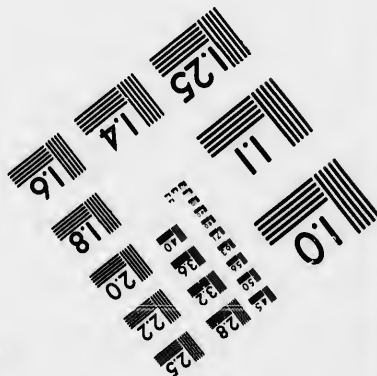
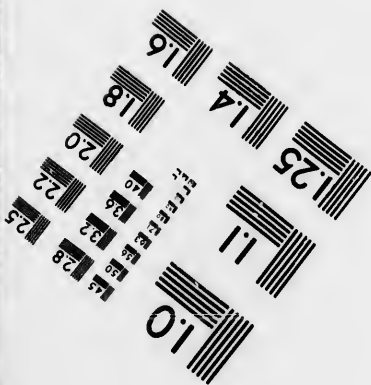
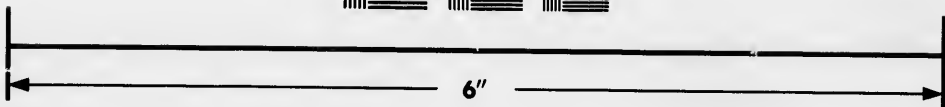
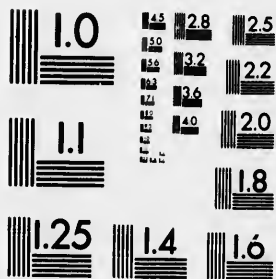


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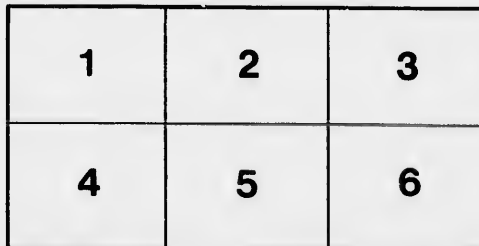
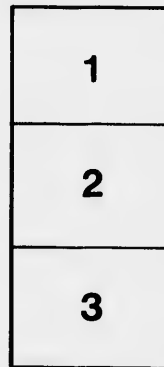
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*W. M. Dawson*

PASTORAL LETTER

TO

THE CLERGY AND LAITY

OF THE

Diocese of Toronto,

ON THE SUBJECT OF THE UNIVERSITY.

BY

JOHN, LORD BISHOP OF TORONTO.

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PETITIONS, &c., &c.

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TORONTO:

PRINTED AT THE DIOCESAN PRESS, BY A. F. FLEES.

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TO THE CLERGY AND LAITY  
OF  
THE DIOCESE OF TORONTO.

MY DEAR BRETHREN,—

On the first day of January 1850, the destruction of King's College as a Christian Institution was accomplished. For on that day the Act establishing the University of Toronto, by which it was suppressed, came into force.

There was, to the last, some lingering hope that a measure so pernicious would have been arrested.

It was known that inquiries had been made concerning it by statesmen of high consideration, and that it had not been formally sanctioned by the Imperial Government late in October. But no effectual impediment has yet intervened, and for a time, at least, the experiment of a University from which the worship of God is excluded, is to be tried in Upper Canada, I say, for a time, because it is scarcely credible that such an Institution can be long suffered in a Christian country, or if, unhappily, suffered, that it can prosper.

Deprived of her University, what is the Church to do? She has now no seminary at which to give a liberal education to her youth. What is enjoyed by all the other large denominations in the Province is denied to her.



Is she to sit down contented with her Theological School at Cobourg, and leave her children to perish for lack of spiritual knowledge? or is she to extend its provisions, and form it into a University capable of imparting a full course of liberal instruction, carefully founded on a religious basis, as has been the case in all seminaries of learning among Christian nations since the ascension of our Lord? Happily the solution of this question offers no difficulty. It is the bounden duty of the Church, and of every one of her baptized children, as they value the gifts conferred upon them in that holy sacrament, to come forward at this crisis, in the name of God their Saviour, to stay the plague which threatens to curse this, as it has done other lands, with darkness and guilt, and to honour his holy name. Here the faithful christian cannot halt between two opinions: the whole revelation of God tells him that religion ought to form the sum and substance of education, and that whatever other branches of knowledge may be introduced, they must be made subservient to the one thing needful, and sanctified by its purifying influence.

The sacrifices and offerings of Cain and Abel shew that they had been instructed by their parents in religion, and to worship God in the most acceptable manner. Abraham taught his children the way of the Lord, and to keep his commandments, and the fruits in due time followed. Isaac, at even-tide, sought the solitude of the fields to pray. The servant of the patriarch began his journey with holy supplication, and acknowledged his success with thanksgiving and prayer.

Under the law the Jews were commanded, in the most solemn manner, to instruct their children in the law of the Lord, that it might be continually in their

mouth,—“Hear, O Lord, the Lord our God is one Lord, and thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might. These words shall be in thine heart, and thou shalt teach them diligently unto thy children, and thou shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up.”

Under the Gospel, parents are commanded to bring up their children in the nurture and admonition of the Lord, for it is only in this way that we can learn to know God and Jesus Christ, whom to know is life eternal. Moreover, we are called upon to search the Scriptures, and to be able to give an account of our faith, and a reason for the hope that is in us. With what pains does St. Luke instruct Theophilus, not only writing a Gospel, but the Acts of the Apostles, for his special benefit and instruction.

Timothy, as St. Paul testifies, knew the Scriptures from a child. The holy Apostle was scrupulously aware that, in training a soul to immortality, every step must be consecrated by prayer for that blessing, without which even St. Paul's labour must be utterly vain. Hence a seat of learning devoid of, or hostile to, our common Christianity, must forfeit all title to confidence, and become the worst of all places of mental training for the children of a Christian people.—“Science and literature,” said the late Dr. Arnold, “will not do for a man's main business; they must be used in subordination to a clearly perceived Christian end, and looked upon of most subordinate value. In fact the house is spiritually empty so long as the pearl of great price is not there, although it may be hung with all the decorations of earthly knowledge.”

It is surely the duty, as well as the privilege of every

Churchman in the Diocese, to assist, as far as he is able, in supplying the want which the Church now feels in the destruction of her University, and which, if not supplied, will in a short time arrest the happy progress she is making through all parts of the country. Let not, then, the friends and members of the Church look for rest till proper means are found for the religious education of her children. We have fallen, indeed, on evil times, and the storm has overtaken us, aggravated by the painful reflection that we have contributed largely, by our want of unity and consistency, to bring it on ourselves; but we must not be discouraged, for, though the waters threaten to overwhelm us, we are still the children of hope. Never, perhaps, in the history of the Church did a single case more completely prove the influence of party spirit in corrupting the heart, and warping and entangling the judgment, till it had acquired a moral obliquity, incapable of distinguishing right from wrong, truth from falsehood, than the destruction of King's College. It was succeeding with a degree of success far beyond the most sanguine expectations. In the short time of its existence, the degrees conferred were seventy-five,—the number of students, including occasional, nearly three hundred. The highest honours have been attained by Presbyterians, Congregationalists, &c., as well as by members of the Church. There were not twenty persons capable of appreciating the blessings which it was conferring on the Province who were not friendly to its continuance—a vast majority of the population were and are hostile to the principle of separating religion from education; and yet because a small but turbulent minority declared against it, a weak Ministry has been found to decree its suppression, and the establishment of an Institution in which no Christian can confide.

The measure is so wicked and inconsistent, that sooner or later a serious reaction will take place. Its three leading features—contempt for the people, enmity to religion, and disloyalty to their Sovereign—are each of them offensive to large and influential parties. The sentiments of the people are set at nought, to gratify the few who neither value or regard Schools of learning. Religion is suppressed and ecclesiastics proscribed, to please the enemies of property and order. And the very name of "King's College" is abolished, for fear that some attachment to the Sovereign, might, in the generous minds of youth, be associated with a Royal foundation.

Such an abominable proceeding is, however, likely to be attended with something of a compensatory character. For as God by his over-ruling Providence brings good out of evil, so the Church, hitherto quiet, peaceable and confiding, begins to perceive that there must be limits to her forbearance; and although she can never employ turbulence or selfish agitation even in defence of her just rights and privileges, she may with safety follow the example of the great Apostle in appealing to Cæsar, and of making use of all the legal and constitutional means in her power to ward off evil, and secure for herself something of common justice.

What makes this act of unscrupulous injustice the harder to be borne, is the conviction, which I think we must all feel, that if any one of the religious denominations in this Province, dissenting from the Church of England, had received from their Sovereign a Royal Charter, founding an University in connexion with their faith, and had received at the same time the free gift of an endowment for its support, any attempt by the Colonial Legislature to abrogate their

Charter, and to wrest from them the endowment conferred by their Sovereign, would have been promptly discountenanced by the Executive Government, and firmly resisted, as being unreasonable and unjust. If any had been found to make such an attempt (which assuredly the Church of England would not have done), they would have been told at once, that whatever opinions they might have formed of the policy or impolicy of the measure, the grant could not be retracted; for that vested rights must be respected, and the faith of the Sovereign maintained. And I am sure, my Brethren, that neither you nor I would have regretted to see those principles upheld by which alone either nations or individuals can expect long to flourish. We should have remarked too, in such a case as I have supposed, another mortifying difference: the members of any other religious denomination whose rights had been unjustly attacked, as ours were, would not have sought a vain popularity by abandoning them: they would have been found united as one man in their defence.

But, alas! the Church found the chief enemies of King's College among her own professing adherents, and under the delusion of liberalism and expediency, the twin sisters of Infidelity, they betrayed the cause which they were bound by every sacred duty and right feeling to protect.

We have lately seen the Government conferring on the Seminary of Montreal a property of ten times the value of the endowment of King's College. How is this? The Roman Catholics demanded what they believed to be their right, and the Government immediately yielded. Is it not then in the power of the Church to command the like result? Yes,—when all her members breathe her spirit as one man; and

not till then. This spirit will induce them to select none to represent them in the Legislative Assembly but "able men, such as fear God—men of truth, hating covetousness;" and then the Church and every denomination will have their rights, and oppression will cease from the land.

In the meantime, I propose that the Church of this Diocese, consisting of the clergy and laity, should approach our beloved Sovereign the Queen, and the Imperial Parliament, by respectful petitions for such redress in the restoration of her University, or in such other way to supply the same, as may be deemed reasonable and meet.

Should we fail in obtaining the favourable admission and acquittance of our just claims, we must in that case appeal to our fellow-Churchmen in Great Britain and Ireland; and we believe that there are many pious individuals who will come forward with a liberality of which the last three centuries have given so many examples, to assist us in restoring the means of which we have been deprived, for the religious instruction of our youth, and their advancement in all those branches of science and literature which enter into a liberal education. Nor am I without a strong hope, that, should there be obstacles to the disallowance of the Act, we shall nevertheless find among the contributors to our Church University some of the present Ministry; for there is reason to believe that few among them approve of a measure so reckless, and fewer still who do not regret that it has been adopted. Indeed, no Statute passed since the Union of the Provinces has lowered the character of the Canadian Legislature so much as that which destroys King's College. Churchmen consider it disgraceful to the country, and the indifferent pro-

nounce it a political blunder. For as one of my most able and reverend correspondents observes,—“The Act destroying King’s College is not merely a wrong, but a mockery; inasmuch as it professes to promote the best interests,—religious, moral, and intellectual,—of the people, while it yet precludes the adoption, in the University it establishes, of any ordinance whatever, in respect to religion, and even silences, by the authority of law, the public worship which up to this day had been solemnized in the Institution.”

But before we can expect success in these proceedings, it is reasonable to prove that we are ourselves in earnest by our own exertions. Besides, therefore, signing the petitions to the Queen and the two Houses of Parliament, it is hoped that the members of the Church will subscribe liberally, in money and gifts of land, as God has prospered them; and a better investment for time and eternity it is impossible to conceive.

In this way, a sufficient endowment may, without any great difficulty be effected; or at all events, so good a commencement as to encourage friendly Church members at home to increase their subscriptions.

It is true this could have been done with much greater facility a few years ago, when lands in the colony were cheap; but who could have anticipated such a result as the destruction of a Royal Charter, and confiscation of its endowment, without any just or legal cause? or who could have imagined it necessary or becoming to stand between the bounty of the Sovereign and her people? But, even yet, a sufficient endowment in land may with active exertion be secured.

There are, it is believed, about four hundred organized Townships in the Diocese; and were only

one lot of two hundred acres to be contributed as an average in each Township, it would form an endowment of eighty thousand acres; and this, by good management, with private contributions in money, and the assistance of the two Venerable Societies, would become sufficient to enable us in a very short time to begin operations, and gradually as the property leased, to extend the University, as has been done in like cases in Europe and America.

Or, taking it otherwise: There are, I presume, about two hundred thousand adherents of the Church in Upper Canada, or forty thousand families. Now, were each family to contribute two pounds, or two acres of good land, a very handsome endowment would be the result.

But as there may be many poor, and some to whom God has not given generosity of heart, let us expunge one-fourth, or only ten thousand families, and claim from each, for the love of God, six pounds in money, or ten acres of good land, as may be more convenient, and the University will be established. The difficulty, therefore, in the way of endowing a Church University, is not so great as those who have not considered the subject may suppose; and although we may not obtain the subscriptions in land, or in money, of ten or even of five thousand at once, yet we shall with God's blessing obtain more in time; and as the Institution we contemplate is not for a short period, but for centuries, we can afford time, and be content to advance to maturity by degrees. But why should we not hope that the Church, among her two hundred thousand, will produce one thousand noble souls, ready to come forward with at least one hundred acres each, and in a moment complete the endowment?



In regard to a solid commencement, we are not left to conjecture. The spirit of the Church has already begun to move. Eight thousand pounds will be secured to the University before this meets the public eye; and I have some reason to believe that an equal amount is already set apart in England. Moreover, we shall have £1200 per annum from the Venerable Society for Propagating the Gospel in Foreign Parts, till it can be relieved by the proceeds of our own endowment, and we shall have our Theological library restored.

Hence it may be seen that we are commencing no Utopian scheme; and that a very moderate exertion on the part of the true sons of the Church will place us in a commanding position of usefulness.

The Church ought to do nothing by halves. Her University must comprise an entire system of education, based on religion. Every branch of knowledge cherished at Oxford and Cambridge must be carefully and substantially taught. She must also have her Eton, or Grammar School to supply her with scholars: the whole to be placed under the guidance of the Church, that her religious instruction may have no uncertain sound. We desire a University, which, fed by the heavenly stream of pure religion, may communicate fuel to the lamp of genius, and enable it to burn with a brighter and purer flame. Thus the Arts and Sciences, with all that adds real embellishment to life, will be studied with more perseverance and order for moral ends; and the faculties under such training, will become so pure and unclouded, that perception will be infinitely more vivid, and rise to far greater elevation; and all will be bound together by that pure principle of love which the Scriptures tell us is the beginning and end of our being. For

this reason, we will have in our University daily habitual worship, that we may possess a conscious feeling of the Divine presence; and this will produce such an ardent aspiration after goodness as will consecrate every movement. Hence the religious principles thus developed, will prove of themselves a system of education infinitely superior to all others. Nor are we disposed to overlook academical honours, which have been ever held in the highest estimation. They emanated from the Church, and to the Church the power of conferring them of right belongs. Hence the power was transferred at the Reformation to the Sovereign, because the temporal head of the Church, and the fountain of honour within her dominions. In due time, therefore, we shall solicit a Royal Charter, that our degrees may be acknowledged in all parts of the world, and not be like that which the new Institution may attempt to confer, which will not only be corrupted by passing through an irreligious channel, but be otherwise worthless, being confined to the colony; for the 12 Victoria, cap. 82, is merely a Provincial Statute, and carries no weight nor authority beyond the Province.

The Bishop or Bishops of the Diocese (for it will soon be divided) will be the Visitors, that each new Diocese may have an equal interest in the Institution; for established on the extensive foundation which we contemplate, it will be amply sufficient for the whole of Upper Canada.

The site will perhaps be decided upon by the Society for the Propagation of the Gospel in Foreign Parts, where it may be most central and convenient; because for a time it will have in a great measure to be supported by that Venerable Body.

But the site may also greatly depend on the magnitude of the contributions and donations which any particular locality may be disposed to furnish.

That nothing may be wanting on my part, it is my intention to proceed to England, should the encouragement I receive be such as I have reason to expect, and urge the prayer of our petitions to the Queen and both Houses of Parliament. When the facts of the case are fully made known, the whole nation will feel the same indignation at so flagrant an outrage on our holy religion, and the honour and dignity of the Crown, as those private friends do with whom I am already in communication on the subject; and the consequence I trust will be, that the good and pious will hasten to help us. For in England the belief is all but universal, that religion ought to be the groundwork of education; that its lessons should be interwoven with the whole tissue of instruction, and that its principles should direct the whole system of our lives. Nor will the lessons of religion be found less impressive by being interspersed with teaching of a different kind. The prayer of our forefathers always was, and the prayer of our Universities still is,—“that their learning might be sound, and their education religious.”

I shall have completed my seventy-second year before I can reach London, of which more than fifty years have been spent in Upper Canada; and one of my chief objects, during all that time, was to bring King's College into active operation; and now, after more than six years of increasing prosperity, to see it destroyed by stolid ignorance and presumption, and the voice of prayer and praise banished from its halls, is a calamity not easy to bear.

I shall not rest satisfied till I have laboured to the

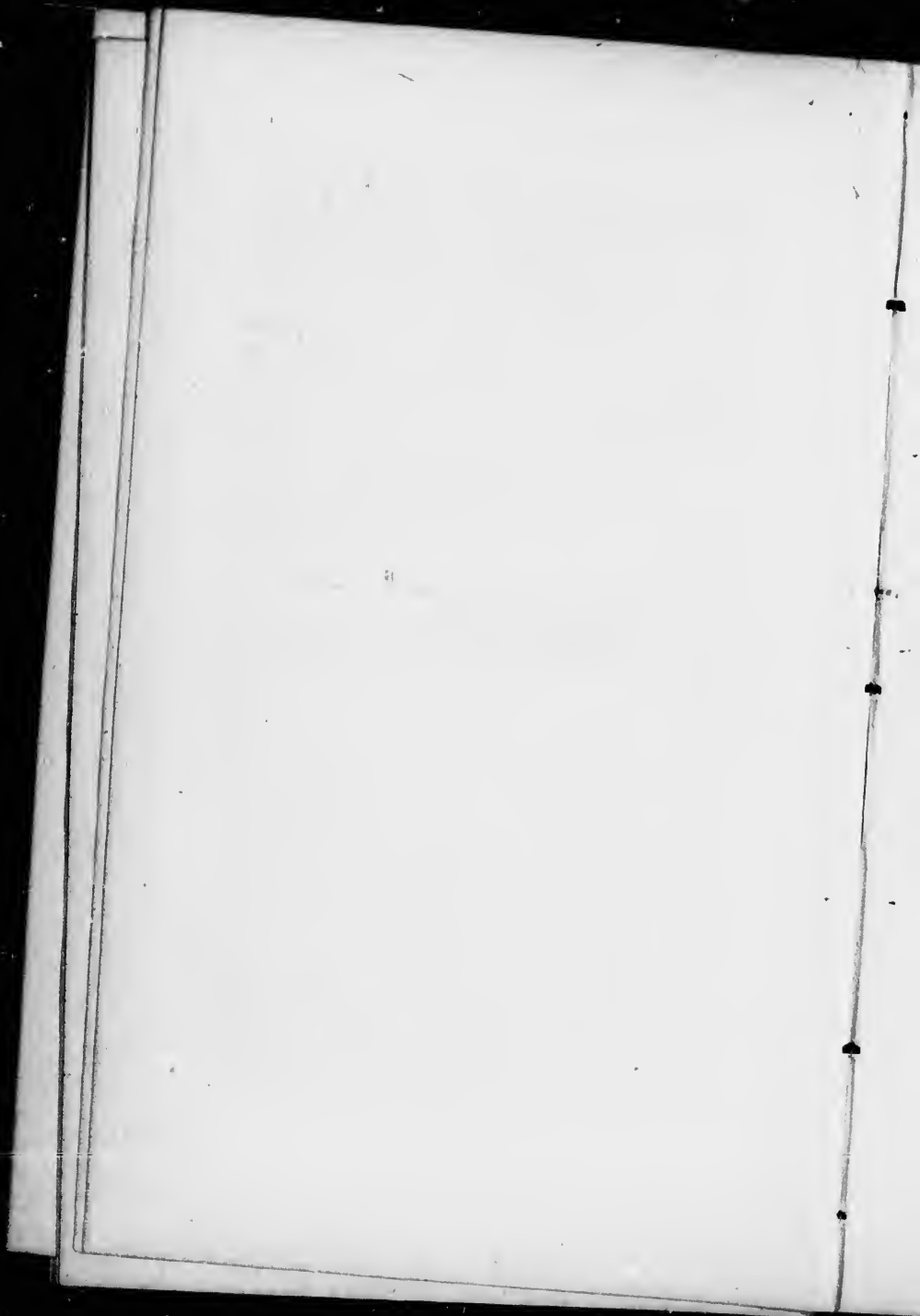
utmost to restore the College, under a holier and more perfect form. The result is with a higher power, and I may still be doomed to disappointment; but it is God's work, and I feel confident that it will be restored, although I may not be the happy instrument, or live to behold it.

Having done all in my power, I shall acquiesce submissively to the result, whatever it may be; and I shall then, and not till then, consider my mission in this behalf ended.

I remain, my dear Brethren,

Your affectionate Diocesan,

JOHN TORONTO.



PETITIONS.

**P E T I T I O N**  
**TO THE QUEEN'S MOST EXCELLENT MAJESTY.**

**MAY IT PLEASE YOUR MAJESTY,—**

We your Majesty's most dutiful and loyal subjects, the Clergy and Laity of the United Church of England and Ireland, inhabiting that part of British North America which formerly composed the Province of Upper Canada, most humbly represent :—

That after the peace of 1783, this portion of your Majesty's dominions became the asylum of those faithful Loyalists, who, during the Revolutionary war with the Colonies, now the United States, shed their blood and sacrificed their property in adhering to their King and the Unity of the Empire.

That the Parent State, anxious to prove her grateful sense of their affectionate and disinterested services in a way the most agreeable to their wishes and feelings, conferred upon them in 1791 a form of Government similar to her own; and in order that the State, as at home, might be sanctified by religion, provision was made at the express command of Your Majesty's royal Grandfather, in the Constitutional Act, for its support, according to the form of the United Church of England and Ireland, by setting apart for that, the most important of all objects, a portion of the waste lands of the Crown.

That in the Spring of 1797, the Legislature of Upper Canada addressed their beloved Sovereign George III., of blessed memory, for a portion of the waste lands of the Crown, to produce a fund for the purposes of education, and more especially for the support of Grammar Schools and a University.

To this address a most gracious answer was returned granting their request, and expressing His Majesty's paternal regard for the welfare of his loyal subjects in the furtherance of an object so important as the instruction of their youth, in sound learning and the principles of the christian religion.

That soon after the Colonial Government appropriated for the required object five hundred thousand acres of land, one half for the support of Grammar Schools, and the other half for the establishment of a University.

That the slow advance of the colony in wealth and population during the wars, which so long desolated Europe, delayed for many years the establishment of the University; but though postponed, it was never lost sight of—and in 1827 a Royal Charter was granted by His late Majesty King George IV., erecting a College or University, within the Province of Upper Canada, in which the wishes of his royal father are embodied, as it provides "for the education of youth in the principles of the Christian religion, and for their instruction in the various branches of science and literature, which are taught in the Universities of this Kingdom." Your Majesty's humble petitioners would further represent, that steps were immediately taken to secure by Royal Patent, the valuable endowment granted at the same time with the Charter, and measures adopted for opening the University and commencing the business of instruction—but before this could be accomplished a despatch was received by the Lieutenant Governor Sir John Colborne, now Lord Seaton, bearing date the 2nd of Nov., 1831, recommending, at the express desire of His Majesty King William IV., such reasonable modifications as might satisfy certain adversaries of the Charter, but at the



same time stating that no part of the endowment of the College would ever be diverted from the great object of the education of youth, and that it must ever be regarded sacredly and permanently appropriated to that important object; and his Majesty earnestly recommends to the consideration of the Legislature, the permanent establishment in the College of a Professor of Divinity of the Church of England upon a sure footing,—declaring it to be a matter of great importance to those of his subjects in Upper Canada who belong to the Church of England, and that his Majesty, as head of that church, could not be insensible to the duty which belonged to him of protecting it in all parts of his dominions.

That in accordance with the wishes of your Majesty's royal uncle, the Statute 7, William IV., Chap. 16, was passed by the Legislature of Upper Canada, which satisfied by its modifications all the objections of the more reasonable of the opponents of the Charter; and as they neither encroached on the endowment of the University, nor on its religious character, though in other respects objectionable, the authorities of the College, for the sake of peace, were reluctantly induced to acquiesce in their enactment.

That these modifications, like all unreasonable concessions of principle to factious clamour, produced only a transient calm. The enemies of the national Church, implacable in their hostility, and encouraged by unlooked-for success, again assailed King's College, after it had been in prosperous operation for more than six years without any complaint as to its management or manner of instruction, and without any second invitation on the part of the Crown, and were again successful—not merely in effecting partial changes, but in accomplishing the complete destruction of what might

have been the noblest Seminary on the continent of America.

Your Majesty's dutiful subjects would farther represent, that the act thus passed by the Legislature of Canada on the thirtieth of May last, not only destroys King's College, and in effect confiscates the whole of its endowment, but establishes a secular College from which religious instruction is expressly excluded, and this in direct opposition to the wishes and invitations of three Monarchs, and to the chief object for which it was prayed for and erected, namely the religious instruction of youth, and the training of such as were inclined for the holy ministry; and that no loyal and grateful feelings may hereafter associate "King's College" with its royal benefactors, the very name is suppressed and "University of Torōnto," substituted in its room.

That Your Majesty's humble Petitioners need scarcely represent that they were filled with grief and dismay at this unjust and ungodly act of Legislation; unexampled as they believe in British history, and that they can have no confidence in, or connexion with, an educational institution in which the voice of prayer and praise can never be heard, and from which—by the abolition of all religious services—the acknowledgment of the Deity and belief in the Saviour—are excluded. By the passing of this Act,—should it unfortunately be confirmed by your Majesty,—nearly two hundred thousand of your Majesty's most loyal and devoted subjects who belong to the National Church will be deprived of the means which they enjoyed through the bounty of the crown, of educating their children in the Christian truth, or of bringing up such as are disposed to the holy Ministry; from all which your Majesty will perceive that

the welfare of that Church, of which your Majesty is the constitutional head and protector, is placed in imminent peril.

Your Majesty's loyal subjects farther represent, that they have the pledge of no fewer than three Sovereigns for the integrity of King's College as a Protestant religious Seminary, according to the order of the Church of England, and for the safety of its endowment; and they are the more encouraged to claim the fulfilment of this sacred and royal pledge, from the fact that the endowments of Louis XIV., in Lower Canada, nearly ten times the amount of these granted to King's College, are reverently respected, while the only seminary belonging to the Church of England, is not merely rendered useless to the cause of religion, but will be utterly destroyed, and a Godless institution established in its stead, unless your Majesty shall graciously interfere, by the exercise of your Royal prerogative, to prevent it.

Your Majesty's humble Petitioners most respectfully represent, that they have been brought up to fear God and honour the King, they have ever held the promise of their Sovereign, sacred and worthy of all trust, and so trusting they did not presume, when lands were cheap in the Province and an endowment might have been easily obtained, to stand between the grace of the Sovereign and the people, nor were they prepared for the disregard to the royal prerogative and the just claims of the national Church manifested by the late Act, which Act they consider more unaccountable and unjust because the same Legislature has abundant means at its disposal, of endowing as many Colleges as it pleases without the slightest detriment to any one, and of leaving that of their Sovereign a *liber religion* free and untouched. For all we ask is *to retain* the advantages which is

actually enjoyed by every other body of Christians in Upper Canada, of having one place of public Education, in which their young men may be religiously instructed, and such as desire it, trained to the holy Ministry, and not to have an endowment wrested from us which our Sovereign has granted for that purpose.

Your dutiful and loyal subjects, may it please your Majesty, would farther observe, in deep anguish of heart, that there was a time when the word of the Sovereign was felt to be as secure as the stability of the Empire. And shall such a time be allowed to pass away? The truth of the Sovereign and the affection of the people are co-relative as the one cannot live without the other, yet nearly one third of the inhabitants of this noble colony are suffering in their dearest rights and interests from an act which they feel extremely oppressive. They are deprived of their university, and endowment, although thrice guaranteed by the crown, and by this they lose the power of conferring degrees in Arts and Divinity, which virtually passes on them a sentence of proscription from all such offices of profit and honour as require a degree to qualify for their attainment. Above all, they are deprived of the means of bestowing on their children an education based on religion, the only education worth possessing.

Under such trying circumstances, to whom can they go for redress but to your Majesty, in whose maternal affection they put their trust as many of them now far advanced in life have done in that of your Majesty's predecessors? Permit us, then, to hope, that your Majesty will lend a gracious ear to this our humble supplication—that, influenced by your exalted position as head of the Church, you will cause the pledge of three Sovereigns to be redeemed by the restoration of

King's College in all its efficiency, with such modifications of its original charter as shall separate it entirely from politics, and allow it to proceed in its work of scientific and religious instruction in security and peace.

And your Majesty's dutiful and loyal Petitioners,  
as in duty bound, will ever pray.

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## PETITION

TO THE RIGHT HONOURABLE THE LORDS SPIRITUAL  
AND TEMPORAL OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND IRELAND IN PARLIAMENT  
ASSEMBLED.

*The humble petition of the Clergy and Laity of the  
United Church of England and Ireland, residing  
in Upper Canada,*

MOST RESPECTFULLY SHIEWETH :

That an Act was passed by the Legislature of Canada on the thirtieth of May last, entitled, "An Act to amend the charter of the University established at Toronto, by his late Majesty King George IV., to provide for the more satisfactory government of the said University, and for other purposes connected with the same, and with the College and Royal Grammar School forming an appendage thereof."

That this Act contains provisions most injurious to your Lordship's Petitioners, and the national Church of which they are Members, since it virtually destroys the Charter and confiscates the endowment of King's College; which charter was granted by his late Majesty King George IV., on the fifteenth day of March one thousand eight hundred and twenty seven, and in the eighth year of his reign, for the purpose as the preamble expressly sets forth, of educating the youth of Upper Canada in the principles of the Christian religion, and for their instruction in the various branches of science and literature which are taught in the Universities of Great Britain and Ireland.

That the Charter and endowment of King's College were solicited by His Excellency Sir Peregrine Maitland, then Governor of Upper Canada, who urged upon the Imperial Government the wisdom of granting a boon so necessary to the prosperity and well being of the colony, and one of the special objects of the prayer was that the College should be so constituted as to educate youth for the clerical as well as the other liberal Professions as in the Mother Country—hence Oxford University is named in the charter as the model to be followed.

Your Lordship's Petitioners further represent, that in accordance with this prayer provision was made in the Charter for educating young men for the holy Ministry of the Church of England, by establishing a Professorship of Divinity, while at the same time scholars and even Professors were freely admitted to all the secular advantages of the University, and might proceed to any degree except Divinity, without any test whatever. Hence although the University of King's College was in its government under the Church of England, yet all the benefits which it was able to confer were accessible to the youth of the whole population, with the exception of the Divinity department, which would only be desired by those who were members of the national Church, unless other doctrines were to be inculcated. Indeed there was no period before the repeal of the Test-laws when there could have been the least reason for expecting or even imagining that a Charter establishing a University so open in its provisions could have been granted and endowed by the crown except in connexion with the Church of the Empire.

That although King's College was the most open University which up to that period had ever been

established by the crown, a clamour was raised against it in the colony upon no more reasonable grounds than that it recognized a distinction between the Church of England and the various sects which differ from her. The motives and objects which led to this clamour and consequent attacks, were in this country well understood and appreciated. It was impossible to give credit to the authors of them for honesty of purpose, when it was perceived with how little scruple they perverted and misstated the conditions and effect of the Charter of which they complained. But being encouraged and aided by a party in England and not withstood by Government as they might have successfully been, if some degree of confidence had been shown in supporting what was just and right, they prevailed, and after some years of delay and agitation, the Secretary of State invited the Legislature to suggest such alterations and amendments in the Charter as they might deem useful and expedient.

Your Lordships' Petitioners most respectfully represent, that no man who values what is good and stable in government, can for a moment doubt, that this was a most unwise and unfortunate course. It was wholly without example, that a Colonial Assembly should be allowed by their acts to mutilate a Royal Charter which had been granted by the government after long deliberation, under the great seal of the United Kingdom.

The mischiefs which were sure to flow from such a proceeding have been apparent from the moment a course so irregular and unconstitutional was permitted, and they are brought to the worst possible result in the Act which has just passed. For instead of confining itself to some modifications of the Royal Charter, the utmost extent to which that invitation could with



propriety be construed, this act totally destroys King's College, and creates an Institution of a character wholly different. Instead of being religious the leading feature is the total exclusion of all Christian worship, and so horrible are its tone and provisions on this important point, that it even proscribes clergymen from giving any professional instruction whatever on the most important of all subjects—Such an utter interdiction of every thing religious as this Act seeks to establish, is without precedent among Christian nations. It drives away all those who from their living Faith, warmth of disposition, and sincerity of purpose, are best qualified to train the young to all that is lovely and sublime in religion, pure in morals and noble in science.

Your Lordships' petitioners would further represent that the Royal pledge given to the Church of England in the provisions of the Charter is altogether disregarded—the property and estates, in effect, corporation, every vestige of Christianity banished, and King's College abolished and its property applied to purposes as different from those intended by the Royal donors, as light from darkness. That no ground of forfeiture has been shewn, such as might subject a confiscation upon a proper legal proceeding to the loss of its privileges, nor is it even pretended to be in fault, yet the Act deals with the constitution and property of King's College as if neither the corporation nor the numerous inhabitants of Upper Canada interested in the object it was intended to promote had any rights under it to claim or protect.

By the documents annexed it is distinctly shewn that more than three fourths of the population of Canada West, are in principle opposed to this Act, or to any educational Institution divested of a religious character ; and that not only His late Majesty King

George III., who first set apart the endowment, and His late Majesty King George IV., who granted the Charter, intended the College so to be established, for the Education of youth in sound learning and the principles of the Christian religion, but His late Majesty King William IV., was also pleased distinctly to recommend in the most earnest manner the permanent establishment in King's College of a Professor of Divinity, even when consenting to some minor alterations, declaring it to be a matter of great importance to his subjects in Upper Canada, who belong to the Church of England, and that His Majesty as head of that Church, could not be insensible to the duty which belonged to him, of protecting it in all parts of his dominions.

Your Lordships will perceive that while the acts and earnestly-expressed wishes of three British Monarchs are set at naught, more than two Millions of acres are preserved for Educational and charitable purposes for the benefit of the French population in Lower Canada, as if to shew how far British feelings can be insulted and the commands of Louis the XIV., held sacred and the French Colleges supported and cherished. Not that your Lordships' Petitioners desire the confiscation of one of these acres, or the suppression of one of these Colleges but surely it is not too much for British hearts to expect, that the wishes of no fewer than three of their own Kings should meet with as much reverence as those of one Foreign Prince. At present the contrast is truly humiliating.

Your Lordships' Petitioners would further represent, that an Act so iniquitous and unjust could never, as they believe, have passed but for the unhappy union of the two Provinces. The French Members, added to a certain class of members in Upper Canada,

will commonly be found an overwhelming majority where the interests of the Church or a sincere attachment to the Mother Country are concerned. And yet so strongly was the injustice of this measure felt that a majority in its favour might not, it is believed have been found to pass it in the Legislative Council, had not the constitution been infringed by the introduction of twelve additional members. Since this unfortunate step was taken, the Legislative Council which was intended as a cheque against sudden and unjust Legislation, has, in public opinion become utterly incapable of affording that protection.

Your Lordships' Petitioners most respectfully represent, that the argument used by some to defend this measure, on the ground that it is similar to that which was acted upon by the Parent State in the formation of certain secular Colleges in Ireland, is altogether fallacious—for whatever may be thought of the principle then adopted, no vested rights were invaded, nor the endowment of any Institution, as in this case, confiscated without cause. Moreover no class in Ireland could complain of positive injustice, because there were other Seminaries of instruction to which those who found themselves aggrieved might send their youth. But in Upper Canada the Church of England had but one College, and that one is taken away by this Act of the Legislature; while the same Legislature has granted Charters to Colleges for Roman Catholics, Presbyterians, and Methodists, exclusively, as well as pecuniary aid to a considerable amount.

Your Lordships' petitioners most respectfully represent that neither the clergy nor the conscientious members of the Church can have any connexion with a University such as the Act establishes, which repudiates religion, and in which the voice of prayer and

praise is never to be heard. And this is the more to be deplored because King's College might have been easily preserved in all its integrity, for Government has ample means at its disposal to endow Colleges in connexion with other denominations, upon principles which they prefer. In this way all parties would have been satisfied, and King's College restored to the position in which it was originally placed, with such modifications only as would have separated it entirely from political influence and agitation, and thus made it a blessing to the country. But this Act settles nothing, while it throws every thing in confusion. It legislates for a small fraction of the population, few of which desire, or can avail themselves of the instruction it offers. It holds out, indeed, terms of Incorporation to the other Colleges, but they are of so degrading a character, without any countervailing advantages, that it is not probable that they will, in any case, be accepted. Thus the only thing as yet accomplished by the Statute is the destruction of King's College, and the confiscation of its property, by the exercise of power which the Imperial Parliament has never assumed, in the worst of times, and which our most able Judges have declared to be unconstitutional and revolutionary. The truth of which opinion is proved from the fact that similar Institutions to that of King's College, founded in the British Colonies, have received from the ruling power ample protection after the countries in which they were founded had become foreign to the British Crown. Thus the Colleges founded by the Kings and Queens of England, in the Colonies, now the United States, are still cherished and preserved, and their endowments not only held sacred, but largely increased.

Permit your humble petitioners to entreat your

Lordships' attention to the position, to which this Act seeks to reduce the Church of England in this populous Diocese. While the Roman Catholics, the Methodists, and the Church of Scotland, have Colleges exclusively their own,—the two latter under Royal Charters from the Crown, with the power of conferring degrees in Arts and Divinity,—the National Church, with nearly as many members as all these put together, is deprived of her one College, and driven to have recourse to a temporary Institution, for training some of her young men to the Ministry: otherwise, her vacancies could not be supplied, or her light extended to the waste places of the Province. Nor was even the site of a few acres reserved, on which your petitioners, by their own contributions and the assistance of their friends, might hope to erect buildings for the purpose of the secular and religious instruction of their children.

Your Lordships' petitioners feel sadly humbled thus to be compelled to supplicate for relief from an Act of complicated oppression, which seeks without cause to crush the National Church, and even to peril her existence in Upper Canada; and not only this, but to shackle the minds and destroy the eternal hopes of the rising generation, by compelling them to adopt a system of education which as Christians they must always abhor: and all this, it would appear, for no other reason than that your Lordships' petitioners belong to the Church which the Sovereign has sworn to maintain inviolate, and have been ever faithful to the Crown.

Your Lordships' petitioners would further most respectfully represent, that nearly two hundred thousand loyal subjects of her Majesty, who have risked their lives more than once to preserve the unity of the

Empire, have deep interest in your Lordships' decision; and should it prove adverse, they must conclude that either the power or the will of the Imperial Parliament to protect them against injustice, is wanting.

The University Act of more than eighty complicated clauses was, your petitioners are credibly informed, passed by the Legislative Council in twenty minutes, without one reading! having, as the phrase is, been read short—that is, merely the title—the sudden addition of twelve members rendering the House impatient of delay. Such a state of things cannot long exist without increasing the evil; and even, already, the loyal and attached portion of the population are full of despondency, or becoming estranged from the Parent State, as the wildness and unsoundness of the projects now afloat in the Province so fatally testify.

In conclusion, your petitioners most respectfully implore your Lordships to bear in mind, that they are merely seeking to retain the same advantage which is at this moment enjoyed by every other body of Christians in Upper Canada,—that of having one place or College, with its means of support the gift of the Crown, in which their youth may be trained in religious as well as secular knowledge. As, therefore, your Lordships reverence true religion and the unity of the Empire, we your humble petitioners entreat the disallowance of this Act; against which we solemnly protest, as injurious to our holy Church, and subversive of our rights and privileges as Englishmen, and which is at the same time unconstitutional, and pregnant with the greatest evil to Canada and the British Empire. And permit us further to pray, that justice may be done in the premises, and that the

solemn pledges of three illustrious Sovereigns may be honourably redeemed, by recommending the restoration of our University of King's College.

And your Lordships' petitioners, as in duty bound, will ever pray.

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[*The Petition to the House of Commons is the same as that to the Lords, with the necessary verbal alterations.*]

