

under the patents should be inviolate, before they had ascertained how these patents were granted ! So far as we can learn, the good simple minded majority, guided by their own unsuspecting innocence, without entering upon any inquiry on this subject, although it had stirred up jealousy and indignation from one end of the country to the other, took it for granted in all good faith, that every thing was firm and fast. We confess that we also, in our simplicity, were something of the same mind. Not that we would have been quite satisfied, even had the law officers of the crown declared that the establishment of fifty-seven rectories by Sir John Colborne were valid and lawful acts. The problem would still have remained unsolved, whether the perfect legal formality with which the act was done, rendered it honorable and just. A very grievous injustice may be inflicted in accordance with the strictest forms of law ; and our opinion of this transaction will not be changed even though "the learned gentlemen" discover, on a revision of their judgment, that they are in error. But of this hereafter.

"In regard to the arguments," continueth the Doctor, "used in the Petitions of the Scotch Presbyterians, though copied in a great measure from the resolutions of their Synod, we cannot concede to them the slightest force, while they betray not a little coarseness, selfishness, and bad temper."

Now let us take a look at these resolutions, and see whether there be aught in them, which should offend the refined delicacy of the Venerable Archdeacon by its coarseness, or his very liberal disposition by its selfishness, or his own great equanimity by its bad temper :

"1. That ever since the formation of congregations and the settlement of Ministers in connection with the Church of Scotland in these Provinces, they have claimed, both in virtue of the treaty of union between England and Scotland, and the Act 31, Geo. III, commonly called the Constitutional Charter, "a communication of all rights, privileges and advantages," equally with the Church of England ; and this claim has been in various ways advocated with the Government, and so far admitted as to render any infringement of it, during its pendency, an actual injustice.

"2. That such a violation of this claim has been made by the recent act of the Lieutenant Governor, instituting rectories according to the establishment of the Church of England, entitling Rectors "to hold and enjoy all rights, profits and emoluments, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties" as the incumbents of Rectories in England ; in as much as the said act gives to the established Rectors an ecclesiastical jurisdiction which this Church can never recognize, and manifestly has the effect of placing the ministers and members of this Church in the same relation to the Episcopal body as Dissenters in England are in to the Church established there ; except in so far as limited by Provincial Statutes.

"3. That the Synod feel the more deeply aggrieved by this measure as it is not only a violation of their long preferred, and yet undetermined claim, but because of their firm conviction that an exclusive establishment in these provinces is impracticable and unjust, and because, by Royal Message in 1832, the whole provisions of the Charter referring to the Clergy Reserves having been committed to the Provincial Legislature for revision, to proceed to establish an exclusive and dominant Church is in these circumstances a flagrant breach of faith on the part of the Government to the ministers of this Church.

"4. That the Synod declare their deep sense of the wrong thus inflicted on them, do now solemnly protest against an act so injuriously affecting their just rights, and hereby avow their determination to seek redress by all legal and constitutional means.

"5. That in terms of the foregoing resolutions the Synod memorialize His Majesty, the Royal Commissioners, the Lieutenant Governor, and both Houses of the Provincial Legislature, and that copies of such memorials be transmitted to the General Assembly of the Church of Scotland.

"6. That the Synod recommend a similar course to be taken by the Sessions and Congregations of this Church, and enjoin Presbyteries to use their most strenuous exertions to carry these Resolutions into effect with all convenient speed."

Now, we do not believe there are three persons in Canada untouched with the spirit of partizanship, who will affirm that these resolutions "betray not a little coarseness, selfishness, and bad temper." We would rather be inclined to substitute for the Doctor's triplet, decision, self-defence and spirit ; and we fancy that the emendation would obtain the general suffrage. However, we are not very solicitous respecting the vote on this question, especially as something within whispers concerning ourselves, and very many things testify concerning the Doctor, that in regard to all the three charges, the instances are not a few in which we must all fall down together and cry *peccavi*.

Next as to the Doctor's estimate of the argument contained in these resolutions :—

"They seek the destruction of the Rectories principally on two grounds :—

1st. As conferring powers on the Rectors or Incumbents incompatible with the rights of the Scotch Clergy. For such apprehensions there is no foundation ; nor do those who pretend to urge them believe them to be true. Parishes have been formed in all the Colonies without calling forth any complaint, because other denominations felt that neither their civil nor religious liberty was, in the smallest degree, compromised. In fact, the Clergy of the Church of England residing in this Province never had or pretended to have any authority over other denominations, and not even over their own people, except in matters purely spiritual ; and so sensible are we of our weakness, as respects our own congregations, that, in seeking from the Bishop an annual convention, we found our proposition on the fact, that our ecclesiastical law and discipline do not extend to this Colony."

Here then are two charges brought against the