

such Clergymen as have been appointed to fill vacancies occasioned by the death or removal of Incumbents who were in possession at the time of the passing of the Act, are to be paid from the Imperial Fund.

Trusting in the correctness of this construction of the Act, reference was had to the Imperial Government; certificates of the deficiency as required by its provisions were forwarded by the Receiver General, and no doubt was entertained but that the balance between the amount of the Warrant here and £7,700 Sterling guaranteed by the Statute, would immediately be paid over to the Society for the Propagation of the Gospel by the Treasury in England.

But so far was this from being the case, that Her Majesty's Attorney and Solicitor Generals declared in a Report made by them on the 29th of December, 1843,—“That having attentively examined the provisions of the two Acts of Parliament, 3 and 4 Victoria, chap. 35, and 3 and 4 Victoria, chap. 78, which relate to the subject, it is their opinion, that the proper construction of the law throws upon the Revenues of Canada the burthen of making up any deficiency in the Clergy Reserve Fund in paying the usual and accustomed allowances and stipends to the Ministers, whatever the deficiency may be; and while that deficiency lasts, the Imperial Treasury cannot be called on to make any payments to the two Churches:”—in which, although they admit the soundness of the Chancellor of the Exchequer's suggestion, (which is clearly based on the true spirit of the Act,) that the intention of its framers was to make the guarantee of the Imperial Treasury at once applicable in case of difficulty, yet the Crown Officers in effect nullify this obvious construction by asserting that in order to carry it out further legislation is necessary.

Since the passing of the 3 and 4 Victoria, chap. 78, six cases have occurred of new appointments of Clergymen,—rendered necessary by the death or removal of the Incumbents who held livings at the passing of the Act. Of these one has returned to England, and five remain, without support; for the Government of the Province, notwithstanding the opinion of the Crown Officers in England, still adhere to the minute of the 22nd Dec. 1842, and refuse to pay their Stipends.

It might, as I am constrained to remark, have been expected that the Provincial Government, on finding that the course which it had determined to pursue was producing so much distress to deserving individuals and their families, would have