, the French and the English systems, each of which has its advocates, and both of which are unquestionably possessed of great and distinct merits.

Theoretically, the French metrology is admitted to possess uniformity, symmetry, and simplicity, to perfection. Based as it is on a single fundamental unit, divided or multiplied decimally, and with a nomenclature essentially significant of the part or multiple of the thing meant, it cannot be denied that it has great claims upon the serious attention and consideration of civilized nations.

This excellence, however, of the French system, must be viewed in connection with the decimal currency of the country of which it forms a part, the franc being the standard unit of that currency, its subordinate divisions being *decimes and centimes*. It is therefore easy in practice to compute prices and keep accounts, when both the article sold and the money paid are governed by a common rule of decimal computation, the decimal system being avowedly best for counting or *aggregation*, although the binary is preferable for *segregation* or division.

We have seen that several of the continental powers of Europe have already adopted the French system, and the Committee of the House of Commons to which the subject was referred, reported last year in favor of the introduction and adoption of the metrical system in Great Britain.

The evidence given before that committee has thrown considerable light upon the respective merits and advantages of both the French and the English systems, and although the majority of the witnesses vouch for the superiority of the former and advocate its adoption, there will be found able and weighty arguments in favor of the maintenance of the English system, for which strong predilections naturally exist in a country so steadfastly attached to its own institutions.

It is easy to discover in the evidence of those who would maintain the existing weights and measures in England, the repugnance with which would be seen any radical change in the English system that would be borrowed from a foreign country, and especially perhaps from France, and it is somewhat curious to find that as early as 1791 the existence of that feeling was foreseen as likely to interfere with the extension of the French system to other nations. In the report of the French Commissioners, to be seen in the "*Memoires de l'Institut, Base du système métrique*," we find the following apologetical language for having selected for admeasurement a meridian in France, and having had the operations carried on by scientific men of that country.

"Enfin nous avons choisi le seul méridien où l'on "puisse trouver un arc aboutissant au niveau de la mer, "coupé par le parallèle moyen (45°) sans être cependant "d'une trop grande étendue qui en rende la mesure "actuelle trop difficile. Il ne se présente donc rien ici "qui puisse donner le plus léger prétexte au reproche "d'avoir voulu affecter une sorte de prééminence.

"En un mot si la mémoire des travaux venait à "s'effacer, si les résultats seuls étaient conservés, ils "n'offriraient rien qui pût servir à faire connaitre "quelle nation en a conçu l'idée, en a suivi l'exécution."

"*Discours préléms.*

Apart, however, from any national pride that would reject the adoption, by England, of the French metrical system and revive the cry *nolumus leges anglia mutare*, so famous in the days of Henry III, it cannot be denied that there exist strong grounds for hesitating to subvert a system so closely interwoven with the habits and usages of a great commercial people, as that of the weights and measures that have had the sanction of ages.

There is no doubt that taking a cosmopolitan view of the subject, it would be desirable, as ancillary to international commerce, that common standards of weights and measures should be recognized and adopted by all commercial countries, and it is not at all surprising that the International Statistical Congresses that met in London and in Paris, in connection with the World's Exhibitions in those two great capitals, should have advocated and recommended the metrical system which they considered as best calculated to attain that desideratum. The adoption of a common international standard would unquestionably facilitate the preparation of commercial statistics, and might possibly have a favorable influence upon the commercial intercourse of different countries; but I am inclined to think with Mr. Airy, the Astronomer Royal of England, that the advantage of adopting the French metrical system of weights and measures, on international grounds, "are not worth mentioning in comparison with the difficulty of introducing it."

The French decimal system, combining as it does weights, measures and money, presents certainly a harmonious whole, such as no other known system possesses.—As an invention it is unparalleled for its ingenuity; but it may well be questioned whether its inflexible decimalization, and its fundamental unit, are in perfect harmony with nature. The duodecimal system, with its four factors and its binary character, seems to offer itself most naturally to our adoption. Apart from the mere computation of numbers, to which decimalism is so peculiarly applicable, it is more allied to the nature of things than the decimal system. It is true man has ten digits, but he has eight fingers and two thumbs. His whole organization is based upon binary principles. His nerves are in pairs. His brain has two hemispheres and six lobes. His teeth are found in two rows of sixteen each. Our globe is divided into hemispheres equatorially or longitudinally. The quadrant is a natural division of the sphere. We have four seasons, and the phases of the moon are computed by quarters. Nature, in fact, seems to delight in binary combinations, and if we descend to the ordinary operations of the mind in the every day pursuits of life, we find the same tendency to halve or double objects of measurement or of weight, as the readiest way of forming a clear conception of quantities.

Under this aspect the English system possesses, in my humble apprehension, advantages over the French, in the every day commerce of life. The French system is theoretically admirable; but it is perhaps too artificial to square with the instincts of man, that are so suggestive of binary divisions, and therefore favorable to a duodecimal system, which is practically more susceptible of them than the decimal.

But this great decimal system which aimed at universality, was repelled by the circle and found unsuitable to the divisions of the day.—Geography and time have retained in France, as elsewhere, their pristine modes of measurement and computation; and the language and calculations of science have so far remained universal.

I have, in the foregoing remarks on weights and measures, abstained from the consideration of the kindred question of a decimal currency. 1st, Because that branch of the subject would be entitled to a fuller examination than could be given to it here; and secondly, because the decimal system of currency prevails in the United States and in Canada as well as in France, with this difference, that the unit in France is *the franc*, in this Province and in the United States it is *the dollar*.

Of the wisdom or necessity of subjecting weights and measures to the law of decimals, it has been shown that differences of opinion exist; but it seems to be universally admitted that the decimalization of the currency is everywhere desirable, from the facilities it affords in the computation of money, and the simplicity to which it reduces the keeping of accounts.

That a system of weights and measures, based upon binary and duodecimal principles, can harmoniously co-exist with a decimal currency, is amply shown by the experience of our neighbours, who, as a commercial people, are second in the magnitude of their commerce, but to Great Britain. With us, a decimal currency was legalized in 1852, (16 Vict. Cap. 158,) but it was, and continues to be, not compulsory but permissive, the denomination of money in pounds, shillings and pence being still admitted and recognized. By a subsequent act, however, 20 Vict. cap. 18, passed in 1857, it is directed that all the public accounts of the Province shall be kept in dollars and cents—the banks have universally adopted the change, and the decimal currency may be considered as generally established, although the practice still prevails in the retail trade of making up their accounts in the old currency of "£. s. d."

In England the important question of decimalizing the currency has not been overlooked. The commission appointed in 1841-2 to restore the standard measures destroyed in 1834, point out, in their report, the facility of establishing in England a decimal coinage. Their plan was to interpose a new coin of two shillings between the pound sterling or sovereign and the shilling, and of considering the farthing which is now the $\frac{1}{960}$ part of the pound, as the $\frac{1}{1000}$th of that unit. It proposed to establish a coin equal to the $\frac{1}{100}$ part of a pound, and of circulating besides these principal members of a decimal coinage, other coins of value bearing a simple relation to them, including coins of the same value as the present shilling and the six pence.

It was as a part of the scheme thus proposed that the English florin was coined; but the system, as a whole, was not adopted, and the new coin does not appear to have gone into very general circulation.

I feel that I have trespassed so long on your attention in the examination of a somewhat dry subject, that it would be abusing of your indulgence to protract this paper to any greater length. I would, however, before closing my remarks, throw out the suggestion, whether it would not be possible for nations to adopt two systems of weights and measures, the one of an international and universal character, which would be applicable to foreign commerce, the other suitable to the genius and habits of individual peoples, thus leaving undisturbed the weights and measures of domestic trade, the alterations of which offer every where such insuperable obstacles. International commercial standards might thus be established as contradistinguished from national ones, as the *jus gentium* or law of nations, is distinct from the *jus civile* or municipal law. The intelligence and enlightenment of the higher commercial classes in all countries would, it is believed, render such an object attainable, and obtain for commerce that universal language which, like the notation of music, the nomenclature of botany, and the terms of science, can be read and understood among all civilized nations.

I cannot more happily close this paper, in which I have dwelt upon the French and the English system of weights and measures, than by quoting from the concluding paragraph of Mr. Adams' report, the following eloquent and philosophical language;

"*Uniformity* of weights and measures, permanent universal uniformity, adapted to the nature of things, to the physical organization, and to the moral improvement of man, would be a blessing of such transcendent magnitude, that, if there existed upon earth a combination of power and will, adequate to accomplish the result by the energy of a single act, the being who would exercise it, would be among the greatest of the benefactors of the human race. But this stage of human perfectibility is yet far remote. The glory of the first attempt belongs to France. France first surveyed the subject of weights and measures in all its extent and all its compass. France first beheld it as involving the interests, the comforts, and the morals of all nations and of all after ages. In forming her system, she acted as the representative of the whole human race present and to come. She has established it by law within her own territories; and she has offered it as a benefaction to the acceptance of all other nations. That it is worthy of their acceptance is believed to be beyond a question. But *opinion* is the Queen of the world; and the final prevalence of this system beyond the boundaries of France's power, must await the time when the example of its benefits, long and practically enjoyed, shall acquire that ascendency over the opinions of other nations, which gives motion to the springs and direction to the wheels of power."

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