

Canadian Parliament may take of the nature referred to in the despatch, could be correctly designated as the result of an accidental majority. All the great questions which have been settled in England during the last fifty years might be said with equal justice to have been carried by accidental majorities; and if a supposition on the part of Her Majesty's Government that any majority in the Canadian Parliament expressing views antagonistic to their own was an accidental one, were deemed a sufficient ground for resisting that majority, I would most respectfully submit that there would be no security whatever for constitutional government. I am well convinced that Her Majesty's advisers have every disposition to attach due weight to the clearly expressed opinion of the people of Canada, and I am therefore anxious to remind them of, and to urge upon their consideration the past history of the Clergy Reserves question, which I have endeavoured to glance at as briefly as possible. There is a passage in the despatch to the Earl of Elgin which seems to me calculated to lead to some misconception. I refer to the paragraph describing the Clergy Reserves as the only "public fund, except that devoted to the endowment of the Roman Catholic Church." I am not aware that any public fund has ever been devoted to the endowment of the Roman Catholic Church in Canada. Whatever property may be in the possession of Roman Catholics has been obtained principally by private donation or bequest, although in some cases there were additional grants from the French Crown, which were secured to the possessors at the conquest. These grants were made to communities consisting of ecclesiastics or religious ladies, either for charitable or educational purposes, or for the conversion of the Indians. If I am correct in this statement, as I believe that I am, I most respectfully submit that such grants as those to which I have referred bear no analogy to the Clergy Reserves, and can scarcely be considered as a public fund devoted to the endowment of the Roman Catholic Church. I should not discharge my duty to Her Majesty's Government were I not to state to them with perfect frankness my views on another paragraph in the despatch. I refer to that in which it is intimated that Her Majesty's Government would be willing to entertain a proposal for reconsidering the mode of distributing the income of the Clergy Reserves. I have no hesitation in stating it as my conviction that the Canadian Parliament will not invite the legislation of the Imperial Parliament regarding the distribution of a local fund. Any such proposition would be received as one for the violation of the most sacred constitutional rights of the people. I am therefore fully convinced that the future action of the Canadian Parliament will be essentially of the same character with that which has been already taken. I can assure you, Sir, that it is with deep regret that I find myself compelled by a sense of public duty to urge upon you views which I fear will not meet the approbation of Her Majesty's Government; but I trust that I have succeeded in doing so in a respectful manner; and I feel assured that they will receive the consideration which the importance of the subject demands, and that Her Majesty's advisers will be guided in their final decision by what they believe to be for the best interests of Canada.

Sir J. S. Pakington, Bart.,  
&c. &c. &c.

I have &c.  
(Signed) FRANCIS HINCKS.

No. 4.

No. 4.

COPY of a LETTER from the Earl of DESART to FRANCIS HINCKS Esq.

SIR,

Downing Street, May 17, 1852.

I AM directed by Secretary Sir John Pakington to acknowledge your letter of the 10th of this month, on the subject of the decision of Her Majesty's Government as to the Clergy Reserves question, and to thank you for the representations which you have made to them on this and other subjects affecting the views and interests of the people of Canada, on which they are fully sensible of the value of your opinion.

2. I am to add that Sir John Pakington has not been able to find in the records of this department any trace of the memorandum agreed to by the Executive Council on the 25th February last, to which your letter refers, having been communicated to his predecessor or himself.

F. Hincks, Esq.

I have, &c.  
(Signed) DESART.