

duties, as the incumbents of the parsonages or rectories in England." It may safely be asserted of both these provisions that the things for which they provide are so inconsistent with the circumstances of society and incompatible with its spirit in these regions that they never can exist.

Of the truth of this as concerns the latter the experience of the very days to which I refer might have satisfied those who had time to inquire into it, for it is in the records of history, that the attempt of Great Britain to establish a dominant church—this very church—the church of England, in her then North American colonies was one of the chief predisposing causes to their being severed from her Empire, and to the whole series of momentous events that have thence proceeded. Facts and principles crowd on me in proof of this point, but I should only tire out completely the patience of your readers, were I to set about marshalling them before them, to prove that, which I do not believe any well informed and reflecting man will think of denying.

It is however important to bear in mind, that these provisions were not positive, but only prospective and contingent. They established nothing, they only determined how certain things might be established, at some indefinitely future time, if it were then judged fit so to do. They differed in this from other provisions. Those for instance apportioning a part of the Canadian territory to the support of the protestant clergy. The things for which these provided were immediately and necessarily produced by the operation of the statute, for it positively enacts that a seventh part of all lands granted, be set a part for this purpose. On the contrary, with regard to the establishment of an order of hereditary legislators and dominant English clergy, the statute only empowers the sovereign himself to establish the one, when he may deem it expedient, and, on such a contingency also, to give being to the other, through the intervention and concurrence of the Governor and legislative council. We are therefore warranted in supposing, that though the English statesman who drew up our constitutional act, may have had a strange vision in his mental eye, of the Canada of some future day, so resembling the England of that day, that a lordly nobility, and lordly church, would there find a proper place; yet he regarded it merely as a possibility, and by no means as a certainty. And of a surety, we should be doing Mr. Pitt and his colleagues great injustice, were we to suppose it their intention, that, should there be no natural place for such nobles and clergy, one should forcibly be made

for them. To this purpose, as concerns the latter, the opinion of the then under secretary to the colonies, the Right Honorable R. W. Horton, given before the committee of the house of commons, in answer to an important question there put to him, is very pertinent. The question put was, "From the opportunities you have had of ascertaining the feelings and opinions of the people of Canada on the subject, should you not be disposed to say that the government and legislature of England should be very cautious of doing any thing which could give rise to the *slightest suspicion* that there was any intention of establishing a dominant church in that country?" The Right Honorable Gentleman after stating, that in his opinion certain clauses of the act make a provision for the support alike of the clergy of the church of England and Scotland, out of the income of the reserved lands, thus continues, "It appears to me quite conclusive, that there was no intention of necessarily establishing the church of England as a dominant church, inasmuch as the 41st clause gives a power to the local legislatures, with the consent of the crown, to alter the provisions of the act."*

Were further proof wanted of that of which the act itself is its own proper evidence it might be found in the silence of the Scotch members. At such a moment when contention and peril were about the Empire and when so much depended on Britons from south to north feeling as a band of brothers, we may excuse them—or I shall say, we ought to commend them—if, rather than distract the procedure of government at such a crisis by entering on disquisitions on national rights, a theme so exciting to national jealousies, they preferred that some clauses in this bill should pass unquestioned though contemplating a possible inferiority of their national church in a remote colony and at a distant period. These they might then in honor and with propriety at such a moment leave for the determination of the men of coming generations. It was sufficient for them to get it admitted, as Mr. Dundas seems to have done, that in the immediate proceeds of the lands the Scotch were to share as well as the English. The case had obviously been quite different had the enactments been positively and immediately productive of inequality.

It is the scheme of a dominant church—the propriety or practicability of which was evidently problematical to the statesmen of the last age who devised it, and which the statesmen of the present age considered improper to be even hinted at, which

* Report of the committee of the House of Commons p. 311 and 312 and Mr. Morris reply page 23.