

the 31 Geo. 3, c. 31. It is clear that it is not repealed: in fact, as we observed with respect to the 18 Geo. 3, if the Act had been repealed the duties most immediately have ceased; and as to the appropriation of the duties, or the control over them, nothing is said upon the subject, either in the 46th and 47th section, or in any other part of the Act 31 Geo. 3, c. 31.

With respect to any inference to be drawn from what may have taken place in Canada within the last few years as to these duties, it may be observed, that the duties having been imposed by Parliament at a time when it was competent to Parliament to impose them, they cannot be repealed, or the appropriation of them in any degree varied, except by the same authority.

Earl Bathurst,
&c. &c. &c.

Colonial Department, Downing-street, 26th June 1828.

We have the honour, &c.
(signed) J. S. Copley.
Ch^r Wetherell.

N^o 15.
Opinion of the Law
Officers as to the
Revenue raised
under the Act of
1776.

Appendix, N^o 16.

COPY of a Petition from Canada, praying that the Presbyterian Clergy may participate in the Revenues set apart for the Protestant Clergy; dated 20th of December 1827, Quebec.

N^o 16.
Canada Petition.

To the King's Most Excellent Majesty.

May it please Your Majesty,

YOUR Majesty's Presbyterian subjects, whose names are hereunto subscribed, as well for themselves as for other Your Majesty's subjects professing the same creed in Your Majesty's provinces of Upper and Lower Canada, most humbly beg leave to approach Your Majesty's throne, and to claim Your royal support and protection.

A great number of Your Majesty's petitioners, descended from those North Britons who so eminently contributed under the immortal Wolfe to the conquest of these colonies, have, with the influx of emigrants from Scotland and Ireland, formed large communities professing their hereditary faith.

From a zealous and steadfast attachment to that faith your petitioners have hitherto (in the absence of any other support) endeavoured by voluntary contributions to obtain the inestimable advantage of the services of ministers of their persuasion; but the extent of the means derived from that source has been wholly inadequate to procure a number of pastors proportionate to the extent of the population, and is also insufficient to place those already settled among them in a state of suitable independence.

The Imperial Parliament feeling the necessity of extending its fostering care to religious establishments in these colonies, enacted by a statute passed in the thirty-first year of the reign of his late Majesty, of happy and glorious memory, that the one-seventh of the ungranted lands in these provinces should be allotted for the support and maintenance of a Protestant clergy within the same.

The liberality of the Imperial Parliament did not stop here, as that provision could only be prospective, and as the wants of infant and growing colonies required, in a religious point of view, a more efficient succour, the Episcopalian clergy in these provinces have been allowed to participate in the sums voted annually by the Imperial Parliament, for the Society for the Propagation of the Gospel in the North American Provinces.

Your Majesty's petitioners beg leave to express to Your Majesty their regret that the Presbyterian clergy in the Canadas have not hitherto been permitted to participate in any portion of the revenue arising from the lands so set apart for the maintenance of a Protestant clergy in the said province, nor have they received assistance from any other source.

Your Majesty's petitioners referring to the Act of Parliament passed in the 5th year of the reign of Queen Anne, c. 8, and finding the religion professed and established in the Church of Scotland, as well as that professed and established in the Church of England, to be there recognized as the true Protestant religion, are at a loss to conceive why their church should be placed in a worse situation than the Church of England, and why the ministers of their persuasion should not be considered as coming under the designation of a Protestant clergy.

Your Majesty's petitioners beg leave, most gracious Sovereign, to observe that the parent church, from which they sprung, has been eminently distinguished for diffusing the principles of religion and sound morals, and they are persuaded, from the experience of ages, and especially from the example of the land of their forefathers, that a people blessed with the advantages of a suitable provision for religious instruction and education, are thereby trained to order and virtue; and that in a country where effectual provision is made for these purposes, nothing remain for the Government but to enjoy the spectacle of its progressive improvement and increasing happiness, and to receive from a loyal, virtuous and happy people the spontaneous effusion of their gratitude and attachment.

Your petitioners, most gracious Sovereign, indulge the hope, that they may now obtain that support of which they stand in need, from the munificence of the Imperial