

of other causes, that the distribution question should, from time to time, be reconsidered.

6. Any proposals of such a nature, Her Majesty's Government would be willing to entertain. But they are of opinion, that they could only regard any measure which would place it in the power of an accidental majority of the Colonial Legislature, however small, to divert forever from its sacred object the fund arising from that portion of the public lands of Canada, which almost from the period of the British conquest of that Province has been set apart for the Religious instruction of the people, with the most serious doubt and hesitation how they should be justified in advising Her Majesty to give Her consent to such an enactment.

7. These views on the part of Her Majesty's Government with respect to a proposal so deeply and permanently affecting the interests of Canada, cannot but derive additional strength from the numerous petitions, having many thousand signatures, which have been addressed both to the Parliament of the United Kingdom, praying that the existing Act, relating to the Clergy Reserves may continue in force.

I have, &c.,
(Signed,) JOHN S. PAKINGTON,
The Right Hon. able,
The Earl of Elgin, &c. &c.

INSPECTOR GENERAL'S OFFICE,
Quebec, 31st June, 1852.

The undersigned has the honour to submit to the Governor General copies of a correspondence which took place between the Right Hon. able the Secretary of State for the Colonies and himself on the subject of the Clergy Reserves, during his recent visit to England.

(Signed,) F. HINCKS.

MORLEY'S HOTEL,
LONDON, 3rd May, 1852.

Sir,—I have the honour to enclose a copy of an approved Report of the Committee of the Executive Council of Canada, dated the 7th ultimo, which I received by the last mail.

I have learned through the medium of the public journals that Her Majesty's Government has determined to take no action on the question of the Clergy Reserves during the present Session of Parliament, and however much I may regret that decision, I am well aware that under the circumstances it is irrevocable. I have already had an opportunity of urging, during the interview with which you were good enough to honour me, the importance of settling this long vexed question, as speedily as possible. It was my duty to state that the number of those who insist on the present settlement is very small, and I may now add that one of the leading opposition newspapers in Upper Canada, and in the interests of the Church of England has come out distinctly for a new scheme of distribution. I would press on Her Majesty's Government more formally, what I have already urged in my conversation with you, that if as has been alleged, the present Canadian Parliament is favorable to the views of the Church of England, it is surely the best time for that Church to procure a settlement that will be regarded as constitutional. I can assure Her Majesty's Government with the utmost sincerity that there will be no end to agitation in Canada, if the attempt be made to settle this question permanently according to the public opinion of England, instead of that of the Province itself; and I may add, that it is well known that many who are opponents of the secularization of the Clergy Reserves are, on constitutional grounds, in favour of a settlement by the Provincial Parliament. I believe that after the assurances given by the late Government it will be found impossible to protract very long, the repeal of the Imperial Act, and I have no hesitation in affirming that no interests will suffer more by the delay than those of the Church of England. If Her Majesty's Government desire, before determining on their line of action on this question to ascertain the views of the present Canadian Parliament, I would respectfully beg to be informed of their decision.

I have the honour to be,
Your obedient servant,
(Signed,) F. HINCKS.
The Right Hon. able
Sir J. S. Pakington,
H. M. Secretary of State for the Colonies.

Extract from a Report of a Committee of the Hon. able the Executive Council on matters of State, dated 7th April, 1852, approved by His Excellency the Governor General in Council, on the 7th April, 1852.

The Committee have had under consideration the memorandum of the President of the Committee of Council, on the propriety of instructing the Hon. able the Inspector General, to ascertain the views of Her Majesty's Government, on the subject of a repeal of the Imperial Act, 3 and 4 Vict., cap. 78, in conformity with the Address to Her Most Gracious Majesty, from both Houses of the Canadian Legislature, at its last Session, on the subject of the Clergy Reserves.

The assurances of Her Majesty's late Government, that such action would be taken, had prepared the people of Canada to expect that no further delay would take place in meeting their just wishes upon a question of such paramount importance to them; the Committee therefore recommend that their colleague, the Inspector General, when in England, be requested by the Provincial Secretary, to seek an interview with Her Majesty's Ministers, and represent to them the importance of carrying out the pledges of their predecessors on the subject of the Clergy Reserves, and thus empower the Colonial Legislature to deal with the question in accordance with the well understood wishes of the people of Canada.

Wm. H. LEE,
Acting C. E. C.

MEMORANDUM.

The President of the Committee of Council being of opinion, that the recent changes in the Administration of affairs in England render it of importance to the interests of this country that the Hon. able the Inspector General, now in England, should be instructed to seek an interview with Her Majesty's Ministers for the purpose of definitely ascertaining whether Her Majesty's Government are prepared to carry out the assurances of their predecessors on the subject of the Clergy Reserves, by repealing the 3 and 4 Vict., cap. 78, and empowering the Colonial Legislature to deal with this question in accordance with the wishes of the people of Canada. He therefore suggests that the Inspector General be requested to act in this matter by letter from the Hon. able Provincial Secretary.

(Signed,) MALCOLM CAMERON.
7th April, 1852.

Certified,
Wm. H. LEE,
Acting C. E. C.

COLONIAL OFFICE,
7th May 1852.

Sir,—I am directed by Secretary Sir John Pakington, to acknowledge your letter of the 3rd 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 John 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 decision 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 22nd ult., communicating the decision of Her Majesty's Government.

I am, Sir,
Your most obedient humble servant,
(Signed,) F. HINCKS, Esq.,
Morley's Hotel.

MORLEY'S HOTEL,
LONDON, 16th May 1852.

Sir,—I have the honour to acknowledge the receipt of a letter from the Earl of Desart, dated the 7th instant, enclosing a copy of our Despatch to the Earl of Elgin and Kincardine, dated the 22nd ultimo, communicating the decision of Her Majesty's Government on the subject of the Canadian Clergy Reserves, and I have to express my grateful acknowledgements 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 enquiry, 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, as soon as possible, of the Imperial Government, to a Bill for repealing the Imperial Act, 3 and 4 Vict., chap. 78 providing for the sale of the Clergy Reserves in Canada, and for the distribution of the proceeds thereof, as played for by address from both Houses of the Provincial Parliament and for authorizing the Provincial Parliament to legislate on the subject to those Reserves."

I trust that the existence of those 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 3rd instant, will be a sufficient apology for my offering some remarks on your Despatch of the 22nd 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 played for any particular distribution of the income arising from the Clergy Reserves Fund, there 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; 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 Excellency the Governor General, that it is with the most keen regret that I have read the concluding portions of your despatch. Most devotedly attached as I am to the maintenance of the existing connection between the Mother Country and the British American Colonies, I cannot view without grave apprehension the prospect of existing between Her Majesty's Government and the Parliament of Canada on a question regarding which such strong feelings prevail among the great mass of the people, and such a difficulty is more to be regretted because this question of the Clergy Reserves is the only

one so far as I am aware, at all likely to lead to collision. It happens most unfortunately that public opinion in England differs very widely from that in Canada on questions at all partaking of a religious character, and as the people of Canada are convinced that they are better judges than any parties in England can be, of what measures will best conduce to the peace and welfare of the Province, Her Majesty's Government will, I trust, perceive that the danger which I apprehend, is at least deserving of the most grave consideration. I cannot have the slightest doubt that the members of Her Majesty's Government are actuated by the most earnest desire to promote the best interests of Canada, and that if they could be brought to believe that I have given a faithful account of the state of public opinion there, they would be disposed to yield their own wishes for the sake of the peace of the Colony. I am quite ready to acknowledge the high respectability of the petitions against the repeal of the Clergy Reserve Act. The Bishops and Clergy, and an influential portion of the Laity of the Church of England, the Clergy and a portion of the Laity of the Church of Scotland are doubtless in favour of the present settlement which confers on the Church of Scotland an income wholly beyond its requirements in Canada while the majority of the Presbyterian population neither receive any share of the endowment, nor desire to participate in it. While, however, I admit the respectability of the petitioners, I think that I am justified in affirming that they do not represent any thing like a majority of the population of Canada; indeed, the very fact that they on all occasions, endeavour to accomplish their wishes by appealing not to their own representatives in Parliament, but to the Imperial Parliament is conclusive proof that they are themselves conscious that their views are not in accordance with public opinion in Canada. I forbear from entering into the consideration of the probable action of the Canadian Legislature on the Clergy Reserve question, because I am anxious to impress upon Her Majesty's Government, that although there may be wide difference of opinion among the opponents of the present arrangement as to the best mode of settling the question, a vast majority of the people are agreed as to the necessity of its being effected by Provincial Legislation and I am aware that some of the best friends of the Church of England, question the soundness of the policy which has influenced the promoters of the petitions latterly presented to Parliament, to look for support to their views in England, instead of using their legitimate influence over public opinion in Canada. I do not by any means desire to conceal from Her Majesty's Government, that saving always the rights of existing incumbents, a very strong feeling prevails, especially in Upper Canada, in favour of the secularization of the Clergy Reserves; but I ought not to omit reminding them that although it is true that the portion of public lands known as Clergy Reserves, was set apart for the religious instruction of the people at a very early period, and when there were very few inhabitants in the Colony, it is likewise true that power was expressly given to the Provincial Legislature to "vary or repeal" the clauses in the Act, 31 Geo. III, setting apart these lands; that successive Houses of Assembly remonstrated against them; and that so firmly were the advisers of His late Majesty King Wm. IV, impressed with the necessity of getting rid of this most perplexing question, that Secretary Viscount Godolphin, in a despatch dated 21st November, 1831, communicated the Royal instruction, that a Bill framed in England should be submitted to the Provincial Legislature for the purpose of getting rid entirely of the endowment. The people of Canada know well the cause of the failure in carrying out the glorious intentions of His late Majesty, as well as their own repeatedly expressed wishes. The opinions of the mass of the people have never wavered during the last twenty-five years although circumstances have, from time to time, induced them to pause in their efforts in order to concentrate public opinion on questions more deeply affecting their constitutional rights. I cannot therefore conceive that any action which the Canadian Parliament may take, of the nature referred to in the despatch, could be correctly designated as the result of an accidental majority. All the great questions which have been settled in England during the last fifty years might be said with equal justice to be carried by accidental majorities, and if a supposition on the part of Her Majesty's Government, that any majority in the Canadian Parliament, expressing views antagonistic to their own, was an accidental one, were deemed a sufficient ground for resisting that majority, I would most respectfully submit that there would be no security whatever for constitutional government. I am well convinced that Her Majesty's advisers have every disposition to attach due weight to the clearly expressed opinions of the people of Canada, and I am therefore anxious to remind them of, and to urge upon their consideration the past history of the Clergy Reserves question, which I have endeavoured to glance at as briefly as possible. There is a passage in the despatch to the Earl of Elgin, which seems to me calculated to lead to some misconception. I refer to the paragraph describing the Clergy Reserves as the only public fund except that devoted to the endowment of the Roman Catholic Church. I am not aware that any public fund has ever been devoted to the endowment of the Roman Catholic Church in Canada. What property may be in possession of Roman Catholics has been obtained principally by private donations, or by request, although in some cases there were additional grants from the French Crown, which were secured to the possessors at the Conquest. These grants were made to communities consisting of Ecclesiastics or Religious Ladies, either for Charitable or Educational purposes, or for the conversion of the

Indians. If I am correct in this statement, I believe that I am, I must respectfully submit that such grants as those to which I have referred, bear no analogy to the Clergy Reserves, and can scarcely be considered as a public fund, devoted to the endowment of the Roman Catholic Church.

I should not discharge my duty to Her Majesty's Government were I not to state to them with perfect frankness, my views on another paragraph in the Despatch. I refer to that in which it is intimated that Her Majesty's Government would be willing to entertain a proposal for reconsidering the mode of distributing the income of the Clergy Reserves. I have no hesitation in stating it as my conviction, that the Canadian Parliament will not invite the legislation of the Imperial Parliament regarding the distribution of a local fund. Any such proposition would be received as one for the violation of the most sacred constitutional rights of the people. I am therefore fully convinced that the future action of the Canadian Parliament will be essentially of the same character with that which has been already taken. I can assure you, Sir, that it is with deep regret that I find myself compelled by a sense of public duty, to urge upon you, views which I fear will not meet the approbation of Her Majesty's Government, but I trust, that I have succeeded in doing so in a respectable manner, and I feel assured that they will receive the consideration which the importance of the subject demands, and that Her Majesty's Advisers will be guided in their final decision by what they believe to be for the best interests of Canada.

I have the honour to be, &c.,
(Signed,) F. HINCKS.

The Right Hon. able
Sir John S. Pakington,
Colonial Office, 17th May, 1852.

Sir,—I am directed by Secretary Sir John Pakington, to acknowledge your letter of the 10th of this month, on the subject of the decision of Her Majesty's Government as to the Clergy Reserves question, and to thank you for the representations which you have made to them on this and other subjects affecting the views and interests of the people of Canada, on which they are fully sensible of the value of your opinion.

2. I am to add that Sir J. Pakington has not been able to find in the records of this Department any trace of the Memorandum agreed to by the Executive Council on the 2nd July last, to which your letter refers, having been communicated to his predecessor or himself.

I am, Sir, &c.,
(Signed,) DESART.

Francis Hincks, Esq.,
Morley's Hotel.

BIRTHS.

At the Paroisse Mauvres, the wife of the Rev. W. Logan, of a son.

MARRIED.

At Stratford, September 11th, by the Rev. J. Travers Lewis, brother to the bride, John Ham, Esq., Hawkesbury Mills to Rebecca Louisa, second daughter of the late Rev. John Lewis, A. M., Cork, Ireland.

On the 14th instant, at the Church of the Holy Trinity, by the Lord Bishop of Toronto, assisted by the Rev. H. J. Gussell, M.A., Rector of Toronto, Lieutenant Fuller, 71st Highland Light Infantry, fourth son of Colonel Fuller, C.B., late of the 59th Regt., to Alice Sophia, fourth daughter of the late Henry Gussell, Esq., M.D., Deputy Inspector General of Army Hospitals.

In St. John's Church, London, on the 2nd inst., by the Rev. D. E. Blake, uncle to the bride, assisted by the Rev. R. Flood, Henry Goring Esq., M.D., to Harriet, second daughter of the Rev. C. C. Brough, Rector of St. John's, London, C. W.

New Advertisements.

Trinity College.

THE Examinations for the Divinity and Law Scholarships will commence on MONDAY, September 27th, at 9 o'clock A. M.; and the Mathematical Examination on FRIDAY, October 1st, at the same hour.
Precisus notice must be given of all who intend to offer themselves as candidates, to the Provost, Trinity College, Toronto.
Trinity College, Sept. 14, 1852. 7-210

University of Toronto.

SEALED TENDERS.

WILL be received at the Office of the Endowment Board, for the erection of the CENTRE and WEST WING of the University Buildings.

Each Tender to be enclosed to Tender for the University Buildings, and addressed to the Rev. Dr. McCaul Chairman of the Building Committee.

The Committee require that each Tender be tendered for separately, according to the Plans and Specifications which may be seen at the Office of the Architect, 118 King Street West.

The Tenders are to be sent on or before Thursday, the 7th of October next, at the hour of Ten in the Morning, after which no tenders will be received.

University of Toronto
Sept. 10, 1852. 7-3 n

AN English Lady wishes to enter a Gentleman's family as Governess, where it will be her duty to contribute to the improvement of her pupils in all useful studies, with Music, French and Drawing.

None but a member of the Church of England need apply. Address P. O. Box 8, Post Office, Bradford. Sept. 4, 1852. 6-1 f