

pressed by Jerome and Eutychius? Simply, some papal privileges in the election of the Patriarchs of Alexandria, which, from several other quarters, we learn that the Presbyters of that city possessed. Abraham Echellensis, in the documents relating to the Alexandrian Church, which he has collected, has preserved one which gives an account of a discussion between the Bishops of the province and the Presbyters of the city upon this very point; in which, while the Bishops freely acknowledged the right of election to be in the Presbyters, they as freely asserted their right of vote upon such election, provided the person elected was unworthy of the office. (See Le Quin, in his Oriens Christianus, Patr. Alex.) This pretended precedent must, therefore, fall to the ground, and the Church at Alexandria, like that at Corinth, be returned "Not guilty of Presbyterianism."

§ 3. The third precedent relied upon by the Presbyterians, is the monastery of Iona or Icolunkill, in Scotland. For this they appeal to a single passage of Bede. This writer, having remarked, in one place, upon the peculiar privileges enjoyed by the head of this monastery, in that he exercised authority over the Bishops, (Bede, iii. c. 4.) says in another, that, upon the occasion of the king of Northumberland requesting a Bishop of the Scots, the monks of Iona chose Aidan, and made him a Bishop. From which the Presbyterians infer that he received only Presbyterian ordination, and was, therefore, nothing but a Presbyter after all. This conclusion would appear most gratuitous and unsound, even if we had nothing else to guide us but this single passage of Bede. For, what would be the sense of saying, that a man received the degree of Episcopacy, (Bede, iii. 5, at the beginning), as Bede does in this very place, if he really received no such thing? But when we know from the passages just cited from him, that there must have been Bishops in Scotland at the time, else why should he say that the Abbot of Iona had authority over those in his district? When we know from a letter of Pope John, which he gives in the preceding book, that there were certainly five Bishops there, who are named in that letter, distinct from Presbyters: "To the most beloved and most holy Tomianus, Columbanus, Cronanus, Dimanus, and Balthanus, Bishops; Cronanus, Hermannus, Laustanus, Scillanus, and Segianus, Priests; Saranus, and the rest of the Scottish Doctors or Abbots," &c.—Bede, Eccl. Hist. ii. 19. And when we know, from the Iona Annals, as cited by Archbishop Usher and others, that there were Bishops actually members of the monastery itself, by what rule of reason are we to suppose that the monks of Iona neglected the proper officers of ordination, who were all at hand, and went out of their way to do an important work in an irregular manner? The conduct of Finan, a Scottish Bishop, on occasion of ordaining Ceadd to be Bishop of the East Saxons, when he called in two other Bishops to aid him, (Bede, iii. 22.) shows plainly that the Scottish Church at that time was as sensible of the Apostolical Canons as the Church of Rome. So that this case, like the two others, will not bear investigation; the Scottish Church must be returned "not guilty;" and the superiority of the Abbot of Iona over the Bishops of his house, turns out to be of the same nature with that which the Dean of Westminster exercises over the Bishop of Gloucester, one of the Prebendaries of that Chapter; or that which the Dean of Exeter, as such, exercises over his own Diocesan, as treasurer of that Chapter. The Chapter of St. Patrick's, where the Archbishop of Dublin, as Prebendary of that Cathedral, is, as such, subordinate to the Dean of that Church, is another similar instance.

§ 4. The only other precedent appealed to by the Presbyterians is that of the Waldenses. In this instance I will admit, that, although the evidence is far from being decisive in their behalf, it does not admit the plain and easy refutation which we have found in the other cases. I will state, as impartially as I can, the grounds for and against supposing the Waldenses not to have been Episcopalians, and will leave the reader to draw his own conclusion from such equal and contradictory evidence. The question is not, what they are now,—for that they are, at the present time, Presbyterians, is certain; but what they were before the Reformation. On one side, we have, 1st, the accusations of their Roman Catholic persecutors, that they were without any duly-ordained ministry, and that they allowed mere laymen to discharge ministerial functions among them; (Pylador, cited by Bossuet, iii. 45;) 2d, the contempt expressed by Peter Waldo, one of their most eminent writers, for the distinction of orders, which he styles one of the marks of the Beast. (Cited by Leger.) These would lead us to regard them as mere Congregationalists. On the other hand, we have, 1st, the certain fact that when, in the seventeenth century, all their Pastors were cut off by the plague, (Leger, p. 206,) they did not pretend to ordain others for themselves, but applied to Geneva to have some ordained and sent to them. This fact, which shows that they had some regard for some orders, and some pretence of succession, clearly shows that the Roman Catholic charges were exaggerated, and Peter Waldo's sayings either hyperbolic, or not received among them; and, consequently, affords room for believing it possible that they might have retained Episcopal succession, as they did the name of Bishops, among them, from the beginning down to that time. 2d, The alleged fact of the Bohemian reformers having applied for and received Episcopal consecration from one Stephen, a Bishop of the Waldenses, who had emigrated into Austria. While, therefore, I conceive that the Churches of Corinth, Alexandria, and Iona, are entitled to a verdict of acquittal from the charge of Presbyterianism brought against them by the Presbyterians; I think that the sentence "not proven" is all that can be returned in the case of the Waldenses.

And here I will take my leave of the evidences from Scripture and ecclesiastical antiquity to which the Presbyterians have appealed in defence of their position; which I have considered at greater length than, (I think,) their importance deserves, that I might avoid a charge, so frequently brought by the weaker party, against those who summarily set aside their idle, make-believe proofs, of refusing fairly to meet and answer their allegations.

§ 5. As to the sayings of individual writers affirming Bishops and Presbyters to be one order, I have no objection to admit the affirmation in the sense in which it is made by those writers, namely, that the Bishop and his Presbyters are so far, and no farther, of one and the same order, as the High Priest and Priests of the Jews; among whom, though both these were spoken of, and in some senses were of one order, yet the offices were distinct, had different duties assigned to them; e. g., the High Priest alone entered the Holy of Holies; and different modes of appointment; the mode of investiture being distinct, e. g., the breastplate and mitre; and the anointing also; they who were already Priests receiving special anointing for the office of High Priest, (Lev. vi. 2.) and that by Divine authority. Of all the writers most appealed to as exalting the office of Presbyter, no one is so great a favourite with the Presbyterians as St. Jerome, who used language on the subject unknown in the Church until this time. Yet even he, not only denies to Presbyters the power of ordination; not only affirms that the superiority of Bishops over Presbyters was established when men began to say, I am of Paul, and I of Apollus, i. e., in the lifetime of the Apostles; but again and again declares, that what Aaron and his sons were among the Jews, that the Bishop and his Presbyters were among the Christians.

Mr. Sullivan, in his view of this well-worn subject, endeavours—as our readers will perceive—to overturn three propositions, which he concedes to the adversaries of this Spoilation Bill. And first as to the right of the Provincial Legislature to "vary or repeal" the provisions of this Act, we remain at issue with the learned gentleman,—our conviction being not in the slightest degree shaken by his argument, that the delegation of the power to "vary or repeal" gave no authority whatever to alienate from its original object what had actually been appropriated, and that the power entrusted to the Colonial Legislature was confined to a modification of the law, irrespective of the seventh already portioned out.

We should suppose that the very fact of its introduction into every Patent from the Crown, was decisive upon this subject; that the allotment of the seventh for a Protestant clergy was at least to be as inalienable and as unalterable as the several Deeds the validity of which was dependent upon their containing this provision. If the seventh already granted could be abrogated thus unceremoniously, it must be manifestly implied that these Patents from the Crown can be abrogated too: the one is so closely interwoven in the other, that it is impossible to separate them; the past appropriations of the Clergy Reserves and the Patent deeds issued to individuals must stand or fall together.

We are ready to admit that this is a view of the question which has not, until comparatively a late period, presented itself to the advocates of this appropriation according to the terms and spirit of the Act,—that it was not broached at all, until the proposition for the disposal of the Clergy Reserves by the Provincial Legislature seemed to receive the more deliberate recommendation of the Imperial Government; but that then the question of their right to interfere with the lands already appropriated, naturally became the subject of more minute and careful investigation. Nor is there any view which we can take of this point in the question, that does not strengthen our conviction of the correctness of the position which has been assumed. It is perfectly absurd to assert,—we are surprised indeed that any person assuming, in however modified a degree, the attitude of a British statesman, should risk his reputation by asserting,—that the power to "vary or repeal" was delegated from a belief on the part of the original donors of this property, that the time might arrive when there would be a doubt as to the expediency of such a thing as supporting a "Protestant Clergy" at all; whether, for example, "the system would be acceptable to future generations!" In the debates which arose at the time the Act was passed,—we boldly put the question,—was a solitary expression dropped which implied an intention to give to the Provincial Legislature the power of doing away with what Parliament at the time so solemnly established? When it was incidentally objected by Mr. Fox that the grant was too large, and that the Clergy in time would become too wealthy, did Mr. Pitt or Mr. Dundas relieve his apprehensions by saying, that the time might arrive when, according to the express provisions of the Act, the whole grant might be cancelled, or a portion assigned to other denominations of Christians than these for whom the appropriation was designed? No: but his meaning and that of the framers of the Act, obviously was,—the time may arrive when this grant will prove unnecessarily large, beyond what the spiritual necessities of the country require: we, therefore, give authority to the local Legislature, who would be the best judges of this fact, to decide when it will be expedient to stop this reservation altogether or to vary its proportion,—to say, enough of land has now been set apart for the objects intended, and therefore we propose that the law be "repealed," that no further grants for religious purposes be made, that the reservations for a Protestant Clergy shall cease; or to say, the allotment of a seventh for the future will be too much, we therefore propose that it be "varied" to a tenth or a fourteenth or a twentieth. This view of the case is, indeed, borne out by the correspondence we published last week, compiled by the Hon. Mr. De Blaquiere.—There we find Governor Simcoe himself most explicitly declaring in a letter to Mr. Bond, the Charge d'Affaires at Washington, that in this allotment "the British Parliament (in the 42d clause) secures BEYOND THE POSSIBILITY OF ANY PROVINCIAL INTERFERENCE the protection and endowment which the CIVIL COMPACT OF THE BRITISH CONSTITUTION AFFORDS TO THE ESTABLISHED CHURCH." And taking up the argument of General Simcoe, we ask whether in those times at least,—when those lax and unconstitutional notions so easily admitted by politicians now-a-days, were sternly and virtuously rejected,—we ask whether by any right thinking or fairly reasoning man, it is credible that the British Government meant to delegate to a Colonial Legislature the power of abrogating the provision for the Established Church, which is part and parcel of the Constitution,—whether they intended to invest our Provincial Parliament with authority to "repeal," to annihilate, the means of supporting the Established Religion,—or of "varying" that provision, that the designed maintenance of a Protestant Clergy should be given in part, as is now intended, to the clergy of the Romish Church? Was there any thing, we solemnly ask, in the temper of the times—in the views of public men at that day,—any thing in the debates that ensued, in aught that may be assumed as a commentary upon that Act,—to warrant a conclusion so monstrous? And as the Bishop of Toronto well observed, would the power to annihilate the Protestant provision be conferred, while no such authority was pretended to be given for the abrogation or the variation of the means which were guaranteed for the maintenance of the Romish Church?—But we shall not dwell upon this point of our argument; we are content to repeat what we have said before, that were this view of the question placed before the Judges of England, we should feel not the slightest doubt of their adopting the interpretation which, upon every constitutional ground as well as from the dictates of common sense, we have just suggested.

The Speech of the Bishop of Toronto relieves us from the necessity of saying much more upon this subject; but we shall pause a moment to express our astonishment at the style of reasoning adopted by Mr. Sullivan on the question of what has been so correctly termed the "vested rights" of the Church. Had no appropriation at all been made, the members of the Church of England, in this and every dependency of the Empire, would—according to the spirit and the letter of our glorious Constitution—have claimed the "right" of a provision for religious instruction. It is guaranteed by the law of the land, and it is not to be denied without a violation of the first principles of our unrevoked Government. But when a specific provision is made for that object; when a maintenance is actually afforded for the support of religion according to the discipline of the National Church; when lands are set apart and endowments are made with that object, the abstract right becomes a "vested right." In this case, they can point to something explicit as the fulfilment of the pledge which the Constitution gives: if this pledge be withheld, a "right" is denied; if given, and then withdrawn, a "vested right" is violated.—Shame upon those who would plead in extenuation of their scheme of spoliation, the fact that the persons for whose benefit these lands were intended, had never been put in possession of all the advantages they were intended to yield! Shame upon those who will look round upon our destitute townships, and the scattered families of our

National Church, and say,—Oh, you have never yet enjoyed the benefit of the religious endowment which was designed to supply your spiritual destitution, and confer upon you the religious ministrations for which you are sighing, and therefore we sweep away from you at once all chance of your benefiting by them hereafter! No house of God is erected amongst you, no minister of religion serves at your altars, you have enjoyed no benefit from this boon,—and therefore we wrest it from you! You may speak as you please of the hopes with which your hearts were cheered, in the prospect of your exile in a far distant land,—that, at least, you should have a church to go to, and a minister of God to comfort you in your sorrows and guide you in your wanderings, because you had heard that, although no tithes were to be exacted, an ample provision in land had been set apart for the maintenance of the National faith! We must remind you that, through our own indifference and pusillanimity, this provision has not been acted upon: no church is reared, no servant of the Lord is appointed for you; Ishmael claims the inheritance which belongs to Isaac, and his claims will be allowed, though you should be despoiled!

The third portion of the argument entered upon by the Honourable gentleman, is equally fallacious. He asks, are we to leave the holders of heretical doctrines still in their ignorance; are we to "make their error more hopeless by the denial of information?" This assuredly is a begging of the question; because there is no denial of information,—the very object of the religious grant is the full and free communication of such information, according to what the voice of the Government of the Empire pronounces to be the truth. But no, they must have information in their own way; that is, the means must be afforded of confirming them in their error, of perpetuating their heresy! No, we cannot leave you in darkness: we believe you to hold erroneous and unscriptural views in religion, and it is cruel to leave you in your error; therefore, we give you the means of maintaining those erroneous opinions, of preserving you independent of more correct teaching, of perpetuating that darkness in which you choose to live!—We have a very high opinion of the talents and acumen of the Hon. Mr. Sullivan: we feel, therefore, that we shall be paying him the best compliment in believing that he will be heartily ashamed of the arguments upon this question which he is reported to have used.

We recommend our readers to a careful consideration of that portion of the Bishop of Toronto's Speech, which dissects the multifarious absurdities of this atrocious Bill; where he points out the dissensions and the animosities, the treachery and the fraud, the wickedness and the deceit, to which its clumsy provisions open so wide a door. Never, in short, was so effectual a frebrand thrown into the combustible materials of our Colonial society, as this,—never any thing which will more surely put to flight the "dove of peace," and evoke the harpies which delight in discord and fatten amidst desolation!—But can it be that the wisdom of the Commons, that the majesty of the Peers will permit this blot in legislation,—which the tears of penitential sorrow should rather flow to erase,—to stand recorded in the honourable annals of the Imperial Statute-Book? It cannot be; unless by chance either House of Parliament should be so taken by surprise, or so diverted by a stratagem, as to have all discussion upon its contents precluded. But we care not who may be its advocates,—what rank they may enjoy or what abilities they may possess,—we resist this measure as absurd, iniquitous, anti-British, and republican. If it should settle into a law, the religious peace of the country is sacrificed forever, and the knell of British supremacy in this Colony is rung.

We are requested to state by the Reverend author of the excellent Sermons on the first page, in our last and present number, that several inaccuracies have inadvertently been committed in transcribing them for the Press by the friend to whom that task had been delegated.—The number of abbreviations in the original manuscript, especially in the quotations from Scripture, greatly increased the transcriber's difficulty; and the author was prevented, by disance, from revising the copy before it was placed in the printer's hands. He makes this explanation, in case any confusion of sentiment or incongruity should strike the eye of the reader in perusing them. An errata will probably accompany the pamphlet edition of the Sermons which, it is intended, shall be issued.

We copy the following from the last *Cobourg Star*, and trust, with our respected contemporary, that a due response will be given to the proposed appeal on behalf of so excellent an Institution as the "Society for Promoting Christian Knowledge":—

We have much pleasure in renewing the notice given in St. Peter's Church on Sunday last,—that on *Sunday next*, [to-morrow] at morning service, the Annual Sermon in behalf of the Newcastle District, Committee of the SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE, will be preached there by the Rev. A. F. Atkinson, Rector of the Well. We trust that the excellence of the cause in which the well-known abilities of the reverend preacher will be exerted, will ensure a large congregation and a liberal collection. The latter will be made immediately after the conclusion of the sermon.

CHURCH STATISTICS.

Table with 2 columns: Parish and Statistics. Includes entries for St. Peter's Church, Cobourg, and St. John's Church, Chatham, U. C., and Parts Adjacent.

Knowledge, which has been in existence since the year 1828; and which, up to the 31st Dec. 1838, according to the Report just published, has been the instrument of disseminating chiefly throughout the District of Newcastle, the following religious publications: Bibles and Testaments, - - - 1060; Prayer Books, - - - 970; Books and Tracts of various kinds, - 4600.

The same Committee which have in charge this branch of the Christian Knowledge Society, are also the managers of the fund for the support of a Travelling Missionary in the Newcastle District; a moiety of whose salary is made up by contributions from individuals and collections in Churches throughout the District, and the remainder is generally furnished by the venerable Society for the Propagation of the Gospel in Foreign Parts.

Table with 2 columns: Parish and Statistics. Includes entries for Chatham, U. C., and Parts Adjacent, and Townships of Medonte, Home District.

By the arrival of the Packet Ship, *Patrick Henry*, we have London papers to the 25th December. The *British Queen* only arrived in England on the 24th of that month. The delay was occasioned by a succession of heavy gales, in one of which she received very serious injury. She will not leave England, it is stated, for New York until the 1st March.

Parliament was to meet on the 26th January; and the Queen's Marriage, it is said, would take place in February. The money market continued in the same state as at the last advices. Lord Seaton had been on a visit to the Duke of Wellington at Strathfieldsaye. Affairs in China seem still to remain unsettled.

From the *St. James's Chronicle*, Dec. 19. The following remarks of an evening ministerial journal would seem to intimate that the members of the administration are "settling their affairs," with a view to their removal:—"Suppose, however, Sir Robert Peel has his majority—whether by abuse of the Queen's name—or, if that is hopeless, by abuse of the Queen herself, or by whatever more circumspect means the party may have fixed upon to carry the country with them. Suppose them to succeed to their most sanguine hopes—concede them a majority of fifty in the House of Commons, confronted with a liberal minority of three hundred. And then suppose these latter to act on those principles of opposition which are now propounded by *Quarterly*, *Times* and *Post*, as the fitting grounds of Toryism!"

Let us have such a minority, possessed of all the increased power which a popular opposition derives from those regulations towards the constituency which have been given it by the operation of the reform act. Let us have such a minority, acting on the principles now put forth by the Tories, and dealing with a ministerial proposal, for instance, of an addition of 20,000 men to the army to support Lord Adolphus to Lord Ebrington's successor in the Irish administration, and to make the people of Ireland swallow the Orange appointments which would be substituted, as before, for those of a liberal government. The Tories attack the recent appointment of a liberal assistant-barrister to the county Cork. Are they prepared to meet a liberal opposition backed by the Irish millions in making 'war to the knife' against the orange appointments which, it may be presumed, would follow the restoration of toriyism?"

We are, perhaps, partly intruding into a quarrel to which we are not challenged, but the general question being *publici juris*, we will venture. Whoever has paid us the compliment of observing the course of this journal, is aware that we have always deprecated hasty measures, either in advance or in retreat. We think that, in whatever position, an honest party grows stronger by rest and time, and that change is sure to be attended with more or less of loss, in proportion to its precipitancy.—We have seen the conservative party growing from a small beginning to be fully strong enough to prevent misgovernment, with a certainty of further increase; and we are not quite convinced that this is not a better position for the party than the acceptance of office. We own that we should like to see something more than this—Sir Robert Peel, at the head of commanding majorities, dictating to the whigs from the opposition benches, while the ministers, if permitted to remain in office, would humbly obey him, though they should be able to number only their own personal votes. We should like to see this; but whether we are to see it, as certainly we are if the Conservatives do not take office, or whether the whigs are to be dismissed, to throw themselves again into the arms of the Chartists, is a question which Sir Robert Peel alone can decide; and in the wisdom and patriotism of his decision we repose unbounded confidence.

The ministerial journalist miscalculates very greatly the force that would support Sir Robert Peel after a general election. It would not afford a majority of 50 only, but of one hundred and fifty; and with such a majority Sir Robert Peel would have little difficulty in carrying on the government in the manner in which only he would be disposed to carry it on. Let the whigs renew their coalition with the Chartists—we see that they have begun to do so, at their anti-corn-law meetings in the north—let them fold the "Irish millions," as they choose to denominate the O'Connell Ribbonmen, in a still more fond embrace—still the Protestant tens of millions will be too many for them. And for what are the whigs and the Papist millions, their allies, to wage this "war to the knife" so decently declared against our throats?—For places: so says the ministerial writer; and the *Dublin Freeman's Journal* had previously announced the same *causa belli*, as follows:

"If it be restless in Catholics to aspire to and seek for every employment of emolument and dignity under the Crown, to which they are eligible by law, they will continue restless; and, in their name, we defy you and all your power," &c. &c.

What, "every employment of emolument and dignity under the Crown!" this is ambition with a vengeance. What, "all our little things,"—and if the demand is not complied with, the whigs and the millions declare a "war to the knife" against our throats! It will be a droll kind of war after all, and the first of the kind, as we imagine. The equipment of the belligerent aggressors will, we suppose, be appropriate carriers' horns and office bells, with dispatch boxes or kettle drums to supply the band; tastefully arranged bits of red tape for *manipuli* or streamers, with mottoes of course to correspond with the purpose of the war—"Our country and our excisemenships," "The constitution and admission to the constabulary," "Liberty and eligibility to be gaoled," "Perfect freedom and Popish monopoly of office," &c. &c. Such are the proper cognizances of the host against which Sir Robert Peel and the tens of millions will have to defend themselves. Well, we will abide the issue. Meanwhile, we congratulate the ministers upon the honorable position in which their friends have placed them. There is nothing but office, it is confessed, between them, and a rebellion in a treasonable rebellion—a murderous rebellion too—a war to the knife against the throats of her Majesty's peaceable and loyal subjects.

CLERGY RESERVES.

LEGISLATIVE COUNCIL. January 17th, 1840. The Hon. R. B. Sullivan in rising to move the adoption of the preamble, congratulated that House and the country at large, upon the fact that the representatives of the people had, after years of fruitless attempts to legislate upon this subject, at length agreed upon a measure for the final settlement of this all important question. It was evident this had not been done without much abandonment of individual opinion, and sacrifice of long cherished feelings and prejudices on all sides, and he would refer to the initiation of the hon. Committee the example set in the other House of the Legislature, and he most ardently hoped that their joint endeavours would set for ever at rest discussions which had hitherto affected most injuriously the peace and safety of the Province, upon a subject of dispute intended originally for the best of purposes, but which had introduced into this community not peace but a sword. It had been truly observed that the arguments on this question were exhausted, that all had been said which the subject admitted; he therefore would not attempt to discuss at large the claims of the several religious communities; he should also leave the details of this measure for future consideration, and open the debate by stating the broad principles upon which he conceived the present bill might be advocated and justified. What had fallen yesterday from the right reverend prelate had led him (Mr. Sullivan) to expect the points upon which he should meet strenuous opposition, and he would meet this opposition directly and fairly, neither avoiding the points which had been raised, nor seeking to keep their importance out of view; to attempt either would indeed be vain, for he could not hope to escape in such a case, the acumen of his honourable friend, (Mr. De Blaquiere) or the zealous watchfulness of the venerable bishop.—This bill was opposed upon three distinct grounds, all of them strictly applicable to any disposition of the Clergy Reserves other than that proposed by the Imperial Act of 1791. These objections had been urged in every imaginable shape, in this House and elsewhere, by those who understood them and were capable of discussing the question logically and comprehensively, as was the case with the right reverend Bishop, as well as by others who took more discursive views; but he (Mr. Sullivan) with all deference to better opinions, believed that the objections to the principles of the Bill had been stated clearly in a few words by the venerable Bishop, and leaving to others more popular modes of persuasion he would contend for the Bill upon the ground chosen by his adversary; and he was much mistaken if upon the most severe reasoning he would not be sustained in his advocacy of this great measure. The first objection was one of strict law. This hon. House was told that the Legislature had no legal authority to entertain the proposed measure, that it was in opposition to the constitution of the Province, and that the attempt to do so was not on legal grounds, but a failure. Secondly, the hon. gentleman was told, that the bill was an interference with vested rights, a spoliation, a plunder, a robbery. And thirdly, that as the bill proposed to afford religious instruction to sects and communities of Christians, not within the pale of the Church, it was a bill for the propagation of heresy and error, and that no man, bearing a sense of religion and of duty to his Maker, could give his vote for it. To commence with the legal objection, he (Mr. Sullivan) would request the attention of the hon. Committee to the clauses of the Act of 1791, relating to the Clergy Reserves, and in doing so he would for a moment wander from his point by admitting in the frank manner, that he, from the time he first examined the Constitutional Act down to the present time, had been of opinion that the Legislature had intended to provide for the Protestant Clergy by the reservation now in question, and that the Protestant Clergy meant to be provided for were those which should belong to the Protestant Church of England. If this was mission placed a difficulty in the way of his argument, it was one which, without insincerity, he could not avoid. Others who entertained opinions founded on high authority, different from his, and who were with him respecting this bill, would do him the justice to say that he had not contended with this admission, that it was open to them to contest the point upon the interpretation of the term 'Protestant Clergy' in the act. For his part he could take up no such position; and he should therefore leave the field open, on this question, to hon. gentlemen who differed upon this point, as well as upon the whole measure before the House.—Here Mr. Sullivan read the several clauses of the Act of 1791, relating to the Reserves. And he proceeded to say, whatever honourable gentleman might think about the previous clauses, he appeared to him that one thing was exceedingly plain, namely, the express power delegated to the Provincial Legislature to vary, and not only to vary, but to repeal any of the clauses in the act relating to these appropriations. The words were plain, they offered no opportunity for misconstruction. All the several clauses which he had read were strictly respecting the appropriation of these lands, and the endowment of a Protestant Clergy. The power to vary or repeal was not given by forced construction or by implication. The words used were both comprehensive and special; they appeared to be advised; they appeared to him to be conceived with the very view of the present case before a parliamentary Parliament. If the act wanted a commentary, a paraphrase, it might be given as follows: we wish to provide for your religious instruction; we set apart a large quantity of the lands of the Crown for that purpose: we wish that instruction to be conveyed according to the faith and forms of the Church of England. But your Province is yet a wilderness: we do not know by whom it may be inhabited, or whether our system will be acceptable to future generations. We therefore give you a system with plenary powers, however, of variation or repeal; subject only to the vote of each separate branch of the Imperial Parliament. All the rest of the constitution is apparently intended to be fixed; no power of variation or repeal is given or intended, but upon these points respecting religious supremacy, advantages, endowments, disabilities and disadvantages, the Legislature of the Colony is in disabilities invited to original measures for the variation and repeal of the constitutional statute. He thought that if a careful attention were given to these clauses, hon. gentlemen would be convinced that so far from the present proceedings being unconstitutional, so far from being in the face of constitutional law, they were in exact accordance with its provisions. If the possibility, or the probability of variation or repeal in the whole or in part of these clauses was supposed impossible, or wrong, or unconstitutional, why is the power given in express words? If the charge of acting unconstitutionally be correct, it applies to the Sovereign, the Lords and the House of Commons, who enacted the law, which we profess much to admire. Let them be censured,

Civil Intelligence.

LATER FROM ENGLAND. By the arrival of the Packet Ship, *Patrick Henry*, we have London papers to the 25th December. The *British Queen* only arrived in England on the 24th of that month. The delay was occasioned by a succession of heavy gales, in one of which she received very serious injury. She will not leave England, it is stated, for New York until the 1st March.

Parliament was to meet on the 26th January; and the Queen's Marriage, it is said, would take place in February. The money market continued in the same state as at the last advices. Lord Seaton had been on a visit to the Duke of Wellington at Strathfieldsaye. Affairs in China seem still to remain unsettled.

From the *St. James's Chronicle*, Dec. 19. The following remarks of an evening ministerial journal would seem to intimate that the members of the administration are "settling their affairs," with a view to their removal:—"Suppose, however, Sir Robert Peel has his majority—whether by abuse of the Queen's name—or, if that is hopeless, by abuse of the Queen herself, or by whatever more circumspect means the party may have fixed upon to carry the country with them. Suppose them to succeed to their most sanguine hopes—concede them a majority of fifty in the House of Commons, confronted with a liberal minority of three hundred. And then suppose these latter to act on those principles of opposition which are now propounded by *Quarterly*, *Times* and *Post*, as the fitting grounds of Toryism!"

Let us have such a minority, possessed of all the increased power which a popular opposition derives from those regulations towards the constituency which have been given it by the operation of the reform act. Let us have such a minority, acting on the principles now put forth by the Tories, and dealing with a ministerial proposal, for instance, of an addition of 20,000 men to the army to support Lord Adolphus to Lord Ebrington's successor in the Irish administration, and to make the people of Ireland swallow the Orange appointments which would be substituted, as before, for those of a liberal government. The Tories attack the recent appointment of a liberal assistant-barrister to the county Cork. Are they prepared to meet a liberal opposition backed by the Irish millions in making 'war to the knife' against the orange appointments which, it may be presumed, would follow the restoration of toriyism?"

THE CHURCH.

COBOURG, SATURDAY, FEBRUARY 8, 1840.

We are enabled to-day to fulfil our promise, in part at least, to furnish the Debate on the Clergy Reserves in the Legislative Council; where, we are free to admit, it was conducted with far more energy and eloquence than in the House of Assembly. As it is but fair to offer, in so important a discussion, the leading arguments, at least, on both sides of the question, we shall commence with the Speech of the Hon. R. B. Sullivan, who introduced the subject as the organ of Government. This, with the manly and excellent reply of the Lord Bishop of Toronto, is all that we have room for this week.