

right? If the law is with them they must succeed, for I trust that no man, not even the Kirk folk, can for a moment doubt the integrity of our Judges. Let them therefore make out a good legal title, and their right will be legally acknowledged. But if they cannot do this—and they know they cannot—if the law is against them, as every man who is not “so blind as that he will not see.” knows it is, let us hear no more of their *right* to share in the Clergy reserves.

That they cannot establish their claim by legal process they know full well, and hence they wish to obtain indirectly and by a side wind what they are convinced they cannot obtain directly and by law. But even here, my Lord, they wish still to maintain the shadow of a national Church in Canada, although the substance does not and never did exist—they wish your Lordship to obtain, not a change of the law in their favor, which created the Clergy reserves—not an enactment simply to give them a dividend of the profits—no, but an enactment *declaring* the rights of the Kirk in Canada. This is really the only clever idea in the whole letter—The ingenuity of the subterfuge to save their little honor, and at the same time mend their circumstances, almost reconciles me to its illegality and want of modesty. So then, my Lord, you are to be put upon the truly honorable task of obtaining an enactment declaring, contrary to law and fact, that the Kirk is, and always has been since the conquest, as much a national church in Canada as it is in Scotland—but as this would be an empty honor if alone, the enactment is to go farther, and to say that the Kirk now is and always has been, of legal right, entitled to an equal dividend with the Church in the Clergy reserves. This gentleman must be a most staunch believer in the omnipotence of Parliament, when he thinks that by a single word they can, not only create a right, but also cause it to have existed at a time when it did not exist—to cause a thing to be at all times although it had no being at any time. I need not read your Lordship a lecture upon declaratory acts of Parliament, as long and as learned as the gentleman has done on the word Protestant—You know nearly as much about those things as either of us. I must, howev-