

would have been saved. Respect would be felt for it if such Firmness was exercised now. Most certainly the Surrender of Control over the Clergy Reserves to a Party now raising Agitation in Canada will not prove to be the Pacification of the Colony, and that it never can be too late to do that which is called for by the Rule of Right, and that Consequences are not to be argued upon when this Rule is once clear is what no Person will more promptly acknowledge than your Grace.

The Matter being once rested upon Foundations such as these, it seems almost to be a Work of Supererogation to reiterate additional Arguments, however correct and forcible in themselves, which have at different Times been urged upon the Attention of Her Majesty's Government, and which will be found stated in the Documents to which I have above referred. I will only trespass upon your Grace by noticing Two further Points, which I number as continuing the Series of the Considerations already in part here submitted.

4. The Nature of this Endowment is not such as to be properly productive of any Odium or Discontent. It carries with it no Burden imposed upon any Class of Religionists within the Country. It operates in no vexatious Manner. It presents no Obstruction to the Improvement and Advancement of the Country, the utmost Facilities being given, and the most favourable Terms afforded, in throwing the Lands into the Market for the Creation of the necessary Fund.

5. That whereas it is anticipated in different Quarters that the Party in the Colony now intent upon the Confiscation of the Church Property, and engaged in embroiling the Country for the Attainment of their Object, may be counted upon in the event of their gaining the Principle for which they contend, to deal not ungenerously in the actual Disposal of their Prize, and to manifest some mindful Sense of the ample Generosity of the Home Government towards themselves,—the Fact stands before the World, and cannot be put out of Sight, that the Members of the Local Government now in Power, who have identified their Policy with the Aims of the Party in question, are pledged, to a Man, in their Places in the Provincial Parliament, to the Secularization of the Reserves, if placed within their Control.

I will not, my Lord Duke, abandon the Hope that Her Majesty's Government will pause before committing itself to this threatened Sacrifice of a sacred Patrimony, and will not, by the Side of the magnificently endowed and largely favoured Church of Rome in the Colony, consent to have the Church of the Sovereign and of the Empire thrust down to a Position which will compel her to come before this Country in order to obtain the Means of carrying on the Work committed from above to her Hands as a plundered and a persecuted Church.

I have, &c.

(Signed) G. J. QUEBEC.

No. 7.

No. 7.
Sir J. Pakington to
the Earl of Elgin.
December 1852.

DRAFT of a DESPATCH from Sir JOHN S. PAKINGTON to Governor-General the EARL of ELGIN, prepared for Transmission by the Mail of 16th December 1852.

My Lord,

Downing Street, December 1852.

1. I HAVE had the Honour to receive your Lordship's Despatch,* No. 85, of the 22d September, forwarding an Address to the Queen from the Commons of Canada, in Provincial Parliament assembled, on the Subject of the Clergy Reserves.

2. I have laid this Address before Her Majesty, who was pleased to receive it very graciously.

3. It is with sincere Regret that Her Majesty's Government feel themselves unable to advise Her Majesty to comply with the Wishes of the Assembly for the Introduction of a Bill into the Imperial Parliament to repeal the Act 3 & 4 Vict. c. 78.

4. In arriving reluctantly at this Conclusion Her Majesty's Advisers disclaim any Intention of "violating the constitutional Rights" of the Canadian Parliament. On the contrary, they regard those Rights with the high Respect which is justly due to them, and they fully and distinctly recognize both the Justice and the Propriety of the general Rule that in those Dependencies of the British Crown which enjoy the Advantages of representative Institutions Questions which affect exclusively local Interests should be decided and dealt with by the local Government and Legislature.

5. But Her Majesty's Government are not less clearly of opinion that the Question of the Repeal of the Imperial Act 3 & 4 Vict. c. 78. involves Interests, and is connected with Circumstances, which make it fairly an Exception to this general Rule.

6. It is the earnest Desire of Her Majesty's Government not only to avoid any serious "Difference of Opinion" with the Legislature and Government of Canada, but to act with them, if possible, in friendly Concert, upon a Subject of such great and enduring Importance to the Canadian People, especially of the Upper Province.

7. Her Majesty's Government desire to call the Attention of the Commons of Canada to the Circumstances under which the Imperial Act was passed.

8. After a long Period of Agitation, and frequent Attempts at Legislation on the Part of the Upper Canadian Assembly, an Act was passed by the Parliament of that Province for

* Page 7 of Papers relative to "Clergy Reserves, Canada," presented to both Houses of Parliament, by Command of Her Majesty, 11th February 1853.