

No. 8.

CANADA.

(No. 111.)

COPY of a DESPATCH from the Earl of ELGIN AND KINCARDINE to
Earl GREY.

Government House, Toronto, September 29, 1851.

(Received October 20, 1851.)

MY LORD,

I HAVE the honour to transmit herewith certified copies of three Bills passed during the late session of the Provincial Parliament, entitled respectively "An Act to provide for the establishment of a Church Society of the United Church of England and Ireland in each diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec;" "An Act to make provision for the Management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other Purposes therein mentioned;" and "An Act to repeal so much of the Act of Parliament of Great Britain passed in the Thirty-first Year of the Reign of King George the Third, and chaptered Thirty-one, as relates to Rectories and the Presentation of Incumbents to the same; and for other Purposes connected with such Rectories."

These Bills have been reserved for the signification of Her Majesty's pleasure on them, under the provisions of the forty-second section of the Union Act, which requires that Bills of this nature shall be laid before Parliament before they receive Her Majesty's assent. They are accompanied by addresses from the Legislative Council and Assembly, praying me to transmit them to England for this purpose.

I enclose herewith copies of the reports of the Attornies General upon these Bills.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Encl. in No. 8.

Enclosure in No. 8.

Crown Law Department, Toronto,
August 30, 1851.

SIR,

IN obedience to the commands of his Excellency the Governor General with which I have been honoured, in reference to a Bill passed by the Legislative Council and Assembly, intituled "An Act to repeal so much of the Act of the Parliament of Great Britain passed in the Thirty-first Year of the Reign of King George the Third, and chaptered Thirty-one, as relates to Rectories and the Presentation of Incumbents to the same, and for other Purposes connected with such Rectories," I beg to report, for the information of his Excellency, that, having perused the above Bill, I am of opinion that it comes within the provisions of the forty-second section of the Union Act, which requires that Bills for any of the purposes therein mentioned shall, previously to any declaration or signification of Her Majesty's assent thereto, be laid before both Houses of the Imperial Parliament, there to remain thirty days; and that no such Bill shall be valid or effectual within the Province of Canada unless the Legislative Council and Assembly of such province shall, in the session in which the same shall have been passed, have presented an address or addresses specifying that such Bill contains provisions for some of the purposes in the said section specially described, and desiring that, in order to give effect to the same, such Bill may be transmitted to England without delay, for the purpose of being laid before Parliament, previously to the signification of Her Majesty's assent thereto.

I have, &c.

(Signed) ROBT. BALDWIN.

Enclosure in No. 8.

Encl. in No. 8.

AN ACT to repeal so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the reign of King George the Third, and chaptered thirty-one, as relates to Rectories, and the Presentation of Incumbents to the same, and for other Purposes connected with such Rectories.

Whereas the recognition of legal equality among all religious denominations is an admitted principle of Colonial legislation: And whereas, in the state and condition of this province, to which such a principle is peculiarly applicable, it is desirable that the same

* These Bills are not printed with this collection. They have been laid before Parliament and separately printed.