must have ready money to work with, and he hoped the decision would be favorable

The Rev. Mr. Pitblado thought that three missionaries might hold the fort till they could send a fourth,

Some further discussion ensued, during which several members urged that, ministers should contribute and so stimulate their congregations.

The Synod adjuurned till 7.30 p. m.

FOURTH SEDERUNT.

On Wednesday evening in pursuance of the recommendation of the Business Committee a missionary meeting was held in St. Andrew's Church at 7.30 which was well attended.

After devotional exercises, the minutes were read and approved.

Dr. Pollock of Halifax then delivered an address on the Work and Claims of the Theological College of Halifax. The Rev. gentleman stated that an endowment scheme of $100,000 had been provided for the support of the college, though he believed it would amount to $102,000, and the people had contributed more than half. He thought this was an encouraging feature, and though the amount was not large, it was a great achievement. Both the professors and students of the college bore a high character, and at their last annual meeting they were greatly encouraged, for college work was unobtrusive in its nature, and the attendance of friends at their annual meeting strengthened them. Though the College was at present small in size and endowment, larger institutions had had a similar origin and, after all, there were some advantages connected with small numbers, as students could receive more attention. There was, however, a difficulty of competing with other institutions, especially those of the Upper Provinces, which were not slack in making their advantages known. In Halifax, they also assisted their students, and none need want assistance who required it, and last year $1,000 were distributed for this object. The Rev. Mr. McNeil's congregation, which had given them $200 a year, had thus rendered them material service. They had also received much encouragement from the people generally. The College was not a new institution. Some of the students devoted themselves to the ministry and others to foreign missions, and its reputation was second to none. In this Dominion there was a union of three Presbyterian bodies each of which contained elements of strength which had been developed in Scotland, and they had every reason to think that they were building up a great Presbyterian Church and to be thankful for their privileges. Sometimes in connection with the college, they were told that the people were doing other work, but he would remind them of the nececessity of supporting such an institution, and the congregation that neglected this duty injured itself. He believed in leaving the matter to the people themselves, and they might remember that one effect of the outpouring at Pentecost, was a great liberality, and this was one of the evidences of a love of Christ. There was a great want of an effective organization in this matter, and there were some 40 or 50 stations yet unvisited. As professors they assured the brethren they did all it their power to send forth a thoroughly educated ministry.

The Rev. Dr. McGregor then addressed the meeting on Foreign Missions. He said he had expected another gentleman who had arrived late, to lay the facts before them. They were engaged in a great work, and Dr. Scott was of the opinion that the work in Trinidad should be first commenced with the native tribes of North America, and there was reason for thankfulness that this was so. Then there was a mission to the Chinese which was remarkable for the manner in which it was conducted, and the success which had attended it. The Rev. George McKay broke ground in Formosa, and there was now a flourishing mission established with 15 catechists 15 teachers and 263 communicants, with deacons and elders. Then, there was the mission to India under tried men and godly women, the latter of whom had obtained access to the homes of the native women. These missions were conducted by a committee in the West, though the people in the East were nearly as deeply interested.

The oldest mission was that of the New Hebrides, a group of Islands in the Pacific, of which they held three. The communion roll amounted to 260, and on one of the islands there were over 20 schools. The Scriptures had been translated into the Native language, and by the labors of Geddes and Inglis, had recently been completed in two handsome volumes, which he exhibited, and the cost of which had been defrayed by the natives. This was the first bible published in West Polynesia. Another mission was established among the Coolies of the island of Trinidad. There were schools in different localities which had together 766 coolies on the roll. The coolies gave liberally, setting aside for the cause one tenth of what they earned, and they had now a large band of native workers. The mission had the confidence of the proprietors of the island, and also of the different denominations, and during last year, $250 had been given to the different schools, by the Government, which although insisting that Hindustanee should be taught, had released them from other conditions, and placed them under the control of the mission. But there was one large district called for occupancy, and the proprietors had promised £150; there was also another £200 of reduced expenditure and against this there was the debt of the Mission Board amounting to $2300. Another missionary would be expensive, but should they stand still, both ministers and laymen were ready to contribute, and one gentleman of small means who had formerly contributed £25 sterling to missions had promised £50 this year.

A collection was now taken up.

The Rev. James Sinclair, who was appointed to address the meeting on Home Missions, said he had been called on unexpectedly, and as the collection had been taken up, there might be said to be no need of further addresses. The people of these provinces were mainly divided into two classes, those residing in the cities and towns and those in the country, who could easily unite in carrying on the necessary Church machinery. But there were also little settlements in humble circumstances unable to support themselves. Such cases were all around them, up and down the Miramichi, and none of these settlements were able to support a resident minister. It was the same all over the Dominion, and the object of home Missions was to help these people, and the work was extensive where there was not sufficient organizations the Home Mission sent catechists, and builds mission stations, which are placed on the Supplementing Fund, and these supplemented charges finally developed into self-sustaining congregations. The progress could not be seen all at once, but the lapse of years demonstrated it. This was why people get discouraged, and the great want was that of funds to carry on the work, though there was no reason to find fault on the score of liberality. When the General Assembly met a year ago, they were despondent on account of debt, which also weighed upon the Supplementing Scheme, but now the prospects were improved and there was every reason for encouragement. Presbyterianism had a grand history, and even in their native country they felt proud of belonging to their church. He said this without disparagement to sister denominations, but above all it was necessary that they should be loyal to Christ, and ready to persuade of the truth as it was in Jesus, and thus men they might look forward with hope.

The Missionary Meeting having been brought to a close, it was resolved that unfinished business be taken up, which was the consideration of the Reference anent the

FOURTH MISSIONARY TO TRINIDAD.

Moved by Rev. J. McKinnon, seconded by Rev. Mr. Hogg

"That this Synod approve of the proposal submitted to its consideration by the Foreign Mission Board, that in view of the opening now presented in Trinidad, and the action taken by the Mission Council, a fourth missionary be sent out to the field."

Moved in amendment by the Rev. Mr. Goodfellow seconded by Rev. Mr. Henry.

"That the Synod recommend the Foreign Mission Board to send a fourth missionary, when ever the present debt of the Foreign Mission Board is wiped out."

Moved in amendment to the amendment by Dr. Waters, seconded by Rev. Mr. McLean Sinclair.

"That it is the opinion of this Synod that a fourth missionary should be sent to Trinidad, as soon as the state of the funds at the disposal of the Committee shall warrant them in making the appointment."

The hour of adjournment having arrived the time was extended to enable the Synod to finish the present business.

Dr. Waters' amendment as against that of the Rev. Mr. Goodfellow, was put to the house, when Mr. Goodfellow was preferred.

It was then moved in amendment by the Rev. Mr. McNeil, seconded by Rev. Mr. Forest.

"That the Synod firmly convinced that Providence is clearly indicating that it is our duty to send a fourth missionary to Trinidad, resolve to proceed forthwith to raise the additional funds that are necessary."

These amendments were put to the house and Mr. McNeil's was preferred.

The Rev. Mr. McCurdy, then moved in amendment, seconded by Dr. Waters.

That in the opinion of this Synod there is a call to send a fourth missionary to Trinidad immediately, but as the heavy debt stands as an obstacle in the way, the Synod would recommend the Board to make a special appeal to the church to remove the debt at once, with the intimation, that as soon as that object is accomplished, the missionary shall be sent.

On a division Rev. Mr. McCurdy's amendment was preferred successively to the amendment of Mr. McNeil and the original motion, and became the judgment of the house.

The Synod then adjourned.

FIFTH SEDERUNT.

Thursday, May 26.

The Synod was constituted at 10, a.m., with devotional exercises, after which the minutes were read and approved.

The Rev. McLean Sinclair, presented the report of the Business Committee which was adopted.

CONGREGATIONAL CONSTITUTION.

He then read an extract from the proceedings referring to a draft of a proposed constitution for congregations, to the Synod, for advice.

The reference was then referred to the following committee, viz:—Dr. Waters, Dr. Paterson, and Dr. McKnight.

AN OVERTURE ANENT EXPENSES OF ADMINISTRATION OF CHURCH FUNDS.

The Rev. Mr. McLean Sinclair, read an overture of the Pictou Presbytery anent the expences of administering the funds of the Church.

He said that St. James' Church, New Glasgow, in connection with the United Church, had resolved to lay the matter before the Synod.

The Rev. E. A. McCurdy said he had no charges to make against the administration of Church Funds. He believed the expenditure arose from circumstances chiefly accidental, but economy was now necessary, when the indebtedness of 1879 was so large. He then proceded to review the various items of expense. He admitted that there could be no retrenchment on Foreign Missions, though he thought the salaries of the missionaries were large, but on the other hand they were told that the expenses of living were high. Nor could retrenchment be made in the Home Mission or Supplementing Funds. Of the congregations which asked help from this Fund last year only 20 out of 50 contributed to the Schemes of the Church. In College expenditure he admitted there could be no retrenchment, and as to French Evangelization, they had no precise information, though the assembly always found a balance against it. Perhaps, the printing might be done more cheaply by competition. He thought also the salary paid to the agents of the church might be reduced, as $2000 was a large sum, though as regarded Dr. McGregor, his services were entitled to the warmest approbation, extending as they did over 14 years, but he thought the last increase of $500 to his salary unnecessary, and he thought that salaries of Professors ought to be on a par, with those of agents. He then adverted to the expense of publishing the *Record*, and thought that something could be saved, and that Mr. Croil's salary as editor was too large, although it was said the *Record* was self sustaining. He thought perhaps Rev. Mr. Warden, agent for French Evangelization, in connexion with his other duties, might edit the *Record*.

The Rev. Mr. McBain moved that the Rev. Mr. Teed be invited to sit as a corresponding member.

Mr. Teed took his seat accordingly.

The Rev. McLean Sinclair said as member of the Presbytery of Pictou he might refer to the matter in the Assembly.

The Rev. Mr. Forest said the whole matter evidently whittled itself down to reducing Dr. McGregor, the Agent's Salary, though the last speaker seemed to think that something might be saved on printing. They could not, however, have men without paying them, and was it worthy of this Synod to send up such an overture. The management of the *Record* he thought should be brought up, but it seemed as if the officers of the Church were a lot of oxen and asses ready to receive any burdens which might be laid upon them. In connection with the *Record* there was a large advertising business, and this year it proposed to contribute $1000 to the Schemes of the Church. He thought that this matter should be brought before the Assembly, or the *Record* Committee, but as to printing, from the nature of the work, there was no basis for tenders. The speaker then warmly defended Dr. McGregor with whom he had long been connected, urging that his salary was not too large for the valuable services he rendered. He then moved seconded by the Rev. Mr. McNeil.—

"That this Synod having heard the representatives from Pictou, and being fully convinced that retrenchment was impossible agrees to dismiss the overture."

Moved in amendment by the Rev McLean Sinclair and seconded by Rev. Mr. Meek—"That the Overture be received and adopted and sent to the general Assembly."

A long discussion ensued during which the representatives from Pictou asserted that this subject had been thrust in their faces by the people. It was stated on the other hand that Dr. McGregor held the office of Secretary and Treasurer to a number of Funds, from which he secured in all, $1750 a year, and the Overture was with some exceptions, generally deprecated.

On the vote being taken the amendment to adopt and transmit, the Overture to the General Assembly was lost, and the main motion to dismiss was carried.

SIXTH SEDERUNT.

The Synod was constituted at 3 o'clock with devotional exercises, after which the minutes were read and approved.

The report of the Business Committee was then read and adopted.

THE SYDNEY CASE.

Rev. D. McRae, of St. John, reported from the Committee to whom the Reference and Appeals and papers connected therewith from the Presbytery of Sydney, were referred. In this case there were two petitions, and five appeals, together with a large mass of evidence, the documents exciting much amusement in the Synod.

Rev. Mr. Sutherland, was the minister of Gabarus, in the Presbytery of Sydney, C. B., and the following charges preferred in the petition from the Sydney Presbytery, on which the case was based, with the findings of the Committee as reported by the Rev. Mr. McCrae of St. John, will give the gist of the matter.

1. That Mr. Sutherland had frequently spoken on the Lord's day of worldly matters; especially that upon a certain Sabbath, he intimated that the congregation should make arrangements for unloading a vessel containing lumber for the manse.

The Committee enjoined Mr. Sutherland to exercise due discretion with respect to Sabbath observance hereafter.

2. That he had absented himself irregularly from his congregation.

The Committee found no irregularity.

3. That Mr. Sutherland had deprived some of the petitioners of their pews.

Not proven.

4. That he had illegally, of his own authority, turned away some of the old trustees of the congregation and appointed new ones.

The Committee ascertained that his action was quite regular.

5. That Mr. Sutherland had assaulted one of the old trustees in a public meeting of the congregation.

The Committee is in doubt whether there was an assault, and, if so, by whom committed, but considers it worthy of reprehension that such a scene should occur.

The 6th charge was that Mr. Sutherland's "usefulness was entirely gone," on which the Committee ventured no opinion.

A ministerial visitation was held at Gabarus consisting of four communicants an elder, two trustees and a Justice of the Peace. The counter petition, is is needless to say denied the allegations made against Mr. Sutherland, and there were moreover 200 pages of conflicting evidence, in which one of the contending persons is reported to have stated, "that he came of a strong race, and that his grandfather had thrown seventeen Englishmen out of a window." It was upon the careful consideration of these documents that the Committee of Synod made their report.

The Rev. Mr. Gordon of Grand River on behalf of the Presbytery of Sydney, was then heard in support of the Reference, and was followed by the Rev. Mr. Murray of Sydney, C. B. on behalf of Mr. Sutherland, who said it would be impossible to follow the misrepresentations of Rev. Mr. Gordon, and contended that Mr. McDonald had forfeited his pew by going away, according to the Book of the Constitution of the Congregation.

On motion of the Rev. Mr. McNeil, seconded by the Rev. Mr. McKay, the report of the Committee of Synod was received and adopted.

The Rev. Mr. Gordon, then protested against the decision of the Synod, and intimated his intention to appeal the matter to the general assembly.

The Rev. Messrs. McRae and Nicholson with Mr. Blanchard, were appointed to take charge of the case on behalf of the Synod, and prepare answers to the reasons set forth in the protest and appeal of Mr. Gordon.

CONSTITUTION OF CONGREGATIONS.

Dr. McKnight reported on behalf of the Committee to whom the reference from the Presbytery of Miramichi had been referred, that they recommended that the matter be referred to a committee composed of the Rev. Messrs. Jack, Houston, McCrae, Waters and Allan Davidson, with instructions to report at the next meeting of Synod, as it had been found there were matters of detail that required Legislation.

On motion the report was received and adopted.

FOREIGN MISSIONS.

The Rev. E. A. McCurdy said they were told the previous evening that a fourth Missionary to Trinidad would not be provided until the debt of $2,300, on the Foreign Mission Board was paid. He would, therefore move, that this Synod be impressed with the necessity of energetic action in opening a subscription among the members of Synod, and that all ministers be urged to press on congregations the importance of raising the amount required.

The Rev. Mr. Goodfellow said he should like to see an appeal made to the rich. The matter was finally left to the Foreign Mission Board.

CLOSING SEDERUNT.

The Synod was constituted at 7,30 p.m. with devotional exercises, after which the minutes were read and approved.

The Report of the Business Committee was read and adopted.

On motion speakers were limited to three minutes.

FINANCES OF SYNOD.

The report on the Finances of the Synod stated that the travelling expenses would amount to $186, whereas there was only $143 in hand, it was, therefore, recommended to pay 1-5 less, but even if this was done they were $43 short, of the necessary expenses, which congregations not yet reported from were expected to pay.

REPORT OF COMMITTEES ON RECORDS.

The different Committees appointed for that purpose, reported on the state of the Records of Presbyteries, which seemed to be generally kept in a satisfactory manner.

SYSTEMATIC BENEFICENCE.

The Rev. Mr. McCurdy on behalf of the Committee on Systematic Beneficence, stated that the Committee had not asked authority to issue circulars on this matter, but before leaving Truro, they requested that articles might be written in some of the papers on the subject, but the result was not very successful, and other efforts had been made, to keep the matter before the people. Last year there were 23 congregations depending on weekly collections, and of these 12 contributed to all the schemes. There was a considerable increase in the amount raised, as there were $3000 raised this year, against $2,140 the previous one. They found the numbers of congregations contributing to Schemes on the increase, and it was gratifying to note that the sums were larger than in previous years. On the whole there was good grounds for believing that systematic giving was on the increase, though there never was a time when the subject wanted greater pressing. By the Union, the sphere of usefulness had increased. This work demanded system, and the impressing of the conviction that everybody ought to give according to their ability. The Committee recommended that all office bearers and members of the Church be impressed with the importance of the subject, and that Sessions and Ministers and Sabbath School teachers give it prominence, and lastly that Presbyteries visit all in the bounds for the same purpose.

Dr. Waters moved that the report be adopted and and that the Synod thanks the Committee and Convener.—Carried.

REFERENCE FROM THE AGED AND INFIRM MINISTERS FUND.

Rev. McLean Sinclair stated that at a meeting held May 26th, it had been determined to refer certain matters in connection with the Aged and Infirm Ministers Fund to the Synod for advice. The Rev. J. Stewart had been removed by death during the year. The income of 70-80 amounted to $1613, and the expenditure to $1567. The question was, should the fund be thrown open to the Professors of the Theological Hall and other Professors supported by the Church, and would a percentage on professional incomes be sufficient? The Committee thought that the fund should be thrown open. Then again, should Foreign Missionaries be taken, and was amalgamation with the Western Fund desirable?

Dr. McCullock, thought it would be wise to remit the matter to the Board of the Aged and Infirm Ministers Fund, to report, the matter to come up at next Synod. He thought that all those connected officially with the church ought to have the benefit of the Fund, and that amalgamation of the Funds of the East and West should take place.

The matter was finally referred back to the Committee.

SABBATH OBSERVANCE.

There was no report on Sabbath Observance.

The Rev. Dr. Jardine proposed that the question should be considered independently of a report, and he knew one case, in which he thought the Synod ought to act, and that was the Intercolonial. There was also recently a case of a steamer running on Sundays on the waters of the Miramichi; he would suggest, therefore, that the subject be considered.

It was moved by Dr. McCulloch seconded by Dr. Jardine, "That the Synod feels greatly aggrieved at Sabbath desecration, caused by the running of trains on the Intercolonial on Sunday, as well as subsidized river steamers, and instructs the Committee on Sabbath Observance to make representations to the Dominion and Local Governments anent the same."

The Rev. Mr. McKay gave some instances of Post-office desecration of the Sabbath which the P. O. Inspector stated were a necessity.

Dr. Waters instanced the travelling of the 62nd Battalion to Quebec on Sunday.

The Rev. Mr. Forest said he saw the subject, but he said he had no particulars.

Mr. Blanchard said, these gentlemen made promises, and that was the last of them.

Rev. Mr. Smith of Stewiacke, N. S. complained of cattle and coal trains on the Intercolonial, being run on Sundays.

Mr. Christie of Bedford said there seemed to be more Sunday travelling than ever.

Dr. McCullock's motion was finally carried unanimously.

THE SYDNEY CASE.

Rev. D. McCrae read the replies to the reasons for appeal given by Mr. Gordon in the Sydney case and the Synod adopted the same.

STATE OF RELIGION.

The Rev. Mr. Hogg submitted the report from the Committee on the state of religion. The report stated that liberality of congregations in support of ordinances, and anxiety to engage in the work of the Church, and religion amongst the young, were signs of a most hopeful character. Some congregations reported only a small number of young communicants. Many of the sessions reported a healthy progress in vital godliness, though family religion was not what it was formerly. What was required was

1st. The religious instruction of the young.

2nd. A clear idea of the responsibility of parents in this matter.

Among the hindrances to religious progress were too many places of amusement, and the reduction of contributions to the Supplementing Fund for Ministers. Ministers also admitted to the Communion Roll improper persons, and among the Highlanders there was a sort of Hyper-Calvanisim. The Committee recommended ministerial conferences be held and urged on sessions a more faithful dealing with derelict members.

SABBATH SCHOOLS.

The Committee on Sabbath Schools reported that seven out of eleven Presbyteries had been heard from, and that full returns were wanted. In some cases the Presbyteries stated that they never received the blank forms.

The first general division was that of schools in the bounds, representing about 1000 schools.

One half of these schools were kept open the whole year, and it was gratifying that so much should be done. In Victoria and Richmond, the International Scheme of lessons was used and the shorter Catechism with various hymn books. The lessons were reviewed once a quarter, and 258 scholars were Communicants, 43 being received during the year. The schools seemed to have a recognized connection with the Sessions. Most schools were divided into Intermediate and Primary divisions, and there were special collections in the schools or churches.

In the Miramichi Presbytery it was stated that the majority of the schools contributed to missions. The equipment was very inadequate as there was no apparatus and no teachers' library. What was required was a fuller recognition of the importance of Sunday Schools, with frequent reviews by pastors, and the study of the best methods.

FOREIGN MISSION DEBT.

Dr. McGregor reported that the Committee appointed had met during the afternoon, and recommended that a full statement be prepared, and copies sent to ministers, who were urged to assist in order that the debt be swept away.

They also recommended that application be made to the General Assembly to appoint a fourth missionary to Trinidad in July, should the debt be then liquidated.

Report received and adopted.

TEMPERANCE.

On this subject there was no report.

OBITUARY NOTICES.

Dr. McKnight stated that the Committee had drawn up a rough draft of an obituary notice of the late Rev. John Stewart of New Glasgow, which he proceeded to read.—The draft was agreed to.

NOMINATION OF COMMITTEES.

The Committee, on the nomination of Committees, recommended that the committees named be appointed for che ensuing year for the following, viz., Systematic Beneficence, State of Religion, Sabbath Schools, Bills and Overtures, Temperance, Sabbath Observance.

VOTES OF THANKS.

Dr. Waters moved a vote of thanks to the Trustees of St. Andrew's Church and the friends in Chatham, and also to the Steamboat and Railway Companies. —Carried

The Rev. Mr. Pitblado moved a vote of thanks to the *Advance* for the report of the proceedings of the Synod.

The Moderator briefly thanked Dr. Jardine and the Trustees of St. Andrew's Church for the use of that edifice, and stated that the members of the Synod felt exceedingly obliged for the courtesy they bad experienced from the friends in Chatham.

Dr. Jardine said they felt honored by the presence of such a venerable court, and trusted it would not be their last visit.

CONCLUSION.

The Moderator made a brief farewell address to the Synod, stating how much they had enjoyed their visit, referring to the death of the late Rev. John Stewart, and trusting that they would in future be better servants of the Master, and that they would all feel stimulated by their visit to the Miramichi.

READING THE MINUTES.

The minutes of the 7th Sederunt were now read and approved.

STANDING COMMITTEES.

The Standing Commitees for the ensuing year were appointed.

The Doxology was then sung, after which it was announced that the Synod would assemble in June 1881, the Tuesday before the meeting of the General Assembly, in the United Church New Glasgow. The Benediction was then pronounced.

Miramichi Advance.

CHATHAM. - - - - - JUNE 3, 1880.

Riparian Rights.

Among the many unreasonable assumptions of the Department of Marine and Fisheries in regard to the Maritime Provinces, in 1867 was that of leasing to private parties the exclusive right to fishing in non-tidal waters, to the prejudice of the riparian proprietors—an assumption against which we have invariably contended, because it is opposed to civil rights, as secured to the citizens of the Provinces by the B. N A. Act, and also to British precedent. From a statement of the Southwest Miramichi case, which we find in the Ottawa *Citizen*, it seems that ere long we shall have a decision of the higher Courts of Canada which will set the question at rest. It is as follows:—

The question as to the right of the Dominion to lease river Fisheries, was argued yesterday at the request of Mr. Justice Gwynne, the points raised being of great importance to the public. The question was raised as to the right of the Government to lease a portion of the Miramichi River, from Price's Bend to its source, to Mr. C. A. Robertson, of St. John. The riparian owners brought an action against him for interrupting their fishing and recovered damages, and the lease was declared to be void by the New Brunswick Supreme Court. Mr. Robertson, therefore claimed damages from the Crown for issuing to him an invalid lease.

A case was agreed upon, so as to have a decision from the Exchequer, and if necessary, from the Supreme Court, as to the right of the Dominion Government to lease the river fisheries. The Miramichi River, from Price's Bend upwards, is navigable, and is a highway for flat-bottomed boats, canoes and timber. During the summer, canoes have to be hauled over the shallows by hand.

The Government contend that the river being a navigable river and a highway, the bed is vested in the Crown. Also, that by the Dominion Act, "rivers and lake improvements," included all rivers as part of provincial property that passed to the Dominion. They also urged that under Section 91 the Dominion could legislate, and, if necessary, appropriate and transfer by lease, all "sea coast and inland fisheries," however much it might interfere with "property and civil rights within the province," exclusively appropriated to provincial legislatures.

On behalf of the suppliant it was urged that there are two classes of fisheries recognized by the common law, one in tidal waters where the soil is in the Crown, and held in trust for the public, the right of fishing in which is common to all British subjects, and since Magna Charta cannot be alienated by the Crown. The other is a fishery in non-tidal rivers, in which the soil belongs to the centre of the stream to the proprietors on each side, who have the exclusive right of fishing. It was shown that the bed of the great lakes and rivers of Ontario and Quebec are vested in the Crown, not under the common, but under the civil law, which was in force at the cession, and was declared to be the law regulating "property and civil rights." When Ontario was separated, the act substituting the common for the civil law was held not to have divested the Crown of its title thus acquired. By the civil law, land owners whose properties bound on waters that are *flottable*—that is, over which things can be floated, only own to the edge of the stream, the bed of such rivers, as well as of tidal waters, being vested in the Crown.

It was urged that by the common law, as recognized in the United States, riparian owners, even in large fresh water rivers, hold to the centre, even though the river is a highway for vessels, etc.

The B. N. A. Act did not change this state of things. In Ontario, in the case of Dixon *vs* Schnetzinger, riparian rights were held by Judge Gwynne to belong to "property and civil rights," and therefore to come under the statute of George III., which made "property and civil rights" subject to the Civil Law. Under the B. N. A. Act, the local legislatures have the exclusive legislation over "property and civil rights," and, therefore, the sole right to legislate as to riparian rights.

The words "rivers and lake improvements" were a typographical mistake for "river and lake improvements," as can be seen by the draft constitution adopted at Quebec, where the words are: "River and lake improvements." Any other interpretation would, without limitation, and without compensation, transfer private rivers and all large streams to the Dominion Government, though at the Union the property of private persons.

As to the clause giving the Dominion Government exclusive legislation as to "sea coast and inland fisheries," it was contended that this meant only public fisheries in the sea, and as far inland as the tide might flow, the title of which was vested in the crown—that it did not mean river fisheries which were private property, and exclusively appropriated to provincial legislation.

The Judge, who expressed himself much interested in the in argument, stated that he was desirous of getting a decision at as early a date as possible. Mr. Z. A. Lash, Q. C., Deputy Minister of Justice, argued the case for the Crown, and Mr. Haliburton appeared for the suppliant.

These misunderstandings were the natural result of the condition or rather confusion of fishery matters at the time of Confederation, when such terms as "navigable waters" "lakes" "rivers," etc. had different meanings in the different Provinces. The Canadian officers, under their superior system of management, moulded the Inspector for New Brunswick and Nova Scotia to their views, which he accepted unconditionally, because up to that time, he had acquired but a limited superficial knowledge of the questions involved in the important matters under his control, while the Minister—also a New Brunswicker—was equally ill-informed and indifferent. It is fortunate that this is a volatile age,—that our institutions though faulty in many respects, are susceptible of change for the better as well as for the worse—and that although wrongs may be worked up on thousands by the accident of an incompetent minister or a misfitted public officer, redress may not be sought in vain from public opinion constitutionally expressed, or in the Courts whose Judges are governed alone by the precedents on which our rights and privileges as British subjects are established.

We have heard those who recognise, and admit the untenable position of the Department respecting its right to enforce exclusive control over our river fisheries, say it would be better to allow such assumption to pass on to the dignity of a right than to leave the fluvial fisheries to the mercy of the riparian proprietors. These persons seem, however to have forgotton that the provincial legislature exercises its right to enact laws relating to fish and game and that provincial game Wardens have authority—if they choose to exercise it—to punish those guilty of taking fish by illegal means, or at improper seasons. In this connection it is proper to say that our Local Government has been shamefully neglectful of their duty in not resisting the assumptions of the Dominion Government by which so many riparian proprietors have been either ruined or converted into poachers. We are hopeful, however, that much good will come out of the discussion of the question now pending and that an educated public sentiment will oblige our representatives, at both Ottawa and Fredericton to see that the people are protected against the present system, which promotes private monopoly and encourages the worst features of destructive fishing.

SCANDALOUS.—The whole Province of New Brunswick contributed the sum of $3,467.36 to the Fisheries Department in the fiscal year 1879. Of this sum Miramichi fishermen paid $1,932.27—So much for the policy approved by the Russel House convention in the spring of 1879 and so faithfully enforced by Inspector Venning. It is now in order for those who have stood between the Inspector and his just deserts to explain why Northumberland fishermen are so unjustly discriminated against.

A Shocking Tragedy.

One of the saddest warnings against the danger of permitting partially insane persons to enjoy the liberty of the perfectly sane occurred at or rather near St John on Saturday evening last.

THE SCENE OF THE TRAGEDY

was the homestead of the Drury family, about a mile and a half from St John on the line of the Intercolonial Railway and just off what is known as the Marsh Road opposite the Rural cemetry. The place bore the name of New lands, and was well known to all persons acquainted with St. John, because of its natural and acquired attractions, its value as an agricultural property, and as the suburban residence of several representatives of St. John's higher social life. Colonel Drury of the Imperial service, who came to St. John with his regiment at the beginning of the present century, was the founder of the family in New Brunswick, and those who have been acquainted in St. John for the last thirty or forty years have known his sons and especially Colonel Charles and W. Chipman. Colonel Charles died last February. W. Chipman Drury is Registar of Deeds and Wills and issuer of Marriage Licenses for the city and county of St. John, and since the death of Colonel Charles has occupied the homestead, with his wife and four children. There were also John, the second son, 72 years old, (a deaf mute), Edward, aged 67, also partially deaf, George and LeBarron.

THE CAUSES WHICH LED TO THE TRAGEDY

and the leading facts are thus set forth in the *Telegraph's* report of the sad occurrence:—

On the demise of the late Col. Drury, and after the contents of his will became known, John grew dissatisfied that he had not been left in charge, and seemed to consider that he had been wronged by all about him. The only vent that he gave to his feelings was by signs to the servants about the place that he was dissatisfied. He brooded over his imaginary wrongs and when making visits to the city frequently sought out different persons to communicate to them the position of his affairs. Although he used liquor, he never went so far with his drinking as to let it obtain the mastery over him. He was very fond of gunning and fishing and had all these implements of pleasure at his command, which he delighted to show his friends when they came to visit him. The revolver which was used to commit the tragedy was never known to have been around the house, and this would tend to strengthen the belief that the act must have been premeditated. On Thursday he dressed himself and got ready to visit the city, seeking the assistance of a servant Helen Connolly, in arranging his dress, about which he appeared to be very fastidious. Previous to going to the city he sat down at the table in the sitting room, and wrote a note, the contents of which have not yet been learned. He returned during the evening and took a seat in the sitting room as usual, without showing the least sign of mental aberration or causing any unusual amount of attention. It is believed, though it is not positively said, that his errand to the city, on that day was for no other purpose than the purchasing of a revolver. He had generally a place set apart for all articles of this kind, and it would seem almost improbable, if he had the firearm, that he would keep it hidden from view, unless it was for the express purpose of committing the dreadful deed, which, of course at the present time, is only imagination. On Saturday morning his strange conduct was still more preceptible and led Ellen Conolly, to whom he told most of his grievances, to suspect that he was getting worse, yet she made no mention of it to Mrs. Drury. In the afternoon he frequently showed his hands to her, stating that they were very cold; he also complained of pains in his head and heart, and by signs endeavored to get her to leave the house. As she did not pay much attention to him, he became excitable and finally walked away from her, very angrily. Sometime during the day he was seen to go to the sideboard in the dining room and procure a teaspoon which he took up to his own room, for what purpose was not ascertained.

JUST BEFORE THE TRAGEDY.

The family took tea as usual, and at the customary hour the deceased men John and Edward, being present. Nothing unpleasant occurred at their last meal, and John, the mute's actions were not extraordinary.

About 8 o'clock, Mr. W. C. Drury and his brother John were in the parlor together, the latter reclining on a sofa while the former was sitting upon a chair engaged in reading. John rose from his position and without any remark, passed quietly out of the room and into the yard.

A young woman, named Violet Kennedy, who had lately gone to live with the Drury family, was up stairs at the time, and she says John Drury after going into the yard, stood for some time as if in meditation. He was next seen to walk up to the gate leading to a house occupied by Mr. John McTravis, who has been caretaker of the place for upwards of 12 years. John Drury often expressed a desire at times to force Mr. McTravis from the place, from some unknown reason, and was greatly irritated that he had not succeeded. It would seem probable that he intended to have revenge on Mr. McTravis. However, Mr. McTravis was not in sight, else he too would, perhaps, have shared the fate of others. When Mr. McTravis was informed of the man's search for him, he replied that it was fortunate for him that he was not seen by Mr. Drury, as he believes he would also have been shot.

John Drury was afterwards seen to enter the hay barn and woodshed; extending from the latter was a platform from which admittance could be gained to the house. The result of his visit to these outbuildings was that he set them on fire. After this part of his work was done he was seen by Ellen Connolly to pass through the hall very rapidly. He paused for a few seconds, took a close scrutiny of her and then walked into the parlor where Mr. W. C. Drury and his children were. Ellen Connolly became alarmed at the wild look of the man, and thinking that he would do something serious, she immediately started to get out of his way. Soon after this thought struck her, she heard the children cry out "oh pa's shot," "oh pa's shot.

THE SHOOTING OF W. C. DRURY.

Mr. Drury was in a doze, and almost before he was aware of his brother John's presence and without warning, John discharged one shot from a revolver in his hand at the sleeping form of his brother. Mrs. Drury was upstairs teaching the children, of whom there were three or four, the Sunday school lessons. Mr. Drury was aroused and knew the ball had struck him, but at the moment he gave it no thought. His daughter, Blanche, heard the discharge of the weapon, and at once went to her father, who appeared stunned, and then called her mother down stairs. Mrs Drury met John on the stairs, ascending, and he entered his own room. Mrs. Drury, on descending, found that her husband looked faint, and asked him if he was not shot, that her daughter, Blanche, had told her so. Miss Blanche then went to the pantry to obtain a glass of water to give to her father, and she noticed from the pantry window that the barn was on fire. She gave the alarm and all hands, under Mr. W. C. Drury's instructions, set about removing the household effects, as he considered from the bearing of the flames that they would soon reach the house. Meanwhile John was in his own room, had torn down the curtains and applied the match to them as well as to his bed and bedding. Edward Drury who had discovered the fire in John's room, went up-stairs with a pail pf water to throw on the flames.

THE SECOND VICTIM.

While in the act of entering the room Edward was confronted at the threshold by John. Violet Kennedy rushed upstairs, sometime afterwards and saw the two brothers in a struggle near the door of John's room. She says they parted, and as Edward turned around John discharged the fatal shot that took his brother,s life. Mrs. Drury was in her own room at the time packing up things, and says she thinks two shots were discharged at Edward, who descended the stairs after he was shot, and on the last step fell dead into the arms of his brother, Ward. The second shot was doubtless the one which the fratricide had fired at himself and ended his days. The whole household was then alarmed, and the utmost consternation prevailed among the inmates, for it was thought the Mute had gone mad and would shoot all whom he might encounter. The children were got out of the way and at this time the blaze from the barn had attracted the attention of the neighbors and helping hands were soon on the spot.

We need not follow the account further in detail. Poor John Drury was a fratricede, incendiary and suicide. He did his work so well as to wound one brother, kill another, fire the homestead in which he was born and had lived all his life and then to shoot himself through the temple. The snug, roomy old residence, of which we have pleasant recollections, as well as the capacious outbuildings were burned while the two dead brothers—the murdered and the suicide—lay where they had been placed on the green grass, side by side.

Examination of Mr. W. Chipman, Drury's wound showed that the ball had struck on the angle of the ninth rib on which it ran round the body, lodging at the back nearly opposite where it had entered. This gentleman and his estimable family have the respectful sympathy of all who know them, in a tragedy that has so sadly broken a home circle, which, though narrowed with such awful suddenness, will retain, with increased interest and solicitude the attachment of all who have enjoyed its acquaintance and friendship.

The Hanlan-Riley Race.

The race between Hanlan and Riley came off at Washington on Wednesday of last week, as previously announced, resulting in another complete victory for Hanlan. It was rowed at six o'clock.—The send-off was a good one, but Riley broke a foot strap just at the start and lost a length. For a quarter of a mile, or more, he seemed to hold Hanlan so that the latter did not gain much upon him, but after that it was a stern chase, and a losing one, to the end of the five miles.

Hanlan crossed the finish line, the winner of the race and a $2,000 purse, in 36 minutes and 24 1-10 seconds, which was three quarters of a minute faster than in his previous race. He finished in one minute and 19 1-4 seconds ahead of Riley, or about 3-16ths of a mile. Riley's time at turning the flag was 18 minutes and 20 seconds. When Riley reached the finish, Hanlan pulled over to his boat, the victor and vanquished cordially shook hands.

Both oarsmen were warmly applauded, though the sympathies of the majority were obviously with Riley, for whom everybody had a kind word. His failure to win the race was evidedtly a great disappointment to the spectators, even though the result had been pretty generally anticipated, and Hanlan modestly carried off the honors under the moral protest of those who had witnessed the easy victory.

The N. B. and Other Canadian Indians.

(From the Sun)

The census returns show the following results in the Maritime Provinces:—In Nova Scotia 2,126 Mic-macs, P. E. Island 266 Mic-macs; and in New Brunswick—

PROVINCE OF NEW BRUNSWICK.

Micmacs of Restigouche		21
do	Gloucester	27
do	Northumberland	435
do	Kent	167
do	Westmorland	144
Amalicites of Madawaska		39
do	Victoria	132
do	Carleton	27
do	Charlotte	57
do	St. John	36
do	York, Sunbury, Kings and Queens	248
	Total	1,433

The Indian population may be stated as follows:—

P. E. Island	266
New Br