

# THE GUARDIAN.

"HOLD FAST THAT WHICH IS GOOD."

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## POETRY.

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### THE VOICE OF PRAYER.

I hear it in the summer wind,  
I feel it in the lightning's gleam;  
A tongue in every leaf I find,  
A voice in every running stream.  
It speaks in the enamell'd flower,  
With grateful incense burns on high;  
It echoes in the dripping shower,  
And breathes in midnight's breathless sky.  
Through all her scenes of foul and fair,  
Nature presents a fervent prayer;  
In all her myriad shapes of love,  
Nature transmits a prayer above.

Day unto day, and night to night,  
The eloquent appeal convey;  
Flasheth the cheerful orb of light,  
To bid creation bend and pray:  
The shadowy clouds of darkness steal  
Along the horizon's azure cope;  
Bidding distracted nations kneel  
To Him, the Lord of quenchless hope;  
To Him, who died that hope might live,  
And lived, eternal life to give;  
Who bore the pangs of death to save  
The dead from an eternal grave!

Oh! tread yon tangled coppice now,  
Where the sweet-briar and woodbine strive;  
Where music drops from every bough,  
Like honey from the forest-hive:  
Where warbling birds, and humming bees,  
And wild-flowers round a gushing spring,  
And blossoms sprinkled o'er the trees,  
And gorgeous insects on the wing,  
Unite to lead the gladden'd air  
With melody of grateful prayer;  
Unite their makers name to bless  
In that brief span of happiness!

And can it be that MAN alone  
Forbids the tide of prayer to flow;  
For whom his God forsook a throne,  
To weep, to bleed—a man of woe?  
Ah! 'tis alone the immortal soul,  
An endless bliss ordained to win,  
The heaven of heavens its destined goal,  
That thus is sunk in shameless sin!  
Scantly permitting to intrude  
The faintest gleam of gratitude;  
And but in hours of dire despair,  
Responding in the voice of prayer!

## Colonial Intelligence.

### UNTO THE RIGHT HONORABLE THE MARQUIS OF NORMANBY, &c.

*The Memorial of the Committee of the General Assembly of the Church of Scotland, for promoting the religious interests of Scottish Presbyterians in the British Colonies.*

The Committee of the General Assembly of the Church of Scotland, for promoting the religious interests of Scottish Presbyterians in the British Colonies, have observed, with the deepest interest, the notice which has been given on the part of Her Majesty's Government, respecting the introduction into Parliament of measures, to make provision for the Government of the Canadas; and as these measures must necessarily have respect to the religious as well as the civil condition of these Provinces, the Committee feel that they would be guilty of a dereliction of their bounden duty, if they neglected the present opportunity of bringing under your Lordship's consideration, the claims of the Members of the Scottish Church, for the protection of their ecclesiastical rights in any legislative enactments that may be proposed for adoption. The solemn trust committed to your Memorialists by the General Assembly, may free them, they trust, from the charge of presumption in obtruding themselves upon your Lordship's notice; and the frequent and earnest appeals which have been made to them by their brethren in Canada, for assistance in asserting their just rights, will be considered by your Lordship, as your Memorialists cannot but hope, an additional excuse for the demand that they presume to make upon your Lordship's attention. The

mistaken notions that prevail in many quarters, respecting the legal position of the Members of the Scottish Church in the British Colonies generally; the little practical effect that has hitherto been given in Canada, to the juster views that have recently been expressed by Her Majesty's Government upon the subject—the erroneous statements that have been made respecting the relative amount of the Presbyterian population in the Province; and the entire omission, in various documents and publications, to which much importance is attached as bearing upon the legislation necessary for Canada, of elements that cannot be overlooked without extreme danger, in adjusting the interests of contending parties, render it the more indispensable, that your Memorialists should not, at a crisis like the present, allow the claims of their brethren to be in any degree endangered, for want of an appeal to the justice of Her Majesty's Government.

The unequivocal and most satisfactory declarations on the part of Her Majesty's Government (in the letter of Sir G. Grey to Principal Macfarlan, and in the despatches to Sir Francis Bond Head) respecting the rights of the Members of the Church of Scotland, as fully entitled to be put upon an equality, with the Members of the Church of England in the British Colonies, renders it happily unnecessary for your Memorialists to enter at length upon this subject.—Your Memorialists consider it to be of importance, however, to advert to the grounds, upon which they conceive the rights of their brethren in the Colonies to be founded.

By the Treaty of union it is solemnly provided that there shall be a "communication of all rights, privileges and advantages, which do or may belong to the subjects of either kingdom, except where it is otherwise expressly agreed in the articles." By the same treaty, the true Protestant religion and Presbyterian church government are secured, within the kingdom of Scotland; and the true Protestant religion, &c. are secured within the kingdoms of England and Ireland, the dominion of Wales, and town of Berwick-upon-Tweed, and territories thereunto belonging. The Colonies which have been acquired since the union, and which are not territories belonging to the kingdoms of England and Ireland, &c. to the exclusion of Scotland. And, if there was any meaning in the phrase; "a communication of all rights, &c. which do or may belong to the subjects of either kingdom," it follows, that the adherents of both churches, are entitled to equal rights and privileges and advantages in every British colony. The members of the church of Scotland in the colonies may justly complain, of a violation of the terms of the great national compact, if they are not put upon a footing of perfect equality, with the members of the church of England in regard to all religious, as well as civil, rights and privileges.

In the case of Canada, as your Lordship is well aware, provision is made by special statute, (31st Geo. III. c. 31) for the support of a protestant clergy.—An attempt has indeed been made to restrict the import of the Act, as if the clergy of the church of England alone, were to be understood by the "protestant clergy;" and practically, no doubt, this interpretation was for a long period acted upon. But if this had been the true import of the statute, it must have been in contravention of the articles of the treaty of union, and the inhabitants of Scotland, regarding it as a breach of national faith, would be warranted in using every lawful means, for having such an evasion of their religious privileges expunged from the statute book. In reality, however, the members of the church of Scotland have not this cause of complaint; and it clearly appears that the support of the clergy of the Scottish church was contemplated, in the Act referred to as well as those of the church of England. In the definition of the expression "a protestant clergy," it must be taken into account that in the treaty of union already referred to, the religion of the church of Scotland, is described as the "protestant religion," or "the true protestant religion."—And the spirit of the statute of 1791, the tenor of the debates which took place while it was under consideration, and the express testimony of the Earl of Harrowby (Debates in the House of Lords in 1828) as to the intentions of the framers of the bill (Lord Grenville and Mr. Pitt.) leave no doubt at all, that Presbyterian as well as Episcopalian clergy were comprised under the description given in the act.—Your memorialists are convinced, from the message in the 3d William IV. to the House of Assembly, and from the despatch of Lord Glenelg to Sir F. Head, that your Lordship will not require these positions to

be strengthened by a weight of authority, otherwise they might refer to the opinion of the crown lawyers in 1819, concurred in by a committee of the House of Commons in 1828,—that "the provisions of the 31st George III. are not confined solely to the clergy of the church of England, but may be extended also to the clergy of the church of Scotland."

But, though the rights of Scottish settlers in the colonies have been thus clearly defined by statute, the Presbyterians in Canada have hitherto been excluded from the benefit of these statutes. For more than thirty years after the act of 1791, no legal provision whatever was made for Scottish clergy—no assistance even, with the exception of two brief grants of £50 each, was given by government to any clergyman belonging to the Scottish church. And though conquered under the British flag, by Scottish as well as English blood, and settled long after the treaty, by which equal rights were secured for the members of the Presbyterian and Episcopalian churches, the Province has up to the present hour, been taught to regard the church of England as the dominant church, while the Presbyterian inhabitants have been treated in every respect as dissenters. Of all the vast tracts that were so wisely reserved by the act of 1791 for the support of a protestant clergy, no portion, your memorialists are informed, has been granted to the church of Scotland. The applications that, time after time, have been made by them, have all met with an unfavourable reception,—and while thousands of acres have been attached to the church of England—and thousands more rendered available in various other forms, there are few cases indeed, in which the ministers of the Scottish church can boast of a single acre of glebe land. In like manner, the pecuniary grants to the amount of many thousands annually, have been made to the church of England from year to year, it was not till 1817 that any assistance whatever, was afforded to the church of Scotland. Even then it was given in a form that subjected the members of that church to the humiliation of being treated as having no legal claim for what was received.—the continuance of what is given is altogether precarious, and it has never amounted to more than an annual grant of £1350 in the Upper Province, and to £500 in the Lower Province.

Your memorialists are very far from being averse, to see that provision made for the church of England, to which by the act of 1791 she is rightfully entitled. They are satisfied that, if judiciously appropriated, the amount might be rendered available for the religious interests of the Episcopalian in the Province. But they conceive that they have grounds of the loudest complaint, in that the church of England should be permitted to assume all the authority, and enjoy all the privileges of a dominant church; while the Scottish church, with equal rights from its creed, and stronger claims from its numbers, should be degraded from its co-ordinate rank as an established church, and much more should be denied a fair proportion of those means, which originally had been wisely and benevolently destined by the British Legislature, for the spiritual benefit of Presbyterian, as well as Episcopalian inhabitants in the provinces.

Your memorialists are well aware that declarations, on the part of Her Majesty's Government, respecting the rights of Presbyterians in the colonies, are calculated in so far to do away the impression, of which their brethren complain, that they are regarded in no other light than that of Dissenters, and that their claims as Scotchmen and as Presbyterians, are to be considered as unfounded. Still, however, while your Memorialists are duly sensible of the vast importance of the declarations referred to, and gratefully acknowledge the justice that has in so far been done to their brethren, they must at the same time respectfully call your Lordship's attention to the fact, that, practically, no effect has yet been given in Canada to the sound principles, that have been laid down respecting the rights of Presbyterians there. They have scarcely enjoyed any privileges that have not been conferred upon other protestant dissenters; and the Roman Catholics have received a larger amount of pecuniary assistance. Nor is this all, for it was after juster views seemed to be, and as your memorialists believe, were maintained, that a measure more obnoxious to Presbyterians, than any that had ever taken place in Canada was carried into effect, by which rectories were established throughout the province. The disapprobation expressed at the Colonial Office, in regard to this ill-advised proceeding, could not fail in some degree to restore the confidence of the Presbyterians; and the explanation on the part of the pro-