dependent on any general indulgences in the year of Jubilee, or on acult that these presents shall come into the hands of all whom these printed copies, subscribed officially with our hand, and sanc- ily increased! tioned with our seal, as if we had given them in person to each in-

Given at Rome, at Peter's, under the ring of the Fisherman, the 18th of April, 1600, and the 9th of our Pontificate.

OBLIGATIONS OF THE STATE TO THE CHURCH

From the time of the Revolution the Church of England has partaken of the stability and security of the State. It has rescued ne, first, from heathenism, then from papal idolatry and superstition; it has saved us from temporal as well as spiritual despotism We owe to it our moral and intellectual character as a nation much of our private happiness, much of our public strength .-Whatever should weaken it, would in the same degree injure the common weal; whatever should overthrow it, would in sure and Immediate consequence bring down the goodly fabric of that Constitution, whereof it is a constituent and necessary part. If the friends of the Constitution understand this as clearly as its enemies, and act upon it as consistently and as actively, then will the Church and State be safe, and with them the prosperity and the liberty of our country .- Southey.

#### DEATH OF INFIDELS.

From amongst the beacons furnished by the last hours of the sceptical, let two be selected, those left by the two archleaders of the faithless host -Voltaire, the prince of philosophical, and Paine, of vulgar, infidelity. The horrors of the closing scene of the profane though brilliant Frenchman are too well authenticated to be disproved. They are the more memorable, because had Infidelity been allowed to choose the champion on whose constancy she would have staked her character, would she not have chosen him who had assailed Christianity with no less force than virulence, whose enmity against it had known no abatement with declining years, who had seemed to have triumphed over every misgiving of conscience, and whose habitual fiendish exclamation in reference to the Saviour had been, "Crush the wretch!" But when this proud blasphemer had been spared to nearly fourscore years and ten-when he had diffused the poison of his principles throughout his native land -when, after a season of partial discredit and retirement from the metropolis, he had returned to Paris for the purpose of enjoying a kind of public apotheosis - when a mighty assembly had wreathed his hoary hairs with laurels, and overpowered him with idolatrous applause, -then, whilst returning to his apartment, his nostrils still reeking with the incense of adulation, and his ears still echoing with the acclamations of adoring thousands -at that very moment God smote him, as he had smitten the haughty king of Israel, with a terrific and immedicable malady. The hand of God was upon him, and the potsherd of the earth found how fearful a thing it was to strive with its Maker. Almost unimaginable were the torments of his mind; his cries were piercing as the shricks of a fiend; his atheistic associates, who would fain have steeled his spirit, fled before his curses; the nurse who waited upon him would never afterwards tend the death-bed of an unbeliever; and Dr. Tronchin, his physician, declared, "That the furies of Orestes were nothing to the tortures of Voltaire."-Scarcely less horrible were the last hours of Painc. That miserable scoffer, after having done untold mischief to the ignorant and unstable, after a career of successful villainy, found himself in the end "forsaken," as he expressed it, "by God and man."-Friendless and unpitied on a foreign shore, he lingered out his latter days, racked with pain, and surrounded with filth and destitution; his fool-hardiness failed him altogether-his pride vainly struggled to suppress his horrors-alternately he prayed and blas phemed: abject was his wretchedness, and pitcous were his moans These, Infidelity! are the consolations thou reservest for the hour of nature's agony! it is thus thou smoothest the pillow of thy dying votaries! Nor will it vindicate thee to point to the boasted calmness with which Hume and others met their end; for their calmness was forced, and there was effort in their peace. Recent disclosures indicate, that even the torpid Scotchman had his shivering forebodings; and, independently of these, his levity in dying was as indecent as we believe it was unreal. No one ac quainted with the desperate pride of the human heart will wonder to see how mightily it will wrestle to retain the mask of consistency, even amid the expiring agonics of unbelievers; but, spite of every effort, if the visor do not always drop, yet it rarely fails to be their pastor, -we mean the duty of praying for their so far discomposed as to betray the real features which it is designed to hide .- Rev. H. Stowell's Lecture on Infidelity.

# THE CHUISCHE.

### COBOURG, SATURDAY, MAY 16, 1840.

The twelfth Session of the MIDLAND CLERICAL AS-SOCIATION was held at Napanee on Wednesday and Thursday, the 6th and 7th of May instant. Eleven of the brethren who compose the Association were present; which, in consideration of the very unfavourable state of the roads at the time, was a numerous and satisfactory attendance. The business of the meeting was commenced by a service at the Mohawk Church,-beautifully situated on a gently rising bank on the Bay of Quinte, and contiguous to which is the neat Parsonage, in quiet but cheerful seclusion, nearly opposite to what is termed the "Long Reach" on that fine sheet of water. The congregation, composed chiefly of Iudians, was numerous; and the service was read partly by the Rev. A. F. Atkinson, with his usual impressiveness, in English, and partly in the Mohawk language by Mr. Hill, a Catechist of that nation. The portion read by the latter was the second Lesson and the Litany, and the 100th Psalm was also sung, to the usual tune, in the Indian tongue,-many of the congregation joining in English, and by this blending of languages heightening much the pleasing and solemn effect of the Psalm. The appearance of this congregation was very striking and interesting; the services were joined in by most of them with earnestness and a peculiar pathos; and the general attention evinced a solemn and becoming sense of the duties for the discharge of which they were assembled. A sound and excellent sermon, -admirably adapted from the simplicity of its language, reasoning, and illustrations, to the majority of its hearers, -was preached by the Rev. G. C. Street on the parable of the Sower. It was altogether an impressive and delightful service; and none who shared in it could refrain from an expression of thankfulness that, in dispensing the truths and consolations of our blessed religion, those interesting people who form a portion of the aboriginal inhabitants of the country, have not been over-The sacred and scriptural principle of an Established Church involves the duty of providing religious instruction to all classes and conditions of the subjects of the State; and if, in looking round upon the Brithe little which the Government have done for those who may in strictness be termed their own children, we can hardly wonder at the poverty of the provision which has been made for the unenlightened natives of the soil. There is not, we believe, any sphere of duty in which a clergyman can labour with more gratification to himself and acceptance to others, than amongst the poor "untutored Indians." By those who evince an "aptness to teach," there is generally experienced a readiness to hear its friends in regard to those able and illustrious advoon the part of these unsophisticated people, which delightfully repays for the labour spent amongst them; and although here as in other portions of the vineyard, diffi-

any other orders or constitutions whatsoever. And since it is dif- Long may such be spared to persevere in this work of the discussion in the House of Lords which their station love; and with blessings from heaven, in abundant meathey may concern, we desire that they shall have the same effect in sure, upon their ministrations, may their number be speed- tice, and right, and true religion, has been crowned with

After a short sojourn at the Mohawk Parsonage, the clerical party proceeded to the village of Napanee; as well as to Mr. Pakington and others in the House of where the business of the Association was commenced with the customary prayers and the reading of the ser- of the Canadian Church, we must not be forgetful of vice for the Ordering of Priests. A discussion arose upon some of the many fruitful subjects for reflection which this Service offers, to the servants of the sanctuary especially, which occupied the Association until o'clock, the proposed hour of adjournment. Their discussions were renewed, chiefly on passages of Scripture, about 8 o'clock and were continued until ten.

On the following morning, from ten to four o'clock, with a short intermediate adjournment, the business of the Meeting was proceeded with,-the Ordination Service again forming, in the first place, a subject for consideration. This was succeeded by a long and interestng conversation on the parable of the Ten Virgins in the 25th chapter of St. Matthew. At four o'clock, divine service was held in the church of Napanee, -a neat edifice of stone, erected at the sole expence of John S. Cartwright Esq. of Kingston, and capable of containing about 250 persons. We were glad to see that the seats in this neat and commodious house of prayer are FREE,an arrangement which, with all its admitted inconvences, is decidedly the most judicious and advantageous in the rural portions of the country. We should pe rejoiced, indeed, if even in towns some method could be adopted for obviating the inconveniences and disadvantages which result from the custom of dividing a church into pews; for, in this case, it frequently happens that where all the pews are taken and paid for, the Church is nevertheless on an average not more than twothirds filled, while many desirous of attending are exclube practicable; but not, we are free to admit, without accommodation on the part of the congregation at large. We shall throw out one, in brief terms, for consideration, and perhaps the suggestion may be improved upon. We shall suppose a Church capable of containing 500 perone, but at which, as a consequence of the system of pew-letting, the regular attendance is but 300: now if it were agreed upon by the holders of pews, and notice given that 100 individuals would, upon paying each a small fixed sum per annum, be entitled to a sitting in the Church, in any part which they could find vacant, that number of persons would enjoy their accommodation by a species of right, and the objection so often started would be provided against, of intruding where perhaps they are not welcome. And this is a system which could easily be made to work without interfering with the established right of families to particular pews or with the natural and proper desire of having the mempers of a household together: it could, we conceive, be so managed as simply to fill such pews as are not ordinarily occupied by their proper owners or lessees, without trespassing upon the convenience of those larger households who require the whole of their allotted Church room. We shall only add that, for filling up the remainder of the vacant space, the same privilege might be conceded to 100 additional persons without any cost .-This, we repeat, is merely a suggestion; and if it can be taken as the basis of some plan for remedying the evil we have alluded to, our end will be fully answered.

At the service in the Napance Church the Prayers vere read by the Rev. A. N. Bethune and the Lessons by the Rev. R. V. Rogers, and a Sermon was preached from Heb. xiii. 17. by the Rev. S. Armour. This discourse, which was a very valuable and impressive one, and listened to with marked attention, was designed to illustrate the 20th Article of the Church, and contained much important instruction on the relative duties of pastor and flock. It was concluded with a very earnest exhortation to a duty not perhaps so well remembered by congregations in general as the custom of criticism upon the pulpit ministrations and the personal character of spiritual instructors. St. Paul, an inspired Apostle, entreated the prayers of his converts on his own behalf; how much more necessary are these pious and benevolent intercessions for the weaker and less enlightened

uccessors of that eminent apostle! About an hour was employed in the evening in the discussion of various Scriptural passages, when the business of the meeting closed and was adjourned to the second Wednesday in September. This postponement beyond the usual period was made in consequence of the psoposed visit by the Lord Bishop of Toronto during July and August to that portion of the Diocese which is included within the limits of the Association, -as during that period it is anticipated that the peculiar duties of the Clergy would less conveniently permit their ab-

The Meeting of the Association on the 9th of Sepember is intended to be held at Cobourg; and the preachers nominated for the occasion are the Rev. C. T. Wade and the Rev. R. V. Rogers.

The arrest of the Church Sponation Bill in the House of Lords was briefly announced in our last amongst the items of the intelligence brought by the Great Western. On the 7th April the Bishop of Exeter moved a series of questions to the Judges on the Clergy Reserve Bill then before the House,—a motion which after a long and animated discussion, and a vigorous opposition from Lord Melbourne, was carried by a majority of 57 to 40. The position in which the question now stands is, therefore, precisely that for which the authorities of the Church in these Provinces have long been contendng,-a reference of its disputable, or rather disputed, points to the highest and most competent judicial tribunal in the Empire. The declaration of Lord Ellenborough during the last discussion which took place upon the subject, will fully prepare us for the result of this reference, viz., that the Provincial Bill is, in most of its provisions, illegal, and that it cannot receive the assent of the Crown. What action may be taken in the matter, after the anticipated decision has been pronounced, we shall not venture to say. This much is certain, that it would be difficult to make a worse disposition of the Reserves than what was contemplated by the Bill lately passed by our Provincial Legislature. Better, we say it unhesitatingly, to have no Clergy Reserves at all, than to make such an appropriation of them! Better that tish American Provinces, we are painfully struck with the Imperial Parliament should resume this property and apply it to objects purely secular, than that by sanctioning this Bill they should become the formal patrons of error and the positive encouragers of schism, confusion and strife!

It is, we repeat, impossible to foresee the issue of this long litigated question; but whatever may be the result—whether favourable or not to the interests of the Colonial Church—there can be but one sentiment amongst cates of our cause in both Houses of the Imperial Parculties and disappointments have, in their turn, to be encountered, the faithful labourer whose sphere of duty vital a stab at the sacred and permanent interests of the of the noble riscount, (Lord Melbourne) contrasted with that

recovery to the Holy Sec. Nor shall this indulgence be rendered embraces the care of Indians would, in most cases, reluc- Church of Christ in the Colonies. The Archbishop of of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it, before he gave an answer to the question of the noble duke, (The Duke of Wellington) it was proved to more about it was proved to more about it was proved to tantly abandon them for a more enlightened charge.— Canterbury and the Bishop of Exeter took that lead in the bishop of Exeter took the bishop of Exeter took that lead in the bishop of Exeter took that lead in the bishop of Exeter took the bishop of Ex and talents required; and so far their advocacy of jussuccess. But while we are cordial and earnest in the expression of our thanks to these distinguished prelates, Commons, for the zeal they have manifested in behalf our peculiar obligations to the Lord Bishop of Toronto for the part he has taken in bringing about this more favourable position of the Clergy Reserve Question. His Lordship was indefatigable in transmitting to influential members both of the Lords and Commons in England that explicit information upon the subject of the Reserves and the Colonial Church in general, upon which alone could be founded any vigorous or successful action on their part. This duty was by the Bishop of Toronto most faithfully and efficiently performed; and in contemplating the result of his honest and Christian exertions thus far, the members of the Church in the Canadas cannot be forgetful of the thanks which they owe him.

It will probably be fresh in the recollection of our readers that in his closing Speech to the Upper Canada Legislature, his Excellency the Governor General travelled out of the usual official path to convey what we could not help designating a special insult to the Bishop of Toronto, and an indirect one to all those numerous true-hearted and loyal individuals who felt it their duty to protest against this unconstitutional and unchristian measure. It was unfortunate for the credit of his Excellency's sagacity, that he should have ventured upon a prediction on the occasion, and expressed his conviction that the recorded judgment of the Provincial Legislature -brought about by a very unusual exercise of his own personal influence-would not be interfered with by better and more competent and more unfettered authorities at home. His prediction was unfortunate, as the result ded altogether. We should think some such method to even thus far has proved; and we trust it will teach him at least this lesson, that in any future discussion of a rethe exercise of a Christian self-denial and of the spirit of ligious question, or one affecting so directly the interests of the Established Church, it would be safer to consult the opinions of the Bishop of Toronto than to adopt so unreservedly the antagonist sentiments of the political dissenters and agitators to whose judgment he yielded so unwonted a deference.

Many persons of sound political views and the best intentions may possibly feel alarm at the mere fact of this question remaining unsettled, and for this reason may entertain some regret at the late proceedings in the House of Lords. It is unnecessary to recapitulate the arguments advanced by us last week to shew how utterly groundless any such apprehension ought to be; but we shall content ourselves with a brief and simple statement of a plan for their disposal and final settlement, in case the opinion of the Judges should be confirmatory of the interpretation of the Constitutional Act which we ourselves have always advanced. Let the Crown purchase the Reserves from the Church at a proper valuation.in other words, let them resume these lands and grant to the church in Canada a monied compensation in the shape of a permanent annual grant. Suppose, for example, the whole-both the sold and the unsold-should be worth £1,000,000 sterling, let £30,000 per annum be guaranteed to the Upper Canadian Church,-payable, if they please, on a graduated scale, in order to obviate the inconvenience of a progressive sale. We shall not enter just now into any details; but we mention this as the best means of settling the question, with a proper respect for the sacredness of vested rights and the removal of all visible cause for local excitement and contention. We shall only add, that if the high legal authority to which the question is now referred, should decide that any portion of these Reserves fairly and equitably belong to the Established Church of Scotland, we shall yield up our own judgment and bow contentedly to that decision; and that if they should decide in favour of the exclusive right of the Church of England, we shall contend-as we always have contended-that the members of the Church of Scotland have, from their connexion at home with the State, a right to the favourable consideration and bounty of the State in every dependency of the Empire where they are to be found.

Our readers will find under the proper head an abridged account of the Debate in the House of Lords on the motion of the Bishop of Exeter. We intend next week giving the learned prelate's speech entire,—as being the most able and comprehensive on the question of the Reserves ever delivered in any Legislature.

### Civil Entelligence.

## IMPERIAL PARLIAMENT.

CLERGY RESERVES.

HOUSE OF LORDS, April 7th. The Bishop of Exerter brought forward his motion on the sub-tect of the Clergy Reserves Bill, which had passed the Legislature of Upper Canada. His Lordship having alluded to the conditions under which alone such a bill could become lew, the right Rev. Prelate observed, that by the act of \$791 these reserves were appropriated to the maintained that the clergy of England could only be considered as the Protestant clergy. At the union win Scotland, the religion of the two countries was secured, and on hat occasion a material alteration was made in the coronation (ath. The 1st of William and Mary was altered by the 5th of Aine, c. 5; and then the oath was, that the Church of England shold be maintained inviolate within this kingdom (England) and the territories thereunto beonging; but the Scotch Church was stictly limited to the terri-ory of Scotland. The Right Rev. Prelate proceeded to reason from the analagous cases of law; as, for astance, the pro-Scotchman dying intestate in India being distributed ac ce, the property of a the law of England, that the Church of Scotland, like the law, was strictly confined to Scotland itself. With respect to an opinion given in 1819, which had been signed by the King's Advo-cate, Sir C. Robinson, Lora Clifford and Lord Lyndhurst, it was to be observed, that although those learned persons thought the provision for the maintenance of a Protestant clergy extended to the Church of Scotland, they did not think they extended to dissenting Ministers. The right Rev. Prelate then read some ques-tions on the subject which he wished their lordships to put to the judges. The first and second were, in substance, whether the words "Protestant clergy," in the 31st Geo. III., c. 31, include any other than the clergy of the Church of England, and Protestant clergy who have received episcopal ordination; and whether the 41st section of that act can affect lands already allotted and appropriated, under former grants: the third and fourth related to the application of the rents and profits to other purposes than the support of a Protestant clergy, and to the power of the Canadian legislature to make a new distribution.

Lord Melbourne said it was impossible to believe or to conceive that the words "Protestant elergy," in the act of 1781, were not carefully chosen and selected for the purpose of embracing all denominations of Protestant Christians, and of extending protection o them exactly in the manner in which it was extended by the bill now sent from Upper Canada. Otherwise, why should there have been such a departure from the language and phraseology of all former laws and acts of Parliament? In no other act would they find the Church of England signified by the words Protesthey find the Church of England agained by the works Friesdam tant clergy. He saw no grounds nor necessity for submitting these questions to the judges. The act of the Colonial Parliament before them was perfectly clear and plain, involving no legal subtlety, and with all his respect for the judges, he did not perceive that they were more competent to form a second opinion upon them than any other man.

The Duke of Wellington, referring to the difference of opinion

between the Bishop of Exeter and Lord Melbourne, thought it would be better to refer to the opinion of a third party. It certainly appeared to him that certain of the words referred to in the cates of our cause in both Houses of the Imperial Par-liament who have been the instruments, in the hands of a gracious Providence, of checking so glaring an outrage

the judges. Upon that subject, so far as related to the meaning of the words "Protestant clergy," he must own that he thought that any man who came fresh to the subject must have a very overweening confidence in his own judgment, if, after having heard the argument advanced by the right rev. prelate, he could come at once to an opposite conclusion. He owned that he should wish, although much inclined to agree with the right rev. prelate, for an opportunity of consulting the judges on this subject With respect to another part of this case, he confessed that he thought it so clear, that it did not admit of a difference of opinion. He would in a few words call their lordships' attention to this part of the case. By the act 31st George III., he believed that it was the 35th clause, it was provided that no grant should be made of any land to any of his Majesty's subjects, unless the grant contained an allotment and appropriation of some portion of the land, bearing a certain proportion to the whole, for the purpose of affording support to the Protestant clergy. Now, under that clause many grants of land had been made to individuals, and many allotments had been made out of those grants to the Protestant clergy, because, if such an appropriation had not been made, the grants themselves would have been void. Now, then, came another clause, enabling the Canadian legislature to vary and alter the provisions of that act. But what was the effect of that clause? It enabled the provincial legislature to alter the provisions of that act in future, but he could not think that any man who knew anything of law, and was customed to the acknowledged rules of construction where an act of parliament was called in question, would venture to say that the act gave them any retrospective power. Now, let their lordships suppose that these appropriated portions of land had been enjoyed by incumbents under appropriations made by the different parties, and that the Canadian legislature had the power to undo all that had been done. He could not imagine for one moment that any one would contend that such a power of varying and altering an appropriation which had been already made was in the colonial legislature; that could only be done by the legislature of this country, which could do anything. But what was very remarkable in this Canadian bill was this—the power given was not to affect provisions which had already been those which might be made afterwards, and yet it would be found, upon an examination of the bill, that they had exercised a retrosective, and not a prospective power. This blunder was so exmade, and he thought that it must have required a Cabinet minister to make it. (Hear, and a laugh.) As some doubt had been thrown upon the meaning of the words "Protestant clergy," it was in is opinion advisable that the question should be referred to the judges. As to the other point, it was so clear that there

could not be a doubt upon it.

The Lord Chancellor objected to the form in which the questions were proposed to be put to the judges, and suggested several alterations in the wording of them. There were at present only six judges in town, and if the opinion of the judges were to be taken, it was necessary that the opinion of the whole should be taken; and the circuits would not be concluded before the end of next week. He submitted to the learned prelate that the discus sion should first take place, as in all probability much would be elicited from it that would serve to guide their lordships in the in-

quiries they would afterwards put to the judges.

Lord Wynford said his own opinion on the point decidedly was, that the term Protestant clergy, in the 31st Geo. III., could not possibly apply to any clergy but those of the Church of Eng-

The Earl of Haddington entered into an argument to that the words Protestant clergy clearly comprehended the Church of Scotland. He wished to take the opinion of the judges, but he suggested to the right reve prelate whether, in the first ques-tion he proposed to put to the judges, he would not include words that would put it to them to say whether or not the clergy of the Established Church of Scotland were entitled to participate in

The Bishop of Exeter should feel bound to object to the pro posal, as he had purposely omitted the point referred to by the

Lord Ellenborough hoped the noble viscount would consider well before he consented to the putting the first of these ques-tions to the judges. The bill passed by the Colonial Legislature on the subject appropriated a part of these reserves to the Roman Catholic clergy. This was clearly beside the intent of the 31st Gco. III., and rendered the question one of expediency for their lordships' decision, rather than one of law for the opinion of the

The Bishop of London thought that the Protestant religion should be maintained and encouraged by every legitimate and equitable means in the Colonies; and when he saw attempts made a them to elevate and encourage the Popish religion and to weaken and discourage Protestantism, he felt the greatest regret and disappointment. He spoke not exclusively of the religion of the Church of England, but of Protestantism in general. There was already an established and well endowed church in the Canadas-that of the Romish Church; and when they were about to effect a legislative union between the Provinces, it was not a time to deprive the Protestant clergy of so large a portion of the property to which they were entitled. A wound at the extremities soon spreads its baleful influence to the vital parts.

The Earl of Ripon said, when he came down to the house, he ery much doubted whether he should vote for any one of the stions: but he had now made up his mind to vote for the send of them. He recommended to the right rev. prelate not to press the others. He had never heard that the Colonial Legislapress the others. He had never heard that the Colonial Legisla-ture ever had the right to repeal any act of the Imperial Parlia-ment. It was a very important point to consider whether the act of the Canadian Legislature respecting the Clergy Reserves could become law, even if it should receive the Royal assent.

Lord Ashburton said, with respect to the feasibility of main-aining the ascendancy of the Established Church in the Canadas, he thought that any person who went through those provinces would see that it would be quite as impossible to maintain and settle the Established Churcli in the Canadas as it would be in the

The Marquis of Lansdowne believed that the act of 1791 in-

The third and fourth resolutions having been with-drawn, the estion was carried as to the first and second, by a majority of

House of Lords, Thursday, April 9. The Archbishop of Canterbury presented a petition from the Protestant Clergy of Upper Canada, praying that the sanction of her Majesty might be withheld from the Clergy Reserves Bill.

The most Rev. Prelate presented many other petitions to the ame effect from individuals as well as bodies of Protestants, some of them American loyalists, and others emigrants settled in Upper Canada; also from various parts of Great Britain; and a petition to the same effect from the Society for the propagation of the Gospel in Foreign Parts, stating that the Society contributed largely to the maintenance of the Established Church in the Colonies, and would, if the bill passed, be deprived of much of its power to promote the interests of religion, since the effect of the

bill would be to throw a large proportion of the Clergy of Upper Canada upon the Resources of the Society.

Viscount Duncannon moved that an humble address be presented to her Majesty for copies of all the acts passed by the Legislature of Upper Canada recognizing any denominations of Christians.

The Bishop of Chester presented a petition against the Clergy

Lord Ellenborough laid on the table the report of the select committee on the affairs of the East India Company. He wished also to call the attention of their Lordships to the position in which the house stood in consequence of the vote which they had come to on Tuesday night, that certain questions should be put to the udges. He understood that those questions had been transmitted to the learned judges, but they justly considered it would not be fitting on such important questions that an answer should be given by a small number of their body, and were therefore desirous of not meeting to consider the subject until the first day of term, which would be on Wednesday next, when all the judges would be in town. Now, he was quite sure, that when their Lordships put those questions to the learned judges, it was with the unde standing that it was necessary to have answers to them before proceeding further, and their lordships must feel that any unneessary discussions on this subject must be prejudicial to the peace of Canada, and might interfere with the settlement of the ques-But this house would at any rate adjourn on Tuesday or Thursday next, that was, before it was possible to receive any an-Thursday next, that was before it was possible to receive any answers from the judges; and the 30 days for the bill to lie on the table would expire on Wednesday in Easter week. Under these circumstances he thought it was not too much to ask the noble Viscount at the head of the government to give a pledge not only that no measure should be taken for the purpose of advising the crown to give the royal assent to that act, but that the government would consider this house placed in the same situation after the expiration of the 30 days, and the receipt of the opinion of the judges, as it was before. He urged this because he felt most deeply that all unnecessary discussion in this house was seriously prejudicial, and might materially affect the final and pacific setment of the measure. He therefore hoped the ministers would agree with him, and give a pledge, should the Right Rev. Prelate be disposed to postpone his motion until after the receipt of the answer of the judges, that in the interval the crown would not be advised to give its assent to the act now on the table; and more than that, that the ministers, in the event of the house addressing the Crown not to give the royal assent to it after the 30 days had expired, would not advise the crown to give that assent.

Viscount Melbourne said that he had voted against referring those questions to the judges. With respect to the pledge that was now required by the noble lord, he understood that something like it had been given in another place; but as he did not know the amount of that pledge, he should wish to know something

ble Lord. He was as anxious as the noble Lord that this subject should be as little discussed as possible, and if the noble Lord would allow him until to-morrow, he would give him a further answer to his question.

Lord Ellenborough begged to ask the noble viscount at the head of the government for an answer to the questions put by (Lord Ellenborough) last night.

Viscount Melbourne said that with regard to the Irish Munici pal Corporations bill, he proposed that the second reading should be appointed for Monday the 4th of May. With regard to the Clergy Reserves Bill, which was now upon the table of the house, he had inquired into the nature of the pledge which had been given by the companies of the pledge which had been given by the companies of the pledge which had been given by the companies of the pledge that the companies of the pledge the companies of the pledge the pledge the pledge that the pledge ven in another place, and was ready to make the same pledge their Lordships. Unquestionably it was not intended to advis her Majesty to give her assent to the bill which had been passed by the Legislature of Upper Canada, until such a period should have elapsed in addition to the 30 days, as should be equal to the period occupied by the vacation. If, besides this, any longer time were required to enable the judges to give their opinion upon the questions submitted to them, he should have no hesitation in un-dertaking that the assent should not be given till this time also had

Lord Ellenborough said, that the promise just given by the no-ble viscount was not precisely that for which he (Lord Ellenbo-rough) had asked. He (Lord Ellenborough) wished the noble viscount would give the house a pledge that he would in no case ad vise the crown to assent to the bill, if the house should express it opposition to the measure by an address to the Crown, within such a period as might necessarily elapse before the sense of the house

ould be taken upon the subject.

Viscount Melbourne did not think he could, consistently with his duty, give any further pledge than he had already given, as he did not know under what circumstances the address might be presented, or by what arguments it might be supported, but he sented, or by what arguments it might be supported, but he thought the noble lord might safely rely on the effect which such

an address must produce.

Lord Ellenborough said, that as far as he was concerned, he should be quite satisfied with what had fallen from the noble viscount, because he (Lord Ellenborough) felt convinced that the answer of the judges to the first of the questions submitted to then would be that the bill was invalid. If such were their opinion the motion of the most rev. prelate would become unnecessary, he (Lord Ellenborough) felt anxious that no unnecessary ion of the question should take place, because nothing would be so likely to prevent a pacific settlement of the question as a course which would commit right rev. prelates and their lordships to extreme opinions, which it would be impossible to carry into effect.

[Hear, hear.] If he might address a prayer to the most reverd prelate on the part of the people of Canada, he would entrest the most rev prelate to declare to the house that he would not press on the motion of which he had given notice.

After a few words from Viscount Melbourne, which were not heard in the gallery,

The Archbishop of Canterbury said he should have been most happy to postpone his motion and to avoid the discussion to which it would give rise, if he received an assurance from the noble viscount that after the 30 days had elapsed the noble viscount would consider the address of the house as having the same power which it would have if presented within the 30 days. He (the archbit shop of Canterbury) really did not see why the noble viscount should feel any hesitation at acceding to this arrangement. He should feel any hesitation at acceding to this arrangement. heard in the gallery, (the Archbishop of Canterbury) was quite as desirous as any of their Lordships could be to prevent any unnecessary discussion from taking place upon a matter of so much delicacy, and in which the passions and feelings of the inhelicacy. the passions and feelings of the inhabitants of Canada were sumuch engaged; and he felt the more surprised at the refusal of the noble viscount, as he (the Archbishop of Canterbury) had not een without a hope that some amicable arrangement might have been made which would secure a provision for the Established Church in the Colony, and effect such a regulation of the clergy reserves as might prevent any further dissension from taking pla upon the subject. There was no desire on the part of the Chan push the claims of the Church to their full extent [hear, hear, The church wished, for the sake of peace, to make any reason concession with regard to property, provided always, that the church was recognised as the established church of the colony. This was a point on which the church had never deceived the house and if he abandoned this just right of the church, he should be justly reproached with a dereliction of his most sacred duties.

With regard to the property of the Church, he desired that if hould be so secured as not to be subject to fluctuate with the rious sentiments of successive Governors, and the temporary ndancies of political parties. The tenure upon which the ch property was held ought to protect it from the conflicting claim of other religious communities. If this point were satisfactors, settled, he should be ready to consent to place a considerable portion of the Clergy Reserves at the disposal of her Majesty's

vernment, but he felt assured that no such settlement co be made by the Legislature of the Colony. In looking through the various plans and propositions which had been made and rejected or adopted in the Colonial Assembly, he discovered over the colonial Assembly in the colonia point of concurrence in them all, and that was the conscious which they exhibited on the part of the Colonial Legislature of wn inability to settle the question. It was very true that a bill had passed, but it by no means followed that it expressed the sentiments of the colonial legislature, for the measure had been adopted at the express suggestion, not to say the dictation, of the Governor General. It appeared that it was entirely owing to the Governor General that this bill had passed. He (the Archbishop of Canterbury was far from thinking worse of it on that accounts but the circumstance fully justified him in maintaining that the bill did not speak the plain and unbiassed sense of the Colonial learning with t gislature. Their lordships were not in the same situation respect to this bill as they would be in if the measure had originating ted in this country for they were under the nece it altogether, or of adopting it with all its defects. He mig allowed also to observe, that this bill involved a general qu of the greatest importance to the interests of religion in of the empire, and which could only be satisfactorily settled by the Imperial Parliament. His object was not to arraign the the Imperial Parliament. His object was not to arrange bill now before their Lordships, but to state the disposition which existed on the part of the Church not to press the rights of the Church to the full extent authorised by the existing law, so far as those rights related to property only. But let not the church be degraded from the position which it held as the established church in different parts of the empire; let it be at liberty to preserve its legitimate rights in peace, apart from political feeling and without molestation from the claims of other religious communities, making the same time and concessions with severet to property as ng at the same time such concessions with respect to property. as ought to be generally satisfactory. If he had received an aunce that the same force would have been given to an address the house presented after 30 days had expired as would belong to it if presented after 40 days had expired as would belong to it if presented at the magners, be quent to have submitted to the consideration of her Majesty's government a proposition founded upon the principles which he had just stated, and if the proposition met the approval of the government, it would have rendered his motion unnecessary; on the other head if the reposition his motion unnecessary; on the other hand, if the propos were rejected, and their lordships should have been of opinion were rejected, and their lordships should have been of opinion, no vertheless, that it was a proper and reasonable one, he should with greater confidence have moved the address to the Crown. Ho thought that the bill now before the house was in its present state most unsatisfactory, and he was certainly disappeared to the receiving the distance.

which he had given. The Duke of Wellington said, he begged the house to recollect that its being in this position, of there being only 21 days for this bill to lie upon the table instead of 30. was owing to the act of the noble viscount himself and his colleagues; and that if the right rev. prelate were to put off his motion, the house would not stand in precisely the same recitions. n precisely the same position as if it were brought on on Monday Iowever, as he was disposed to put off his motion, he hoped, at However, as he was disposed to put off his motion, he hoped, after what had been stated, that he would do so. He should be the last person in the house to endeavor to prevail on their lordships not to agree to that postponement, as far as the house could safely do it [hear, hear,]; but he wished to see something of the kind proposed by the right rev. prelate, and that he should take the case as much as possible into his own hands [hear], both with regard to the great interest the church must feal in this quantion, as gard to the great interest the church must feel in this question, as well as the interest which the public had in seeing religion and good government established in this country. But he begged again to submit to the noble viscount that there was a claim on his generosity, if not on his good Giller and the house generosity, if not on his good faith, as he was aware of the house standing in the position of having only 21 days to decide that for which they ought to have had 30 days, that he should consider that circumstance, and allowed the should consider the

Viscount Melbourne had no objection to do all in his power to meet the wishes of their Lordships; but only let their Lordships consider what he was asked to do. He was asked to give a legal effect to the address which it really had not. After the 30 days had expired the address which it really had not. had expired, the address on this subject would be no more than an address on any other subject, and was it then for him to say that if the house address on any other subject, and was it then for him to say the if the house agreed to an address he would advise the erown to accede to it? [Hear, hear.] He would say that such a thing had never been done since the time of the long parliament [hear, hear.]—such a proceeding would be very much like the proceedings of that period [hear, hear.] When the noble Duke said it was owing to him (Viscount Melbourne) that the house had not had sufficient time to consider this subject, he was not aware of what he ficient time to consider this subject, he was not aware of what he meant; for the act as soon as it had arrived from Canada was laid on the table; and he did not see that the government could have pursued any other comments.

pursued any other course.

The Duke of Wellington said that what he meant was this the noble lord might have leid this bill on the table 30 days before the

most unsatisfactory, and he was certainly disappointed at not receiving the distinct assurance which he had expected from the noble viscount; however, if the general opinion of their Lordships was that he ought to be satisfied with the declaration which the noble viscount had made, he should be received. noble viscount had made, he should not press his motion [no, no]

Then he had no alternative but to proceed according to the notice

that circumstance, and allow the house to have full time for the consideration of the case.