

Clergy of the Church of England was of very serious import, as they were not recognised as valid, thus branding the children with the stigma of illegitimacy. In note E is a report on the subject of these marriages by Richard Cartwright, junior, which gives a clear statement of the position of affairs, so that it is unnecessary to repeat it here. Next session (31st May to 9th July 1793) the pressure was so great that Simcoe felt himself compelled to give way and assent to the Bill for removing the cause of the complaint. In his comments on the proceedings of the second session of the Legislature, Simcoe informs Mr. Dundas that:—

The general cry of persons of all conditions for the passing of the Marriage Bill was such, that I could no longer with hold under the pretence of consulting any opinion at home, having already availed myself of that excuse for delay. There are very few members of the Church of England in either House and the disposition of the House of Assembly is to make matrimony a much less solemn or guarded contract than good policy will justify. They returned the Bill with a rider giving power to ministers of every sect and denomination (of whom in this country there are not a few) to solemnize matrimony, and it was only on a compromise that they were prevailed upon to withdraw it, from the apprehensions of some persons in the Upper House of losing what they were likely to obtain by the present Bill and a promise of support to a Bill of any latitude that might be brought in next session, which Mr. Hamilton is to introduce (Q 279—2 p 336).

In previous reports the scarcity of Protestant Ministers is clearly shown by the returns. The want of Church of England clergymen, who by the existing law could alone solemnize marriage, added to the difficulty in this respect, and from about 1777, according to Mr. Cartwright in the report already referred to, many of the men of the different corps of Rangers had married at the posts, the marriage ceremony being performed in each case by the commanding officer who publicly read the service from the Book of Common Prayer of the Church of England, using the ring and observing the other prescribed forms. In event of his declining the service was performed by the adjutant of the regiment. (Q 279—1, p. 174.) It was to meet these and other cases of a similar kind that the Act was passed. The like state of things existed in the remote posts of the Hudson Bay Company, but such marriages were declared legal by the Courts in cases brought before them in connection with disputes as to succession. It would be out of place to enter into an examination or to give an account of the efforts made by the Anglican Bishops to establish parishes in the Provinces, or to secure the right to collect tithes, which was declared to be impossible and was therefore abandoned. The correspondence both in Lower and Upper Canada brings these points out clearly, and need only, therefore, to be referred to.

The relations between the Anglican and Roman Catholic Churches, however, would seem to call for some remark. It would occupy too much space to enter into details on this subject. One incident is sufficient to show the state of feeling that existed on both sides. On the 6th of September, 1796, a fire broke out in Quebec by which several private houses were consumed together with the church and convent of the Recollets. After some remarks on the consequences that might result from the fire, Prescott says:—

I shall only add that the Roman Catholic Bishop has very liberally made an offer of the Jesuits Chapel for the use of the Protestants, who have hitherto celebrated Divine Service in the Recollets Church. (Q. 77, p. 216.)