

Appendix
(D. D.)

7th May.

mous in the desire to promote education among the wealthier classes of society on Christian principles. Their range of enquiry should be as unlimited as is the object itself. Yet there is happily one principle on which amidst all the discussions before me, a general agreement prevails, and by that principle therefore the Commissioners ought to be bound. It is that King's College should be open so far as its advantages, emoluments and honors are concerned, to every denomination of Christians, but that according to the original design the public worship performed within its walls should be that of the Church of England, and that the Chair of Theology should be occupied by a Clerk in Holy Orders of that Church, of which of course, therefore, all Graduates in Divinity must be members. These reservations in favor of the Church of England are made in no spirit to which the members of any other Church could even plausibly object. They proceed on no claim of ascendancy or superiority. Their object is simply to retain for the Anglican Church the advantage actually enjoyed by every other body of Christians in New Brunswick, of having one place of education in which young men may be trained up as Ministers of the Gospel.

On this head I perceive, indeed, but one question on which any doubt has been thrown; it relates to the religious text to be taken by Graduates in Divinity. The Act before me proposes to substitute for the text taken at Oxford, a declaration of belief in the Holy Scriptures and in the doctrine of the Trinity. Now if it were proposed that Theological Degrees should be granted Christians of every denomination, I could understand the motive which might suggest such an innovation. But when it is agreed that the Graduates are to be members of the Church of England, the imposition on them of a test at once so new and indefinite is recommended by no reason which I can either discover or conjecture. Whatever opinions may be entertained regarding the Oxford tests by those who dissent from the Church of England, it would seem entirely at variance with the spirit of religious liberty to forbid the imposition of those tests by those and on those who concur in holding them sacred.

If the Council and Assembly will concur in providing for the appointment of such a Commission as I have suggested, and for defraying the necessary expenses of it, I trust that no insuperable difficulty would arise in the choice of competent Commissioners.

Aided by their Report, a law might be framed either for altering the Constitution of the College in accordance with it, or for enabling the Crown to issue a Charter for that purpose. The whole of this question might thus be withdrawn from debate in a popular Assembly, to a more tranquil, and for this purpose, a more competent tribunal. Without the excitement of those feelings which must animate and occasionally discompose the deliberations of the Representative Branch of the Legislature, it would, I trust, be settled on such a basis as to conciliate the feelings, satisfy the judgment, and promote the interests of all classes, as far as such results are attainable in affairs of this nature.

In that hope Her Majesty's decision on the Act under consideration will be postponed until you shall have ascertained and reported how far the Legislative Council and Assembly are willing to concur in the course of proceeding which I have thus pointed out.

I have, &c.

(Signed,) STANLEY.

(2nd Enclosure in No. 7.)

Appendix
(D. D.)

7th May.

Report of the Council of King's College at York, (now Toronto) on Lord Goderich's Despatch,—adopted 21st March, 1832.

The College Council having deliberated upon the Despatch of the Right Honorable the Secretary of State for the Colonies, which was referred to them by His Excellency the Lieutenant Governor, and read in Council on Saturday the 10th instant, and the opinions of the Members of the Council upon questions severally proposed to them, it was Resolved by the Council, that the following Report be addressed to His Excellency the Lieutenant Governor as containing their opinion upon the subject of the Despatch, and that His Excellency be requested to transmit the same to His Majesty's Secretary of State.

MAY IT PLEASE YOUR EXCELLENCY,

The Council of King's College have maturely deliberated upon the Despatch of the Right Honorable the Secretary of State for the Colonies respecting King's College, which Your Excellency was pleased to refer for their consideration and Report.

Upon an attentive perusal of this Despatch it appears to be the desire of His Majesty's Government that the members of the Corporation of King's College shall surrender the Charter granted to them by His late Majesty together with the Endowment which has been graciously conferred upon the Corporation. That they are requested to make this surrender upon the assurance of the Secretary of State that no part of the Endowment shall ever be diverted from the object of the education of youth. That it will be proposed to the Legislature of this Province to erect another College upon such principles as they may approve, with a recommendation from the Government that they establish permanently in the new College a Divinity Professorship of the Church of England.

The Council takes these to be in substance the propositions contained in the Despatch, and they beg leave to add that the arguments used to induce a compliance and in the view taken of the difficulties which are supposed to be in the way of proceeding under the present Charter, they cannot but perceive an anxiety upon the subject that claims their respectful acknowledgment, and requires from them a corresponding frankness in answering the reference which His Excellency the Lieutenant Governor has been pleased to make to them.

The Council observes that the request to surrender the Charter is purposely addressed to "The Members of the Corporation," of whom there are at present only the Chancellor and President holding a legal interest in the Charter itself as constituent members of the Corporation. The other gentlemen to whose consideration this Despatch has been submitted, having no other relation to the Corporation than as they happen to be for the time members of the College Council, are doubtful whether it was intended by the Secretary of State to request their concurrence in the surrender, or whether it may not merely have been desired that they should express their opinion upon the expediency of the course proposed. If it has been contemplated that they should join in the surrender, the first difficulty which presents itself is a conviction on their parts, that they have not the power.

His late Majesty very graciously intending to establish an University in this Province, "for the education of youth in the principles of the Christian Religion and for their instruction in Science and Literature," erected by Letters Patent a Corporation to consist of