

has just been carried into actual operation. No wonder that the circumstance astonished the province—no wonder that it astonished the mass of the members of the English church—those not in the secret—no wonder that it not only astonished but grieved the Scotch church. We grieved, because we found ourselves at once embarked in a contest the issue of which, though never for a moment doubtful to us, we yet saw could only be attained through a struggle, likely to disturb the peace and injure the prosperity of both churches.

The measure was wrong on various grounds. First, in wanting that openness of procedure which both from good faith and good policy should ever in free states characterise the measures of the Governor towards the governed. No attempt should ever be made to change the condition of a free people without their knowledge; for, it cannot be done without their will.

We know for example that Britain can legally by the constitutional act at any time impose on us a body of hereditary legislators. Why do we rest secure with this legal possibility hanging over us? We do so not only because we believe she will never make the attempt, but because we believe if she ever thought it right to make it, we should have some previous notice of her intentions and opportunity to express our sentiments with regard to it. Or, were it at any time her intention so to do—setting aside the question of good faith—would it be good policy to give us the first warning of her purpose by the creation of a batch of Dukes or Counts of Toronto, Hamilton, Niagara &c? Surely no, it would only embitter the inevitable contest.

Now, had there been the least whisper about this measure of giving a real establishment to a dominant church, who does not know that nine out of ten of the population of Upper Canada would have been ready to give their voices against it? But not only was there no reason to expect such a measure, but had a suspicion of such a scheme being in agitation, crossed our minds, we must, on reflection, have instantly dismissed it, for the faith of the government was actually pledged against it at various times by publicly expressed opinions of members of the government. On this part of the subject Mr. Morris after quoting the opinion of Mr. Horton given above, continues:

"Besides this, the speech of Mr. Horton in the House of Commons, on the Clergy Reserve sale bill, wherein he said the matter of appropriation was still left open for future consideration, led the public to believe that there was no intention on the part of Government to carry the provisions of the act into force; and this belief was again materially strengthened by the message to both houses of the Provincial Parli-

ment of the 25th January, 1832, 'inviting the Legislature to consider how the powers given to it by the Constitutional Act, to vary or repeal this part of its provisions can be called into exercise most advantageously for the spiritual and temporal interests of His Majesty's faithful subjects in this Province.'—And not only the message but the bill which was submitted to the Assembly by the Attorney General immediately after, had the effect of convincing all who read it that no intention could exist of forming and endowing Rectories. One of the clauses is as follows, 'That all the lands heretofore appropriated within this Province for the support and maintenance of a Protestant clergy, now remaining unsold, shall be and they are hereby declared to be vested in His Majesty, His Heirs and Successors, as of his and their estate, absolutely discharged from all trusts for the benefit of a Protestant Clergy, and of and from all and every the claims and demands of such clergy, upon or in respect of the same.' By Lord Goderich's despatch of the 8th Nov. 1833 the same understanding is kept up, for his Lordship remarks that 'His Majesty has studiously abstained from the exercise of his undoubted prerogative, of founding and endowing Literary or Religious Corporations, until he should obtain the advice of the Representatives of the people for his guidance in that respect.'

The proceedings of the Legislative Council during the session of 1835, which terminated in an Address to the King, tended likewise to a confident understanding on the part of the public, that the Executive Government would not interfere with the Reserves, for in that address, which it is more than probable you approved of, is the following language:—'and we think it is for many reasons much to be desired, that a speedy and final decision should take place of the questions which have arisen upon the effect of the statute referred to, and that it should be plainly, certainly, and firmly established, to what specific objects the Clergy Reserves shall be permanently applied. Confiding fully in the wisdom and justice of Your Majesty and of Parliament, we earnestly hope, that without little delay as the subject may admit of such an enactment may be passed as shall not leave any room for doubt or question in regard to the objects to which the proceeds of the clergy Reserves are to be applied.'

Well may he in continuation subjoin:

"Now, after all these proceedings, ought it to be cause of offence to you, or any other person, that the public should feel not only disappointed but indignant that the settlements of the question respecting the Reserves should have been interfered with by the Executive Council before the Imperial or Colonial Legislatures had disposed of it, and without recent positive instructions to that effect?"

The Scotch church surely had double reason to feel indignant. We had claimed redress from wrongs put on us through the instrumentality of the Episcopal church. Redress had been promised us. To make the assurance of it complete the Sovereign's voice had been uttered in attestation as it were of its certainty. Could we believe that while we rested in loyal confidence on his words, while recalling these to our minds we were striving to forget our wrongs in the certainty of coming redress, these very words were in effect lulling us into a false security, until measures secretly proceeding were perfected that would place us in effectua-