

CANADA.

Enclosure 2, in No. 4.

St. Gabriel-street, Montreal,
Friday morning, 31 May 1833.

Gentlemen,

Encl. 2, in No. 4.

IN answer to your questions submitted to me, respecting the possibility of persons professing the Jewish faith, taking the oath of abjuration in accepting office as justices of the peace in this Province, under the existing laws in force in this Province, I beg leave to state, that having duly considered the question, I am clearly of opinion,—

1st. That the 1 Will. 4, c. 57, of the Provincial Legislature, has not in any way provided for the omission of the words "upon the true faith of a Christian," in the taking of the oath of abjuration by Jews in this Province.

2d. That the Statute of the 10 Geo. 1, c. 4, which permits Jews taking the oath of abjuration, to omit the words "upon the true faith of a Christian" has expired, and is no longer in force.

3d. That the statute 13 Geo. 2, commonly called the Colonial Naturalization Act, refers, in the omission of the above words, only in cases of naturalization.

4th. That under existing circumstances, I am decidedly convinced that persons professing the Jewish faith cannot take the oath of abjuration necessary to be taken by justices of the peace, until some Legislative enactment be made, providing for the omission, in the abjuration oath, of the words in question.

I am, &c.

(signed) *Aaron Philips Hart*,
Barrister-at-law.

Benjamin Hart and Moses Judah Hays, Esqrs.

— No. 5.—

(No. 87.)

COPY of a DESPATCH from Governor Lord *Aylmer* to Mr. Secretary *Stanley*.

Sorel, Lower Canada, 23 October 1833.

(Received, 6 December 1833.)

Sir,

I HAVE the honour to acknowledge the receipt of despatches this day, from the Colonial Office, by the Halifax September Mail, according to the annexed Schedule.

I have, &c.

(signed) *Aylmer*.

No. 5.
Governor
Lord Aylmer to
Mr. Secretary
Stanley,
23 October 1833.

Encl. in No. 5.

Enclosure in No. 5.

Sorel, 23 October 1833.

EXTRACT Schedule of Despatches received this day from the Colonial Office, by the September Mail,
via Halifax.

FROM	NO.	DATE.	SUBJECT.
The Right Honourable Mr. Stanley.	(26)	1833 : 28 August	- - Recommending that application should be made to the Provincial Legislature, to remove the existing difficulty which prevents members of the Jewish persuasion accepting the office of Magistrates.