

## Selections.

## DEBATE IN THE HOUSE OF ASSEMBLY.

QUEBEC, 29th March, 1855.

## CHURCH OF ENGLAND IN THE COLONY.

Mr. Foley would oppose the resolution, and in doing so he could not be accused as the other opponents of it had been of hostile feelings towards the Church of England, for he was a member of that Church and venerated her as much, as sincerely, as the hon. and learned member of Toronto, himself. He should vote against it on two grounds, because they had no right by legislation to meddle with the internal administration of any church, and because he believed the legislation sought would be most prejudicial to the interest of the Church herself. He denied that the great body of the Church desired such a change, it was a movement got up by the Bishops and Clergy to put power into their hands. The Bishops had already too much power, as was evidenced in the Bishop of Toronto issuing a circular forbidding his clergy to meddle with such matters, when a clergyman at Packobam had spoken in defiance of order, by defending the Governor for his course on the Rebellion Losses Bill.

Hon. Mr. Robinson said they had in the hon. member, who had just sat down, another example of one of the greatest evils which the Church of England had always to contend with in this and other countries—viz: the strenuous opposition of those who make a parade of being churchmen themselves, and avowing a great veneration for and attachment to her doctrines. Whenever the Church of England had come before the Legislature for the common justice which is denied to no other sect, it is sure to meet the most bitter opposition from those very zealous churchmen. He could never listen to such language with patience. He much preferred meeting the avowed opponents of the Church. Such conduct in *soi disant* churchmen reminded him forcibly of some lines which he thought very appropriate as applicable to the speech of the hon. member:—

"Give me the avow'd, tho' erect—the manly foe—  
Bold I may meet—perhaps may turn the blow—  
But of all ill, good Heaven, thy wrath o'er tends,  
Save, save, oh! save me from pretended "friends"

The hon. member might be, as had been well remarked by his hon. friend (Mr. Chabot) near him, a churchman in theory but not in practice. What they were now asking, and what he was gratified to find from the good feeling evinced in all parts of the House—particularly by their Lower Canadian brother-members—they were about to obtain, was merely the right and power to do what all other denominations could now do. He was much pleased to find that his hon. and learned friend from Toronto was about to carry, by a large majority, the address he had so ably introduced to the House.

Mr. Daly said that the resolution under consideration was in his opinion another step towards reforming an evil, by effecting a complete separation between Church and State. The Clergy and Laity of the Church of England had used every legitimate means to have certain restrictions removed by the Imperial Parliament, and had been referred by that Parliament to this Legislature to obtain an approval of their demands. These restrictions prevented them from having a voice in the election of their Bishops, and the management of their pecuniary affairs, and it was the duty of the House (and he was sure any unprejudiced reformer would agree with him in the propriety of their action) to assist in removing these disabilities, so as to place all the churches in Canada on the same footing. He should vote for the resolution.

Mr. Jackson opposed the resolution as an unnecessary interference by Parliament with religion. The Church of England could get on without all this legislation. It should not put its trust in legislative enactments and state aid, but build upon the foundation of our Lord Jesus Christ, and trust in his merits alone. There was more than met the eye in that resolution, he feared—an insidious design to secure the countenance and support of the Crown for the Church of England here. The hon. member for Carleton had spoke very sneeringly of the opposition to this measure of the Praise-God-bare-bones party, led by the hon. member for Lambton. He should not be deterred by any such sneers from voting according to his conscience, or assumed to go with that party in such a course.

Hon. Mr. Chabot spoke at some length in favour of the resolution. The opposition to it showed what the people of Canada, and especially Lower Canada, had to expect from the hon. member from Lambton, if they

(\*Concluded from last week.)

should ever have the misfortune to be ruled by him—His view of religious freedom was to leave churches with whose doctrines he did not agree fettered with disabilities, unless they chose to regulate their internal discipline in a manner as to suit his peculiar views. Save him from such a sort of religious freedom!

Mr. Dufresne also supported the resolution. The debate had given him a still better knowledge of the views of the hon member for Lambton. He had supposed he was actuated by hostility to the Roman Catholic Church only, but he now found he was still more narrow-minded, and was prepared to deny justice or freedom to any church but his own.

Hon. Dr. Rolph had battled for many years to get religious freedom for other churches, to get the disabilities removed under which they had laboured, as to celebrating marriage and baptism, and holding burying grounds, &c. He certainly would not now oppose the removal of any disabilities from his own church; but he apprehended his resolution went further and was designed to cover much more. [The remaining remarks of the hon. gentleman were inaudible to the reporter, as he spoke in a low tone with his face averted—but he was understood to oppose the resolution on the same grounds as Mr. Hartman.]

Hon. Mr. Cameron rose to reply. He said a doubt had been expressed whether the members of the Church of England had not now the right to meet in synod for the purposes contemplated by the resolution. But it had been decided they had not by some of the most eminent Crown Law officers England possessed. The Solicitor General of England, and Mr. Bethell, one of the first lawyers of the present day had, in the debate from which he quoted in the opening remarks, declared that the statutes referred to debarred them from that right. In fact, no proposition of law could be clearer, and it had been asserted a hundred years ago, by that eminent man, Lord Hardwick, then Attorney General, in the case of the then colony of Massachusetts, which he had also previously referred to.—These disabilities did really exist, and though some believed they did not, others were convinced they did, and therefore the course proposed was necessary before they could act. Yet the resolution had been so framed as not to call for any declaration of opinion from those who differed with him. They were asked again, why should the legislature interfere? Why did they not go directly to the Imperial Parliament? They had done so. Petitions had been sent in by the representatives of 200,000 members of the Church in Western Canada, and their application was met by tears of distress on the part of the Colonial Legislature should they act without first having some expression of its opinion. Suspicion had been attempted to be cast on this application for simple justice, because he was the person who asked for it in that House, and he had been taunted and sneered at by the member for Haldimand as the agent of the Bishops and Church of England in that House. Surely it was no proper subject for a taunt or a sneer, may he could not but consider it as an honour to be proud of, if in addition to standing there as representing one of the largest constituencies in the Province, numbering some 40,000 souls, he was also held to represent the views of the clergy and laity of his church, numbering some 400,000. He would ask for no prouder boast than that—But why should these suspicions be entertained, these doubts thrown out about their intentions and designs? What they wanted had been stated in no doubtful terms in the resolution. They asked what was there set down, and nothing more, as they could not be satisfied with any thing less. They asked for nothing which was not just—nothing which they would not be prepared to grant to others in return.—They did not seek to obtain the sanction of that House to the bill which he has lent to the hon. member for Lambton, and of which he had made an unfair use. They only desired to have the disabilities removed which now pressed on them. A part of these—those which related to their meeting in synod to frame rules and regulations for their government—could be removed by a single repeal, as regards this country, of the enactments complained of, and such a repeal was covered by the negative terms of the resolution. But they wished also the disability under which they now laboured, of having no voice in the appointment of their own Bishops, also to be removed; and the member for Norfolk, as a constitutional lawyer, should have known, he was sure he would see on reflection that the prerogative of the Crown in this regard could not be taken away by any simple negative or repealing clause, but requires a positive enactment to effect it. Although requiring this different form of procedure, however, it was like the rest of the concession demanded, a mere

removal of Imperial restrictions on the independent action of the Church in this Province. None affected to deny to the Methodist or the Scotch churches to be in connection with their parent churches in England and Scotland, and if it were replied that these churches asked no interference at the hands of the Parliament, the reason was clearly because they had no obstacles in their way.—Surely then it was not the duty of the House to force the members of the Church of England to erect themselves into an independent church. If the question once arose whether that church should release her properties or her liberty—whether, having tried all means to obtain what was her right, she should fail, then her children might perhaps have to declare that the necessity was above the law. And he hoped that event would not arise, and that it would never be said that, by the refusal of the aid of the Legislature the members of that church had been forced to go beyond the law, when they wanted to act under it. If the statutes he sought to repeal were not in existence, no one would desire to enact them; and if the members of the Church of England desired to choose their Bishops, subject to the approbation of the Queen, no one but themselves had anything to do with it.

Mr. Powell thought that while the hon. member for Lambton was constantly railing against the intolerance of the Church of Rome, he himself set up a standard to which he desired all others to conform.

Mr. Christie believed the late Inspector General had given the best of all reasons why the House should not interfere in the matter—that was because the connection of the Church in Canada with that in England was a purely religious connection. The member for Renfrew had stated that there was no opposition to the bill in England. Well, the Canadian Legislature was not called in to interfere in the dispute. He desired the Church of England to enjoy every religious freedom,—and if there were anything in this country to prevent it, he would repeal it at once; but he objected to interfering with matters of Church Government.

Mr. Hincks—Suppose there were an Imperial statute in existence, preventing the honble. gentleman's Church from meeting in Synod—would he not wish the House to interfere.

Mr. Christie—No such thing could exist in connection with his Church, and if any attempt were made to ere to it, he should declare at once that he had nothing to do with it.

Mr. Sydney Smith also believed that in this matter the house was mixing its lip-up with a thing with which it had nothing to do. He was not sent there to discuss what the Church of England desired, but to avoid legislating in any other than secular matters. The present address was supported by all those who were foremost on every occasion to secure advantages for the Church of England. No liberal, unless the member for Renfrew were still one, and advocated it.

Mr. Morrison of Niagara supported the motion as a very liberal measure, and one that was necessary, because the Courts of Upper Canada had recently had these acts were in force.

The House then divided. Yeas, 20; Nays, 30

A Committee was then appointed to draft an address, which having been done and the address presented.

Mr. Cameron moved that the House do concur. Mr. Mackenzie then moved, in amendment, that the following be added—"And provided also, that nothing in this address shall be understood as giving any authority to the British Government to veto the appointment of any bishop so to be appointed." In moving it, he took occasion to ridicule Mr. Hinck's enthusiastic stand, in favor of the church; and said that gentleman might be an excellent actor, for his manner would make any stranger believe that he was most deeply interested in matters in which his concern might be best described by the line—

"What's Hecuba to him or he to Hecuba?"

Yeas, 5; nays, 58

Mr. Brown then moved, in amendment—That the said address be not now concurred in, but that it be sent back to the Committee with an instruction to amend the prayer thereof, so that the repeal of the English statutes affecting the Church of England in Canada shall be its sole demand; but no new provision made be imposed by the Imperial Parliament, but that the said church and all other churches may be left entirely free from the control of the Imperial statutes.

Mr. Hincks congratulated the member for Toronto on this motion in amendment, for it covered the whole ground of the original motion, and showed its necessity. It showed, too, that the persons who sustained the