

## No. 2.

CANADA.

No. 2.

COPY of a LETTER from the Earl of DESART to F. HINCKS Esq.

SIR,

Downing Street, May 7, 1852.

I AM directed by Secretary Sir John Pakington to acknowledge your letter of the 3d instant, transmitting an extract from an approved Report of a Committee of the Executive Council of Canada, dated 7th April, instructing you to represent to Her Majesty's Ministers the importance of carrying out the pledges of their predecessors on the subject of the Clergy Reserves.

Sir J. Pakington desires me to inform you, that until the receipt of your communication he was not aware of the existence of the Report of which you now send him a copy, Lord Elgin not having as yet transmitted it to this department. Being thus without any information that you were officially instructed to communicate with Her Majesty's Government on that particular subject, Sir J. Pakington did not think it necessary to announce to you their determination upon it, as he unquestionably would have done if he had been aware that your mission to this country was connected with it. I am now directed by Sir J. Pakington to enclose to you a copy of the despatch which he addressed to Lord Elgin on the 22d ultimo, communicating the decision of Her Majesty's Government.

No. 12, April 1852  
p. 12.

F. Hincks, Esq.

I have, &c.  
(Signed) DESART.

## No. 3.

No. 3.

COPY of a LETTER from F. HINCKS Esq. to the Right Honourable  
Sir JOHN S. PAKINGTON Bart.

SIR,

Morley's Hotel, London, May 10, 1852.

I HAVE the honour to acknowledge the receipt of a letter from the Earl of Desart, dated the 7th instant, enclosing a copy of your despatch to Governor-General the Earl of Elgin and Kincardine, dated the 22d ultimo, communicating the decision of Her Majesty's Government on the subject of the Canada Clergy Reserves, and I have to express my grateful acknowledgments therefor. It is probable that, as the approved Report of the Committee of the Executive Council of Canada was sent to me for the purpose of being delivered to Her Majesty's Government, it was deemed unnecessary by his Excellency the Governor-General to transmit another copy; but you will, I think, find on inquiry, that his Excellency has communicated to you a copy of a memorandum agreed to at a meeting of the members of the Council on the 25th February, prior to my departure, by which I was instructed "to press upon the consideration of Her Majesty's Government the importance of procuring the assent of the Imperial Parliament, as soon as possible, to a Bill for repealing the Imperial Act, 3 & 4 Vict. c. 78, providing for the sale of the Clergy Reserves in Canada, and for the distribution of the proceeds thereof, as prayed for by addresses from both houses of the provincial Parliament, and for authorizing the provincial Parliament to legislate on the subject of those Reserves."

I trust that the existence of these instructions, followed up as they have been by the approved Report of Council, which I had the honour to transmit in my letter of the 3d instant, will be a sufficient apology for my offering some remarks on your despatch of the 22d ultimo, which shall be made in a spirit of the highest respect to Her Majesty's Government. Had the addresses from the two houses of the Canadian Legislature prayed for any particular distribution of the income arising from the Clergy Reserve Fund, there most unquestionably would have been grave objections to any Imperial action to be founded on the opinions of a Parliament which had ceased to exist. But I would respectfully urge, that there can be no reasonable ground for doubt, that the great majority of the people of Canada desire that this question, which is one of local interest, should be disposed of by their own Parliament. I need not, however, press this point further, because I am well aware that legislation during the present session of the Imperial Parliament is now out of the question, and that before any further action could be taken by Her Majesty's Government, the new Canadian Parliament will have had an opportunity of expressing its views on the subject. But I am bound by a sense of duty to Her Majesty to express to Her confidential