

preach and hold meetings in behalf of the Society for the propagation of the Gospel. We are not informed when his Lordship may be expected in Nova Scotia. We extract from the Halifax Times the following just tribute to the character of the Bishop, as a set off to the splenetic ebullitions of a contrary and despicable nature, with which another portion of the provincial Press has been occasionally polluted. The writer is addressing Joseph Howe, Esq. on the subject of certain Resolutions introduced by him into the Assembly, on the imaginary grievances of Nova Scotia. One of these, under which the Province is said to be "groaning," is, that the Bishop has a seat at the Council board.

"I will not, Sir, insult his lordship our Reverend Bishop, by supposing for a single moment that any part of his political conduct needs defence or excuse. His public actions speak for themselves, and will live in the memory and affections of a grateful people, when your actions and your resolutions shall have passed into oblivion. His brilliant and transcendent talents will shed a lustre upon his native land, that will not diminish through the touch of time, and are confessedly such as that land ought to be proud of. Has not his lordship's whole public career been distinguished, by an ardent love for his country,—by an anxiety truly laudable for the improvement of its resources, both physical and intellectual? And has he not a personal stake in its prosperity,—his early associations, his connections, his prosperity, everything dear to the heart of man, being within its borders? Nay, should he not naturally feel a greater interest in the prosperity of this country than others, whose ties to Nova-Scotia, are not, perhaps, so strong, and may not prove so lasting? The prosperity which his Lordship was the means of introducing into this Province is immense,—equalling in some years one tenth of the whole of our Provincial Revenue. His zealous exertions conducted to place the collegiate institutions at Windsor, the two eyes of the country, on a secure and lasting foundation, from which let us hope they will never be moved by either you or any other of their enemies. And not the least part of the praise due to him for his sagacity and firmness in watching over the interests of the trust committed to his charge, consists in his decided refusal to second the plans of an ignorant secretary of state, who had the boldness to call upon a college corporation to give up their charter. He resolutely protested against such an unconstitutional violation of public faith, and by his firmness and intrepidity saved the most valuable institutions for education in the country, from being mixed up with the exclusiveness of Dalhousie or the meddling at Horton. Churchmen of the present and future generations will feel grateful for the course he has seen fit to adopt in this transaction."

THE WEATHER underwent one of those sudden and unpleasant changes which are so peculiar to this climate, almost before the ink of our last paragraph on the subject was dry. Almost every day since has been cold, with frost at night, and sometimes ice half an inch thick. It has been dry however, and so far favourable for agricultural operations. Some wheat is about three inches high in this neighbourhood.

CLERGY RESERVES IN CANADA.—The following opinion of Judge Patteson on this subject, which it will be observed is decidedly in favour of the exclusive right of the Church of England to those Reserves, is referred to in the late letters of a "Colonist" (another talented Judge it is believed) to the Earl of Durham—letters which entitle their author to the gratitude of every friend of good order and British supremacy in these Colonies. Let it be remembered that he is a churchman and an alumnus of King's College Windsor.

At the present moment when so many minds are turned to the contested question of the Clergy Reserves, we readily avail ourselves of the suggestion of a friend to publish two documents which bear with an important interest upon this subject. The first is the opinion of Judge Patteson, delivered in 1824, before he was raised to the dignified station which he still so worthily fills;—the other document refers to the main argument advanced by the claimants of the Church of Scotland.—

I am of opinion that the provisions of 31 Geo. III. are applicable only to the Clergy of the Church of England.—Whatever might have been the original meaning of the expression, 'a Protestant Clergy' in the 14 Geo. III., it appears to me that the subsequent instructions and message of His Majesty, inserted in the 31 Geo. III., together with the provi-

sions of that Act, (and especially that which speaks of institution, and of the spiritual jurisdiction of the Bishop,) plainly point out that the expression is to be understood as referring to the Clergy of the Church of England only. 'A Protestant Clergy' evidently means one single and entire body of persons; now the Clergy of the Church of England and those of the Kirk of Scotland, can never form one body. If, therefore, the Clergy of the Church of Scotland be let in, there is no reason why other denominations of Dissenters should not be admitted, and the words 'a Protestant Clergy' must then be taken to mean Protestant Ministers, or Teachers, which appears to me to be absurd. The expression was used in contradistinction to the Romish Clergy, and although I am not prepared to say that an establishment, similar to the Kirk of Scotland, might not have satisfied the words of 14 Geo. III., yet I am quite convinced, that it would not have satisfied those of the 31 Geo. III. Being of opinion therefore, that the Acts contemplate one single body of Protestant Clergy, I have no doubt that the Clergy of the Church of England are that body; and the erecting the Provinces into a Bishopric; and every thing since plainly shews that such is the right interpretation. I am also of opinion, that the governors of the Provinces acting under His Majesty's directions, cannot legally make any appropriation to the Ministers of other Churches. I think that nothing short of an Act of the Legislature confirmed in England, can authorise them to do so. The charter\* of April 1819, would create a difficulty in the passing of any such Act, and without a new Act, that charter alone would almost decide the question.

(Signed) JOHN PATTESON.  
Temple, May 20th, 1824.

The following letter addressed to the Editor of the Hamilton Gazette, relates to the same subject:—

SIR,—Having recently arrived from Scotland, my attention has naturally been drawn to the question of "the Rectories," which at present is so unprofitably agitating the Colony, and I must confess that the construction which I find attempted to be put upon the Articles of the Union by the Ministers of the Kirk in this Province, as favouring their claim to what they are pleased to term "a co-ordinate establishment with the Church of England," has not a little astonished me? I had thought that every person at all acquainted with Scottish history, or who had even read the Articles of the Union, must have been aware, that the subject of religion was expressly prohibited by an Act of Parliament, from being taken into consideration by the Commissioners nominated by Queen Anne, to carry through that important treaty. That this is no mere assertion of my own, I take the liberty of quoting the statement of the celebrated contemporary historian Burnet, on the subject. In his "History of his own Times," page 459, he says, "there was no provision made in this treaty with relation to Religion. For in the Act of Parliament in both kingdoms, that empowered the Queen to name Commissioners, there was an express limitation that they should not treat of those matters." This statement of Burnet is not only historically correct, but is completely borne out by the articles themselves, in which there is not the slightest allusion throughout to the subject of Religion; and it is upon the very ground of this omission that the Act for securing in Scotland the doctrines and government of the Kirk is founded. The preamble of that Act is as follows.

'Our Sovereign Lady, and the Estates of Parliament, considering that by the late Act of Parliament for a treaty with England, for an union of both Kingdoms, it is provided that the Commissioners for that treaty should not treat of, or concerning any alteration of the worship, discipline, and government of the Church of this kingdom, as now by law established. Therefore, &c.' The Act then goes on strictly to confine the establishment of the Presbyterian Church to the limits of the Kingdom of Scotland. Unless, therefore, the Presbyterian Ministers can, by a peculiar species of logic, prove that Canada is a part of the kingdom of Scotland, their legal claim

\*Mr. Patteson here alludes to the Charter instituting the Corporation for the management of the Clergy Reserves.

to a co-ordinate establishment with the Church of England must fall to the ground. The truth is, that the words of the Articles of the Union to which they refer, have a reference and a reference only, to commercial privileges arising out of mercantile transactions. If any other proof were wanting that the Church of Scotland has neither legal right nor title, by the Articles of the Union to any Establishment in her Majesty's dominions, beyond the limits of the said kingdom of Scotland, I will mention a circumstance not generally known, and carefully concealed by the Preachers of the Kirk, in their discussions on the subject, and which is decisive against their claims. After the Articles of the Union had been agreed upon by the English and Scotch Commissioners, the General Assembly, not content that their rights should be secured within the bounds of the kingdom of Scotland, drew up a Memorial to the Scottish Parliament, complaining, amongst other matters, 'that the Sacramental Test being the condition of access to places of trust, and to benefits from the Crown, all of our communion must be debarred from the same, if not in Scotland, yet through the rest of the dominion of Britain, which may prove of the most dangerous consequence to this Church.' Well, what was the reception which the Scottish parliament gave to this memorial? They enacted, I quote the words of Marshall, a Presbyterian Minister, and the author of a History of the Union,—they enacted,—'that no test inconsistent with the principles of their ecclesiastical establishment should be imposed upon Scotchmen, within the bounds of the Scottish kingdom; but a motion for rendering them capable of any office, civil or military, and of holding any command or place of trust under the Sovereign, within any part of Great Britain, was rejected!'

After this rejection of the claims of the Kirk by the Scottish parliament then sitting in Edinburgh, and keenly alive to all matters affecting the honour and independence of their country, I will simply ask, with what face can the Presbyterian ministers come forward and tell their flocks that by the Articles of the Union they have a right to an Establishment in any part of her Majesty's dominions beyond the limits of the Kingdom of Scotland? In conclusion, I have only to express a hope, that my respectable countrymen will not permit themselves to be led away by agitation, or deluded into an idea that they possess rights which were for ever renounced by the Scottish nation at the time of the Union, through their legitimate organ, the ancient Parliament of Scotland." SCORUS.

To the Editors of the Colonial Churchman.  
Gentlemen,

If you deem the following information worthy of publication, you will please to insert it in your valuable paper.

On the fifth of March last, at a Public Meeting held in this place, a Society was formed, called the "Sackville Committee of the Diocesan Church Society." The same Rules were adopted as in other similar Church Committees. The following officers were elected:—

The Rev. Archibald Gray, President.  
Mr. Wm. Fultz, } Vice Presidents.  
Mr. Jas. Fenerty, }

COMMITTEE.

Mr. Thos. Johnson, Mr. Thos. Fultz,  
Mr. Jos. Mitchell, Mr. Edmund Banbrick,  
Mr. Dan McCabe, Mr. Bennet Fultz,  
Mr. Wellington Fenerty, Mr. John Peveral,  
Mr. Godfrey Schultz,

Mr. Charles Hamilton, Secretary.  
Mr. John Hamilton, Treasurer.

The sum of £7 has been paid in furtherance of the objects of the Society; and from the liberality and promptness already exhibited in this small community, we may indulge the hope, that under the Divine Blessing, it will prosper.

CHARLES HAMILTON, Sec'y.  
Sackville, N.S. April 23d, 1839.

LAUNCH.—Another fine vessel of a handsome model, and substantially built, was launched yesterday morning in good style from the shipyard of Mr. George Walker of this place. She is called the MAGNET, burthen 90 tons, (old measurement) and is owned by the firm of Messrs. Charles & Joseph Rudolf. We wish them success.