

No. 3.
Lieut. Governor
Sir F. B. Head
to
Lord Glenelg,
2d May 1837.
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Enclosure.

The Act of the Imperial Parliament, 31 Geo. 3. c. 31., appears to Your Majesty's Petitioners to be an Infringement upon their Rights, in so far as it provides for the Establishment and Endowment of Rectories in Canada and the Presentation of Incumbents or Ministers of the Church of England thereto, with the Powers thereby conferred on them. And the recent Establishment and Endowment of Fifty-seven Rectories in this Province is a further Infringement upon their Rights, in respect that these Incumbents or Ministers are invested with Spiritual Jurisdiction, not only over Your Majesty's dutiful and loyal Subjects of the Sister Church, but also over all Denominations of Christians within the Bounds of their respective Rectories.

Your Majesty's Petitioners anxiously hoped that the Authority which Your Majesty was graciously pleased to transmit to Your late Representative, Sir John Colborne, in this Province, to refer the Settlement of the Disputes which had arisen in the Colony respecting the Clergy Reserves to the Local Parliament, would have prevented Your Majesty's late Representative from establishing and endowing the Rectories above alluded to; and Your Petitioners are unwilling to assume that Your Majesty would have instructed Your Representative at that Time to establish these Rectories; and we most humbly assure Your Majesty that that Act has tended more than any other Circumstance to diminish the Estimation of a large Majority of Your Majesty's loyal Subjects of the Equity and Wisdom of Your Majesty's Government in this Province.

Your Petitioners therefore most humbly pray, that Your Majesty may be graciously pleased to listen to our Complaints, and to take them into Your Royal Consideration, and to adopt such Measures, in Terms of the Act of the General Assembly of the Church of Scotland passed in 1833, as will constitute all Sessions, Presbyteries, and Synods which now are or hereafter may be in connexion with the Church of Scotland in Canada, into Bodies Corporate, to the effect of holding Lands, Buildings, and other Property for Ecclesiastical and Educational Purposes, and as will give Effect to the Judgments and Proceedings of our Ecclesiastical Courts in Matters Spiritual, in the same Manner as is done in Scotland; and also such Measures as will effectually remove the Disabilities of which we complain, and place us on that Footing to which by the Act of Union we are entitled, but restricting both the Powers of our Clergy and also of those of the Sister Church to the Members of their own Congregations within this Province.

And, as in Duty bound, Your Petitioners will ever pray.

(Signed by Twenty-six Delegates.)

No. 4.

(No. 199.)

COPY of a DESPATCH from Lord GLENELG to Sir F. B. HEAD, Bart., Lieutenant Governor of Upper Canada.

No. 4.
Lord Glenelg
to
Lieut. Governor
Sir F. B. Head,
6th July 1837.
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Sir,

Downing Street, 6th July 1837.

I HAVE received your Despatch, dated the 2d May last, No. 51., enclosing the Copy of an Address to the King, by the Assembly of Delegates, in conjunction with the Established Church of Scotland, and the Copy of an Address from the same Parties to yourself, praying you to transmit to me the Copy of the Address to the King, and to recommend the same to His Majesty's favourable Consideration.

This Address, as you have observed, asserts that the Constitutional Act of the Canadas of the Year 1791 is an Infringement of the Rights of the Petitioners; you therefore think it needless to offer any Observations on the Subject. I entirely concur with you in thinking, that, in the Administration of the Government of the Province, neither Her Majesty's confidential Advisers nor you had any proper Concern with the Question, whether the Constitution of 1791 was wisely framed, or consistent with the just Pretensions of each of the Three Kingdoms now constituting the United Kingdom of Great Britain and Ireland. It is sufficient for us to know, that the British Legislature have enacted that Law, and that the Legislature of the United Kingdom is alone capable