

poration with the State, as well as of ecclesiastical subjection to the civil Magistrate, was precisely acted upon when Christianity received the protection of the Empire: — That whatever changes and abuses grew out of this circumstance, the principle was recognised at the reformation, and made one of the marked features of the English Constitution: — That, at the time of the Union with Scotland, although provision was made for Community of Commercial and other privileges both at home and abroad, and its own Ecclesiastical privileges were carefully secured in Scotland, within the bounds of that Kingdom, a distinction was made, which cannot be without meaning, in the correlative provisions for the security of the Church of the Sister Kingdom: — England, Ireland, Wales and the town of Berwick upon Tweed being specified with the addition of the words "AND THE TERRITORIES THEREUNTO BELONGING," WHICH EXPRESSION IN OTHER STATUTES HAS BEEN CONSTRUED AS APPLYING TO THE COLONIES: — That although the Presbyterian Church is established in Scotland, the circumstances of its establishment there, so far from proving that it is entitled to establishment here, affords support to the contrary argument, for that it is there, according to what we conceive to be implied in the very nature of a Religious Establishment, exclusively established here, pre-occupies the ground: — That Scotland itself affords a striking example of the fallacy of such an idea as that a Church which is established in one particular Country is thence entitled to establishment in other parts of the same Empire, inasmuch as the Episcopal Church in Scotland, although in a legal point of view distinct, is spiritually one with the Church of England, established at the Seat of Empire, comprehends regular Clergymen of the latter Church,* and without being large in number consists of six† Dioceses and comprises many of the nobility of the country: — yet this Episcopal Church does not there enjoy, and could not by possibility aspire to, the character of an Establishment: — That the very first Royal Instructions to the Governors in Canada declare, in express words, that "the powers and privileges of an Established Church belong only to the Protestant Church of England:" — That although these Instructions are not put in force so far as they would operate directly upon the Church of Rome, it by no means follows that they are out of date so far as they declare the footing given to the Church of England: — for the Church of Rome, who gains by, can never complain of the dereliction of those articles which would affect her, but the Church of England, who, by the abandonment of other points, would lose promised advantage, (I speak with all deference and submission) may hope that the pledge given to her is remembered still: — That the Act of 31, Geo. III. c. 21, followed upon these instructions, makes a provision for a Protestant Clergy, as distinguished from the Clergy of the Church of Rome, and proceeds to point out the Clergy of the Church of England: — That as part of the same plan adverted to in the debates upon that Act, a Protestant See was erected, and a Bishop sent out, in 1793, whose Diocese was constituted a portion of the Metropolitan Province of Canterbury, with which its Bishop is connected "in the same manner" as any Bishop within that Province in England: — That in connection and consistency with all this, the Act provides for the support of the Church, "according to the establishment of the Church of England," and gives powers to that effect to the King's Representative, but furnishes no powers for any other Ecclesiastical appropriation: — That the King's Coronation Oath binds him to the inviolate maintenance of all "the rights and privileges which do or shall appertain to the Bishops and Clergy of the Realm, ‡ or any of them, and to the Churches committed to their charge," and consequently, (if we are not in error) of all which is here stated to have been done: — That his Majesty's Government has amply confirmed the character of an establishment to the Church of England by a se-

* The Episcopal Clergy of Scotland are also employed as Missionaries by the Church of England.

† Properly eight, but under the charge of six Bishops. — The Church of England itself exists in Scotland, considered without reference to what may be called the native Episcopal Church, upon the same footing of simple toleration.

‡ Whether the term *Realm* comprehends the whole Empire or not, the wording of the clause surely applies to all which is a regular appendage of the Province of Canterbury.