

Parliament of Great Britain, by virtue of this indisputable right, set apart certain of the lands of the conquered province yet ungranted for the use and support of the Protestant Church of the colony. This was sanctioned by an Act of the Imperial Parliament in the thirty-first year of the reign of King George the Third, of glorious memory. Subsequently (1840) the Crown and Parliament made and fixed a final distribution of this property, to which the colony fully assented.

In this second Act as well as in the first it was most distinctly enacted that the property was for the sole use of the Protestant denominations therein designated, and for no other purpose.

From all this two conclusions are obvious; first, that the title to those lands vested with England, and that the colony could have no claim whatever to them for gift or distribution. The colony would indeed be defeated in a claim of this sort by a court of common law; second, that the Crown and Parliament having legally and constitutionally granted these lands for religious purposes cannot, even if disposed, grant them for secular purposes, which the advocates of spoliation avow as their aim and design. And here it may be asked whether the Coronation Oath of Her Majesty as the head of the Protestant Church be consonant with the abandonment of the interests of that Church.

We should never forget that Mr. Pitt's great object in 1791 was to preserve in the colony, if not a Protestant ascendancy, at least an equality, and as the Roman Catholics were already richly endowed in Lower Canada he desired that the National Church should have the prospect of a full equivalent in Upper Canada. He was not legislating for the day, but for future ages. That eminent statesman had become deeply sensible of the unwise policy which up to that time Great Britain had exercised towards her colonies in regard to religion, and he resolved to attach the tried loyalists of Upper Canada and their descendants to the mother country by spiritual as well as temporal advantages, and to give them as had been promised, and as they had a right to expect, the full enjoyment of her noble constitution, which had rendered her, as she still continues to be, the great bulwark of the Protestant faith. Hence the appropriation for the support of a Protestant Clergy. It was guarded by every conceivable security that it might never be diverted to any other purpose, and it was highly becoming in the Legislature of Great Britain thus to dedicate to God's holy worship and service a portion of that vast domain which had been acquired through His blessing by the nation in resisting aggression. What was not thus appropriated remained in the Crown for the benefit of the British people, and every individual who might seek an asylum in the province of Canada from any part of the United Kingdom and dependencies had by his birthright an interest in the conquered lands, and an acknowledged title to such a portion as he might be able to cultivate.

In time many persons not subjects of the Crown found their way into the province, and although not received on the same terms as the loyalists they gradually acquired the rights and privileges of British subjects; thus a mixed population gradually grew up, and can anything be more ludicrous or absurd than that this population which had come into the colony individually either from invitation, inclination, or sufferance, now somewhat numerous, should turn round upon the Imperial Government, and seize the national domain, and dispose of it at their pleasure; nay, assume the power to confiscate grants already made, and divert them from their original purpose, thus trampling upon the rights of their fellow subjects, and ignoring the title of the British Nation to her own possessions. Yet this is exactly what the ruling party in Canada is urging in no measured language. It seeks to confiscate the Clergy Reserves which were devoted to a special and sacred object more than sixty years ago, and to apply them to other purposes. It may indeed be said, that the Imperial Government some years ago transferred the remainder of the national domain within the province to the colonial Legislature; but although her indiscreet generosity went thus far, it did not extend to the bestowing of any right or authority to subvert grants already made, as the Legislature is attempting.

In all former discussions on the Clergy Reserves certain rights were acknowledged and respected as belonging to the members of the Church of England as the descendants of the U. E. Loyalists, whose claims the Government of the time considered irresistible, and for whose benefit they were set