

SPEECH

OF JOHN HILLIARD CAMERON, ESQ.

AT THE BAR OF THE LEGISLATIVE ASSEMBLY, IN DEFENCE OF THE UNIVERSITY OF KING'S COLLEGE AT TORONTO.

(Concluded from our last.)

We know that, prior to the revolt of the American Colonies, there existed in them many institutions chartered and endowed by the Crown; and we also know that, after the United States became independent, these grants came up before the State Legislature and Supreme Courts of that country; we ought, therefore, to look into these matters, and see in what manner grants made by the Crown were treated after the dominion of that Crown had passed away; and if, upon searching into them, we shall find them respected—if we shall find, instead of being diverted from their original purposes, that they were held inviolable, and solemnly confirmed—how much the more ought we in this, which is still, and which I trust will ever be, a British Colony, to respect and conserve them? If we find that the Legislature did attempt to interfere, but that the Judicial authority declared that interference to be unconstitutional—how much the more ought we to hope that the Legislature of a British Colony will not persist in this high-handed measure? If it has been declared unconstitutional in a revolted Province, when attempted to be applied to institutions chartered by a Sovereign, every vestige of whose power, it may be fairly presumed, the inhabitants were anxious to destroy; how much the more is it incumbent upon this Honourable House to pause before it gives its sanction to an act which the Judiciary of revolted America, in a spirit of justice worthy of imitation, refused to allow. And such has been the case, not in one or two instances, but again and again the Courts of the United States have been found refusing to allow any interference with rights and property granted by charter from the Crown of Great Britain. And when these charters were contrary to the genius of the United States, in cases where the grants were contrary to the spirit of its institutions, do we find a different course pursued? No! On the contrary, the same rule was applied to all, the same principle ruled every case. In one instance, a grant was made by the Crown of glebe lands for the support of Protestant Episcopal Clergy in North Carolina; after the revolution, that grant was attacked by the Legislature, the case was submitted to a Judicial tribunal, and by a judgment of the Court it was confirmed for ever. In another instance, a charter was granted by the Crown to a University endowed in part by the State; after the revolution the State desired to interfere and to revoke the charter, and an Act was passed for that purpose, but the Judiciary declared it to be unconstitutional and void. In that case, the charter granted by the Crown was respected, although part of the endowment was given by the State, and not all by the Colony under which it originated. What stronger evidence can be required, what more conclusive precedents than these two cases? The one was a grant of glebe lands for the support of Protestant Episcopal Clergy, and the other a University; and yet in a country which loves not Great Britain, in a country which had just revolted from her dominion, the charters granted by her Sovereign were declared to be inviolable, and the rights established by the Crown were perpetuated, after its allegiance to that Crown was renounced. Shall it be said, when the King's Charter was respected under such circumstances, that here, where we believe that we enjoy all the rights of British subjects, the Royal Charter shall be taken away and destroyed, all the rights it conferred be trampled upon, and all its immunities dashed to the earth? Surely it shall not be said, when Charters of the Crown which a revolution could not sweep away, even in matters of religion, were respected in a country which, in a treaty with Tripoli in 1797, declared that its government was not founded upon the Christian religion, and that it had not in itself any character of enmity to the laws or religion of the Mahomedan—surely it shall not be said that here, in a Christian country, in a land boasting Monarchical Institutions, a Royal Charter was destroyed? Let it not be said that in a country ruled by the Crown of England, the King's Charter is respected, and the institutions created by it still exist; while in a Province of the British Empire they are swept away. Surely it cannot be argued that when it was allowed to remain inviolate in the one case, it ought to be taken away in the other? Surely it cannot be said that when it was conserved in a country whose institutions were contrary to its existence, that here it should be taken away when its terms are as broad, when the preamble and the very clauses of the College of New Hampshire, and that now sought to be destroyed, are almost identical? Let honorable gentlemen compare the two together, and then point out the disparity; there is no variation in substance, although there is in words. The New Hampshire Charter recites, "that considering that the best means of education be established in our Province of New Hampshire, for the benefit of said Province;" the King's College Charter declares, "that whereas the establishment of a College within our Province of Upper Canada, in North America, for the education of youth in the Christian religion, and for their instruction in the various branches of science and literature which are taught in our Universities in this Kingdom, would greatly conduce to the welfare of our said Province." The cases of the College of New Hampshire preserved in all its rights by a revolted people, and that of King's College sought to be annihilated by a Colonial Legislature, are in substance the same. A portion of the lands for the endowment of the former were granted by Vermont in 1785, and were of great value, and others were granted by New Hampshire in 1789 and 1807, and were also of great value. We find, therefore, in the two charters, two things which are identical, the preamble of the grants of land; where, then, lies the difference between the two cases? And yet the Legislature of New Hampshire, desiring to interfere, adopted the same language as is made use of in the Bill for the same purpose now before this Honourable House. It would indeed appear that an Act taken from there, and which was then declared to be unconstitutional. There is also another point of resemblance, the Legislature of New Hampshire was not contented with one Bill, but it brought forward three; but how were those bills received? The case was argued by Mr. Webster, one of the greatest lawyers in the United States, before Chief Justice Marshall and Judge Story, the latter of whom is the author of several standard works of legal literature—books which are received as authorities in England, and quoted as such by the judges upon the bench—and what was the judgment which was given by two of the most eminent Judges of the United States—that was the law which they laid down upon the occasion: "The Government has no power to revoke a grant of its own funds, when given to a private person, or endowment for special uses. It cannot recall its own power, for the use of such corporation. It is perfectly clear that any act of a legislature which takes away any powers or franchises vested by its charter in a private corporation, or in its corporate officers, or which restrains them in the legitimate exercise of them, or transfers them to other persons without its consent, is a violation of the obligations of that charter. If the legislature means to claim such an authority, it must be reserved in the grant. The charter of Dartmouth College contains no such reservation; and I am, therefore, bound to declare, that the Acts of the Legislature of New Hampshire, now in question, do impair the obligations of that charter, and are consequently unconstitutional and void."

If the Judiciary of the United States refused to allow any interference, by the Legislature, in a Charter granted by the Crown to the College, when that country was a Colony of England, that is a strong argument to use before a British House of Assembly, —before the Assembly of a Colony still belonging to Great Britain, why no legislation should be allowed upon it here. Surely it will not be said that I have nothing to rest upon when I bring forward a judgment pronounced upon chartered rights granted by the Crown half a century before they were impeached, and then declared to be still subsisting, as strongly, as fully as ever, although the dominion of the Crown which granted them had passed away. If it be a strong argument that a grant from the Crown has been respected in a revolted Colony, is it not still stronger when I can show that where a grant of lands was made by the State of North Carolina, and that, too, for religious purposes, an Act, afterwards passed by the Legislature of that State, annulling that grant, was declared to be unconstitutional and void, and that the Legislature at once, desirous of paying respect to those who gave expression to the laws, recalled and repealed that Act? When I find a charter granted by a State, and the endowment by the people respected, after a revolution, in so great a degree, how only did the Judiciary declare that the same measure of the Legislature of the State was unlawful, but the Legislature itself recalling its Act, passed another declaring all such interference on its own part unconstitutional and void—when I find this, I say, is it not a strong argument in defence of the cause I am now pleading? When I look upon these cases, have I not a right to ask a British Legislature not to interfere with property and privileges which the Legislature of the United States preserved even after its allegiance was destroyed. Have I not a right to ask that it will not be done here, even to quiet the popular cry; because it is better, if wrong has been done and injury felt, that both should be endured rather than this high-handed measure should be allowed to destroy that granted by the Crown—rather than our faith in the Crown should be shaken. Who are they who cry so loud for this spoliation—who are they? and what has been their conduct in other lands? This measure is called one of State necessity,—that is the tyrant's plea,—the plea made use of by Mr. Fox, when he brought in his celebrated bill to destroy the charter of the East India Company. He gave three reasons for that measure: that the charter conferred political power upon the Company—surely there is none contained in this; that it had abused its powers, and therefore that it ought to be forfeited—is it pretended that it is so in this case? If it is, there is no allegation of the kind; and that a great and overruling State necessity justified its destruction. That the charter did confer political power is certain, for it gave the Company the government of the countries it acquired; that it had been abused was probable; but the great reason for the spoliation was that which is urged in the present case, an overruling State necessity. But did the Parliament of England admit this mighty argument? Did the Parliament of Great Britain bow down to this overruling State necessity? Did this bill, which was intended to destroy the charter of the East India Company—then so great, with an empire then extending so far, and now still further—become a law? No, it was rejected; it was thrown out, and the strongest argument used against it was, that it was an interference with vested rights, with rights upon which large sums of money had been expended, and which it would be a great evil to be destroyed, and therefore the Legislature had no power to interfere with it, unless with the consent of the Company itself. And though all the reasons given for its destruction were probably true, yet that bill did not become a law. And at length when a bill was brought in by Mr. Pitt to change the charter of that Company, it was with the solemn consent of the Company to abide by its provisions, and to accept it instead of the charter under which it was then acting. The principle was there again established, that there could be no interference on the part of the Legislature without the sanction of the Corporation, although the Corporation possessed political powers such as were never before possessed by the Company, and greater than will ever be possessed by another, although it was accused of having abused those powers, and although there was an overruling State necessity for the change. How then can we be now told of a State necessity for a measure like this, in a case where it cannot be applied with the same show of reason as to the India Company? It is the *cœs populi vix Dei*—no it is not so, the *cœs populi* here has nothing to do with the *cœs Dei*. We are told that the members of the Church of Scotland require this alteration—we are told that the Dissenters require this change—we are told they will be satisfied if something is done for the settlement of this question, but we are not told that they are satisfied with this bill. I believe they are not satisfied with it. We are told that wanting this change, they have a right to cry out for it. Let us look where they have themselves been interfered with in other lands, and let us see how they have borne the interference. We hear that they declare that King's College is exclusive, and must be thrown open without reference to religion; and if it were exclusive, which it is not, let us see how they acted in other lands in like circumstances. A bequest was left by Lady Hewley for the benefit of, amongst other things, the poor preachers of Christ's Holy Gospel, which was assumed by the Dissenters. But the Unitarians were not satisfied with the disposition of the property, and considered that, by the declaration in Lady Hewley's will, they were entitled to participate in the benefits of the charity as preachers of Christ's Gospel. They obtained it, and, contriving to command a majority in the management, held it for 150 years. It might be presumed that having retained possession of it for so long a period, that long usage would almost have given the sanction of law to that possession. But the Dissenters were not satisfied with their possessing it longer than 150 years; they thought that a century and a half's possession of the good things of the charity was quite enough, and they filed a bill in Chancery against them. The matter came up for decision, and was given in favour of the Dissenters. In spite of the cry of liberty, they were not deterred from pursuing their legal remedy to the last, and the result was that they turned out those whom they declared to be interlopers. And these are they who cry out against the exclusiveness of the Church of England—these are they who, with unclean hands, would write lehabod upon King's College, that they may obtain a liberty themselves which they denied to others, and which the institution that they now attack does not in reality deprive them of.

The learned gentleman paused for a moment, and then went on to say: When the Church of Scotland was attacked, did she suffer her privileges to fall to the ground, or the rights of one particular University to be removed? Did the Universities in the Church of Scotland ever grant bursaries to any except to those who subscribed to the belief of the established Church? No: not a single person could obtain a bursary except he signed a profession of faith according to the views entertained by that community. In Glasgow, and only there, could be obtained without that form, and then only because a private individual had founded scholarships without reference to the Scottish Church. So that, with all this outcry against the exclusive character of the King's College University, the Church of Scotland gave bursaries to none except they were its own supporters. When an attempt had been made to unite the Old Aberdeen College with the Marshall or New Aberdeen College, the people of Scotland arose as one man and petitioned the Legislature against the proposed measure for altering a constitution which had been given by Royal Charter to those institutions; and the Imperial Legislature refused to do any thing against the wishes expressed by the petitions of the Scottish University. It refused, in relation to those institutions, to take the course which the Colonial Legislature was now called upon to adopt, with regard to Kings College in this country. Was it ever urged that the Old Aberdeen University ought to be destroyed, or that the Imperial Legislature could have any right to interfere with its privileges, merely because that body received a grant of public money? Was it argued that this public grant made the institution which received it a public institution, and, therefore, liable to legislative interference? There was no question that the Parliament of England, being theoretically omnipotent, might have made any alteration it pleased; but, when a bill was brought in for the purpose of making the alterations to which he alluded, it had received the petitions against the measure from the University, and it rejected the bill; and, although the Whig Ministry had introduced it, they were out-gone by their own supporters. Not satisfied with losing one bill in the Lower House, the supporters of the measure brought another for the same purpose into the House of Lords; and the Lords also threw it out. He said that they were not satisfied with being defeated in the House of Commons on this measure, but brought a bill into the Upper House also to destroy the privileges of the Scotch Universities. They had made that bill less objectionable than the first, but yet they were signally defeated, and the Ministry, on that occasion, was deserted by its friends and supporters. That was a good example of the Imperial Parliament—it had refused to act against the protest of the Rectorial Court of the Old University of Aberdeen, and against the memorials which were presented by the other Universities. When the Legislature had found that the authorities would not consent to surrender the grant made to them by Royal Charter, what did it do? Did it attempt to force them to do it, or did it make the grant of so many thousands annually a reason for forcing them? No: it did not. Did not the Universities of Cambridge and Oxford receive £3,000 a-year each? But was that made a reason for Parliamentary interference? Were they not public institutions much more than the one now under discussion? Yet the Legislature did not interfere with their charter, nor take away their rights, nor level their immunities. No: it never placed itself in such a situation that any corporation or individual could say to it, "You have deprived us of our property by a high-handed and unconstitutional act, and have thus made yourself a bye-word among the nations of the earth. You have taken away by law that which you could not have deprived us of with propriety. You have done that by law which, in the due course of law, you could not have done; and you have given the sanction of law to that which is against law." It appeared, then, that the Presbyterians and Dissenters had both defended their own institutions in cases similar to the present, and they ought not, therefore, to say that the Church of England had not the right to do so too. Those Churches could not turn round and say that there was a difference between the cases, because the King's College was a public institution, being founded by a grant from the Crown; because the Universities of Scotland would then become public institutions too, being maintained by grant from Parliament. But, in fact, they were no more than if a private individual had made a grant to an University. The House was told, however, that the Crown invited legislation on the subject. It might just as well be said, that a man who had made a deed for the conveyance of a piece of land, had desired some third party to come in and to bring an action of ejectment to turn out the occupant, as that the Crown, having given up property and vested it in these parties, was now desirous of further legislation on the subject. Would it not be wrong for the Crown to desire such further legislation? Or, was there any proof that it did so desire it, even if it had the power? He held in his hand two despatches which the hon. Attorney-General (West) had laid upon the table, and from which the House was called on to presume that the Crown desired to interfere in this matter. He had, however, always thought—although, perhaps, the idea was an antiquated one, and inapplicable to these enlightened days—that, when any document of that kind had performed its part, it was so far done with. Now, he thought that the mission of this despatch had been already accomplished, and that it could not have any further application. It might be seen that these despatches contained orders which had been sent to the Governor before the passing of the Act of 1837, and, therefore, he contended that their mission had been accomplished as far as the Crown was concerned. But, supposing that was not the case: supposing it to be right to presume an intention on the part of the Crown to direct the Provincial Parliament in the erection of an University; what was it that the despatches said? Did they advise the Government to lay before the Legislature any measure for altering the constitution of the College without the sanction of the Corporation? Or did they advise the Government to introduce a bill to which the Corporation had not given its consent? They said: "Under these circumstances, I am to convey through you, to the members of the Corporation of King's College, the earnest recommendation and advice of His Majesty's Government, that they do forthwith surrender to His Majesty the Charter of King's College of Upper Canada, with any lands which may have been granted to them. I persuade myself that the counsels which are thus given to that body, in the spirit of the most perfect respect for all the individuals by whom it is composed, will not be disregarded, and it is on that assumption that I proceed to notice the ulterior measures which, upon such a surrender, it will be convenient for you to adopt." The advisers of the Crown were not found directing the Governor of the Colony to recommend Parliament to pass a law without reference to King's College, and yet one which would deprive it of its property; but, on the contrary, he was to ask the Corporation voluntarily to surrender its rights. He was to take that step which in such a case clearly ought to be the first. He was to prevail on the University to give up that which the Crown had granted, for the purpose of giving another charter in lieu. It was a question which he must now bring under the notice of the House, whether this Corporation could have surrendered their lands for the purpose of giving them up altogether? Whether they could, without the understanding that they were to get a new charter, have surrendered their lands in such a way as to destroy their corporate existence? The law of the land said they could not do so. Even to enable them to give up their charter for the purpose of getting another, it would be necessary to get an Act of Parliament; but it would have been impossible for them to have given up their endowments, unless to obtain a new one conformably to the terms of the first, that was to say, granting certain advantages to the Chancellor, President, and Scholars of the College. The law was, that corporations could not annihilate themselves, nor give up their corporate existence. The first authority which he would mention on the point was the case of the Dean and Chapter of Norwich. There, although the deed of surrender only specified the delivery of the Church and the lands and buildings attached, yet, in fact, it implied the surrender of all their rights and possessions, and it was held that notwithstanding the transaction, the old corporation remained. The decisions in the cases of Haywood against Folger, and the

King against Gray, were to the same purpose. And it was also said in a case in which the City of London was concerned, that it was out of the power of that Corporation to part with its rights. A similar case was that of Annis, in the reign of Henry VIII. In the London case a quotation was made which showed that in the time of Henry VIII. it became necessary to procure a legislative enactment, in order to enable the corporation of the Knights of St. John of Jerusalem to surrender; their own will not being held to be sufficient for that purpose. All the corporation of King's College could have done to meet the views expressed in the despatch would have been to surrender their right for the purpose of taking back an amended charter, granted like the first to the Chancellor, President, and Scholars of the College, with such other provisions as it might have appeared proper to insert. The despatch went on to say, and this was a direction which had been carried out by the authority of the College, because they had never given their assent to that part of the bill of 1837 which related to the granting of divinity degrees; it went on to say: "But there is one object to which I must direct your attention, and which you will not fail to specially recommend to the consideration of the Legislature; I mean the permanent establishment in the College, upon a secure footing, of a Divinity Professor of the Church of England. This is a matter of great importance to those of His Majesty's subjects in Upper Canada who belong to the Church of England; and His Majesty, as head of that Church, cannot be insensible to the duty which belongs to him of protecting it in all parts of his dominions." He said that the University had acted upon the terms of that instruction when it had rejected so much of the charter of 1837, as prevented tests being required before divinity degrees were granted. And yet the House was told that there ought to be no professor of divinity at all, when they had the despatches themselves on their very face contradicting the assertion. He now came to the University Bill itself. If nothing more were enacted therein than the provisions for the erection of an University, the Council of King's College would say nothing against it; because it must be admitted, that the Crown had the constitutional right to incorporate any other College if it pleased. So long as they were not interfered with, they would never desire to be heard at the Bar of the House; but it was now proposed to force them to become a King's College. The recital of the Bill was as follows:—"Whereas it is necessary to make further provision for the more general extension of liberal education, and for facilitating the instruction of the youth of this Province, of all Christian denominations, in the various branches of Science and Literature usually taught in a University, and to provide for the establishment of a University in which Degrees in Arts and Faculties may be conferred; And whereas, in a Despatch dated the 28th November, 1832, from the then Principal Secretary of State for the Colonies, it is stated that the Legislature of Upper Canada have already been invited to consider in what manner the University can be best constituted for the general advantage of the whole society: Be it therefore enacted, &c."

He had to touch upon the preamble, because he was Counsel against every word of the Bill which affected the rights of King's College, and because the preamble contained some important words which would be placed on the records of Parliament, and which led to the belief that the Crown had called upon the House to interfere. The University of Upper Canada would be established by the 1st clause. By the 2nd, the Governor-General was appointed the Visitor. But he thought the 3rd was of a character which could never obtain the assent of any legislative body, who desired to maintain the peace and harmony of the Institution. It provides that the Chancellor should be an elective officer, to be chosen by the Convocation of an University, which Convocation, it was declared by the 13th clause, should be composed of "the Chancellor and Vice-Chancellor, and all the Members, the University Caput and all other persons holding Professorships in the said University, and all persons admitted therein to the degree of Master of Arts, or to any degree in Divinity, Law, or Medicine, and who, from the time of such their admission to such degree shall pay the annual sum of one shilling, of lawful money of this Province, for and towards the maintenance and support of the said University, and shall be and deemed, taken and reputed to be Members of the general Convocation of the said University." The House had been told that the bill would have the natural effect of doing away with the difficulties which have so long existed on this subject; that it would make a change in the very nature of parties, and that, as far as mankind was affected by its operation, the lion and the lamb would lie down together. The very fascinating picture had been drawn of the effect which would be produced by the bill, when under its provisions, all the Colleges would be receiving their proper students within their several doors, for the purpose of assembling at morning or evening worship. He found, however, that the beautiful delineation of the picture would prove only too much like the deceitful mirage, which offers to the thirsty and wearied traveller a beautiful prospect of refreshment, but which when arrived at, he finds to be but the same dry and sandy desert. He feared it would be much the same with the beautiful picture which had been presented to the House of the effect of the bill—at least as far as the convocation was concerned. Another clause of the bill was of a very different nature, it provided that the Church of England student should go to his own College—the Methodist to his—the Presbyterian to his. But with regard to the religious instruction of those for whom no College was provided and who would not submit to the test required by the Church of England, or the Presbyterian, or the other Colleges, he supposed they must be left to go without any. It was a fascinating picture, a very fascinating one, but he believed it to be all a romance, not a reality. The 13th clause provided that the convocation should be composed of all the members of the council of the University and of all persons occupying the chairs of professors, and of all persons admitted to the degree of M.A., or any other degree whatsoever in Theology, Law, or Medicine, &c., in any one of all the various Colleges; but yet, the principle of the bill, is, that no religious dissension or discussion shall be allowed to take place; that the caput, like a boy's debating club, shall admit of no religion or politics in any form or shape whatsoever; although the convocation was to be composed of persons of all classes of belief—of the Church of England man with his 39 articles, of the Methodist with his declaration of belief, and of the member of the Church of Scotland with his confession of faith.—Such was the body which was to elect the Chancellor and Vice-Chancellor of the University; and it appeared to be supposed, that the provisions of the bill could effectually put a stop to religious differences, and that the Chancellor would never be chosen on account of his religious opinions; that there would be no partisanship for any canvassing to secure his election by any one religious party—in short that all those people would put their religious feelings and animosities into their pockets, and come together like lambs to elect a Chancellor. This abolition of all the usual polemical rage, animosity and enthusiasm, however, was only to take place as far as the Colleges were concerned, and had no reference to the University, so that the Convocation, if it had a majority of infidels, might elect an infidel Chancellor in an University composed of Christian Colleges. No one could fail to see that this election of Chancellor would give rise to heart burnings and animosities which would tear the Institution to pieces, and would light up the flames of discord from one end of the Province to the other, so that the election of Chancellor for this University would be a worse trouble than the

election for members of Parliament.—Then again the President of each College was to be pro Vice-Chancellor, and was to preside at the Assembly of persons with the title of professor, who were to form the Special Convocation for the purpose of granting degrees in Divinity. Thus there was to be no religion in the University—the voice of the Church was not to be heard within its walls, and the students would be taught nothing there, but heathen mythology, for though some of the Colleges would belong to parties who would take religious tests and conform to religious observances, yet there was nothing to prevent others from being established which would be more boarding houses, or at best schools. Yet this infidel University, which was to keep all religious matters so quiet, and so cool—this infidel University, he said, was, by means of its Pro Vice-Chancellors, to confer Divinity Degrees, and the anomaly would be established of an University which recognized no religion conferring Divinity Degrees by its Pro Vice-Chancellors. It was to be done by a kind of side wind, instead of being done, as it might just as well be, by the Chancellor himself. But in this University, without religion, where the name of God was never to be sounded and where no religious observances were even to be performed, it was necessary to have a Pro Vice-Chancellor and to form a Special Convocation from each particular College, for the purpose of granting those Degrees. This plan looked all very well in theory, but it should be remembered by the House that it was something which had never yet been tried, and that the people did not like to leave the old high-ways and by-paths, to try new high-ways and by-paths, so very different from what they had always been accustomed to before. Besides these things, he found, that the Caput was to be composed of heads of Colleges who would subscribe to the test of their belief in the divine inspiration of the scriptures, and in the Doctrine of the Trinity; but as far as he was aware there was no provision in the bill to prevent religious dissension arising in that body, or to prevent religious matters from being discussed. It was true they would not be able to pass any statutes or laws which would touch the observances of any denomination to which the particular Colleges might belong; but there was nothing to prevent religious discussion among them.—When the Board met week after week, month after month, and year after year, no, not year after year—because he was persuaded that with such a regulation the Institution would be dissolved in much less time than a twelvemonth—but he would ask whether these Theological people, these Professors of Divinity came not from their Divinity Lectures, and Theological Classes, no question of religion would ever arise among them? It was impossible to believe it. It was utterly absurd.—And if that were so, then it became sufficiently plain, that the Caput would be exposed to be disturbed and torn by religious discussions; and that the flustering spirit of all these Colleges each worshipping in its own way would be discovered to be an illusion. The very drawing of that picture, was enough to show the utter impossibility of its real existence; the students would be coming hot from hearing something said against Protestants, or against Catholics, or Presbyterians, or Methodists,—hot and reeking as they would be, when they met each other from these lectures, and these remarks, could a better plan be devised, he would ask, for giving power and fierceness to their animosities. The Province could adopt no plan more likely to secure all things which were hateful in religious controversy. Would this bill altogether change the minds of men? Yet unless their hearts, and constitution, and very souls were changed, there could be no question whatever that discussions would spring up in the hottest which would be formed, and that they could be two times more likely to occur than they otherwise would have been. The II. clause would inflict an injury on the Province, if it adopted this principle of centralisation, when in fact the principle which ought to be adopted was that of dispersion. Let the House take the only two Institutions which were at all like the one now proposed to be erected—He meant the Universities of Paris and London, and it would find that the principle adopted there was that of dispersion. Centralisation would not extinguish animosity, but only increase it; and instead of the torch being put out by that means, it would spread into a burning flame. He had now got through the second clause of the bill and he would proceed to point out two clauses which were inconsistent with each other. These were the 15th and 17th, but the mere inconsistency could be easily remedied in that case. In the 22nd clause however he found a much more serious objection, it ran thus:—"XXII. And be it enacted that King's College, upon and after the passing of any Act of the Parliament of this Province amending the Charter thereof, shall be and become a College of the said University."











Poetry.

COMFORT FOR THE CHRISTIAN MOURNER.

Jesus saith unto her, thy brother shall rise again.—St. JOHN, XI. 25.

From Bethany a mournful cry
Arose to greet our Lord,
That Lazarus, his friend most dear
But for the Saviour's word.

POPEERY IN GERMANY.

(From the New York Journal of Commerce, translated from the "Schneppost," a German paper.)

A WORD TO THE PAPISTS IN GERMANY, AND TO NONE OTHERS.

Followers of the Roman hierarchy! I have served among you, and have seen how you deal with mankind, and what your purposes are. Truth, as a word, you make use of, but it does not dwell in your hearts; pity and love you speak of, but they are both strange to your bosoms.

covers in the pilgrimages to Triers—no mortal man will find "Christian poetry" in the immorality and indecency that occurred in Triers. Dr. Ritter and Dr. Balzer may proclaim, Ronge is not the author of the letter, but it was written by a farmer near Neisse, an evangelical tutor, or even by a whole society in Breslau, and Ronge has only given his name to it;—they thereby only show that they are fit for such a deception.

January, 1846.

JOHN RONGE, THE GERMAN REFORMER.

(From the Continental Echo and Protestant Witness.)

J. Ronge (pronounced Ronquy) was born in 1813, at Biochofswalde, in Prussian Silesia. He is the son of a worthy peasant; his childhood was passed in the fields, keeping his father's flocks.

Having received elementary instruction at his village school, and passed through the classes of gymnasium of Neisse, young Ronge repaired to the University, where he commenced his theological studies. In 1839 he entered the seminary, and it was there, from what he tells us, that his eyes were opened to the religious and moral state of the Roman clergy.

M. Ronge became chaplain to the little town of Grottkau, where he courageously set himself to work, and acquired the confidence of his parish, finding his delight in the instruction of the young, there free and happy.

laid elected to the bishopric of that city an aged man, respected and loved for his moderation, gentleness of disposition, and comprehensive views. But it was precisely because of this that, for two years, he acted for him from Rome. What the whole diocese thought and whispered Ronge had the courage to say out loud.

LETTER FROM DR. REGENBRECHT, PROFESSOR AT THE UNIVERSITY OF BRESLAU IN PRUSSIA.

In consequence of the recent exertions of the Catholic clergy of our country, and the spirit in which the Chapter of the Cathedral of this city partook in them, my conscience urges me, as a solemn duty, to give you the following declaration, with all the frankness and uprightly which the sacredness of the subject requires.

THE undersigned has opened a few packages of Goods, imported late last Fall for the early Spring Trade, containing Men's London and Paris Hats; Cloth Caps; Straw Bonnets; Coloured Muslins; and Mousseline de Laines; Balloons; Laces, Silk, and Satin Shawls; Parasols, and various other articles.

NEW ESTABLISHMENT.

Importers of British and Foreign Dry Goods, GROCERIES, WINES, SPIRITS, &c. &c. KING STREET, COBURG.

RESPECTFULLY intimate to the Inhabitants of Coburg and surrounding country, that they have commenced business in the West Store, Mr. SCOTT'S NEW BUILDINGS, corner of King and Division Streets, with an extensive stock of SEASONABLE STAPLE AND FANCY DRY GOODS.

FASHIONABLE TAILORING ESTABLISHMENT.

ROBERT HAWKE, in tendering his sincere thanks to his Friends particularly and the Public generally, begs leave to inform them, that he keeps constantly on hand a well-selected stock of

THE following was the cause of the deprivation of M. Ronge—a deprivation about which the Roman Catholics have made a great noise, to weaken the terrible blow he has given to Romanism by his letter to the Bishop of Triers. The diocesan chapter of Bres-

lightened and pious rulers, and not suffer the active endeavours for intellectual and moral education among our people to cease. Then, such a state of things as exists in Italy and Spain, countries so blessed by Heaven, will not threaten us. Christianity will spread more and more light through the darkness, if we do not cease to worship God in our minds and in truth.

Advertisements.

Six lines and under, 2s. 6d., first insertion, and 7d., each subsequent insertion. Ten lines and under, 3s. 6d. first insertion, and 4d., each subsequent insertion. Above ten lines, 4d. per line first insertion, and 1d. per line each subsequent insertion.

EVERY DESCRIPTION OF JOB WORK. DONE IN A SUPERIOR MANNER. At the Office of "The Church."

DUNDAS FOUNDRY AND MILLWRIGHT ESTABLISHMENT.

FRENCH BURN MILL-STONES, of the best quality. They continue also the manufacture, to order, of STEAM ENGINES, BOILERS, &c.

GRIMES' PATENT SHUT MACHINES, (of which the sole right in Canada is held by JAMES B. EDWARDS, Esq.) Packing Presses, and Mill Machinery of all kinds;

NEW ESTABLISHMENT. THE Subscriber begs leave to inform the gentry of this city, and inhabitants generally, that he has commenced business as an

UPHOLSTERER AND UNDERTAKER, AT No. 94, YONGE STREET.

JOHN HART, PAINTER, GLAZIER, GRAINER AND PAPER-HANGER.

JOHN BROOKS, BOOT AND SHOE MAKER, FROM LONDON.

WILLIAM A. GARRETT, ATTORNEY AT LAW, &c. &c. &c. COBURG, CANADA.

MESSRS. BETHUNE & BLACKSTONE, HAKERS, ESTABLISHMENT, &c. OFFICE OVER THE WATERLOO HOUSE.

DR. PRINROSE, (Late of Newmarket.) OPPOSITE LADY CAMPBELL'S, DURE STREET.

MR. BEAUMONT, Professor of Surgery in the University of King's College, FELLOW OF THE ROYAL COLLEGE OF SURGEONS OF ENGLAND.

REMOVED TO BAY STREET. NEAR FRONT STREET, Athome for consultation from 10 a.m. till 12 daily.

DENTISTRY. DR. COWLES has removed his Office to his intended residence, on King Street, the house formerly occupied by Mr. Sisson, nearly opposite Messrs. Gravelly and Jackson's Store.

J. W. BRENT, CHEMIST AND DRUGGIST, KING STREET, KINGSTON.

MR. J. D. HUMPHREYS, (FORMERLY OF THE ROYAL ACADEMY OF MUSIC) PROFESSOR OF SINGING AND THE PIANO FORTE.

EDWARD GEORGE O'BRIEN, GENERAL AGENT, ACCOUNTANT AND NOTARY PUBLIC, CHURCH STREET.

MR. W. SCOTT BURN, ACCOUNTANT, 369

OWEN, MILLER & MILLS, COACH BUILDERS, FROM LONDON, CORNER OF PRINCESS AND BARRIE STREETS, KINGSTON, AND KING STREET, TORONTO.

T. & M. BURGESS, MERCHANT TAILORS, (LATE G. HILTON) No. 128, KING STREET, TORONTO.

A. MORPHIE, UPHOLSTERER AND PAPER HANGER, One of our Couches, and Chairs, stuffed and neatly repaired; Mattresses and Pillows always on hand; Curtains and Carpets cut and made to order.

RIDOUT & PHILLIPS, WHOLESALE AND RETAIL GROCERS, AND DEALERS IN WINES AND LIQUORS, Wellington Buildings, CORNER OF KING AND CHURCH STREETS.

THOMAS WHEELER, CLOCK AND WATCH MAKER, ENGRAVER, &c. 191, King Street, Toronto.

EMPORIUM.

UNDER THE PATRONAGE OF THE UNIVERSITY. W. H. EDWARDS, HAIR-DRESSER AND PERFUMER.

Private Entrance to the Dressing-Room, one door west of the Shop. Toronto, May, 1844. 359-1f

CARVING, GILDING, LOOKING-GLASS & PICTURE-FRAME MANUFACTORY, A FEW DOORS WEST OF THE MARKET, KING STREET, COBURG.

SIMON MUNRO, RESPECTFULLY begs leave to announce, that he has opened, in the TOWN OF COBURG, an establishment for the above Business, such as Carving, Gilding, Looking-glass and Picture-frame Making; House, Sign, and Ornamental Painting; Glazing, Graining, Marbling, Paper-hanging, &c.

HAMILTON NAIL WORKS. THE above Works having been in full operation since last Summer, the Subscribers are now prepared to supply their Customers, and the Trade of Canada West, generally, with their very superior

CUT NAILS. A stock of which they have been accumulating on purpose for the Spring business. RICHARD JUSON & Co.

SHELF AND HEAVY HARDWARE, which they offer, by Wholesale, on the most favourable terms. By the first Spring arrivals, they expect very large importations, including IRON, TIN PLATES, and OTHER METALS,

JOHN HART, (LATE OF THE FIRM OF HART & CO.) RECEIVED with in partnership, and desires to acquaint his friends and the public that he has removed to the house lately occupied by Mr. TORRELL, No. 233, King Street, two doors east of Mr. Rowland's, where he intends carrying on the above business, with strict attention and liberal terms, still to merit a continuance of public patronage.

JOHN BROOKS, BOOT AND SHOE MAKER, FROM LONDON. THANKFUL to his friends and the public in general for the very liberal support received since he commenced business in this city, begs leave to intimate that he has REMOVED to

WILLIAM A. GARRETT, ATTORNEY AT LAW, &c. &c. &c. COBURG, CANADA. 388-1

MESSRS. BETHUNE & BLACKSTONE, HAKERS, ESTABLISHMENT, &c. OFFICE OVER THE WATERLOO HOUSE, No. 134, King Street, Toronto, ONE DOOR EAST OF RIDOUT, BROTHERS & Co December 1, 1842. 289-1f

DR. PRINROSE, (Late of Newmarket.) OPPOSITE LADY CAMPBELL'S, DURE STREET. Toronto, 7th August, 1841. 7-1f

MR. BEAUMONT, Professor of Surgery in the University of King's College, FELLOW OF THE ROYAL COLLEGE OF SURGEONS OF ENGLAND. REMOVED TO BAY STREET, NEAR FRONT STREET, Athome for consultation from 10 a.m. till 12 daily. Toronto, April, 1844. 353-1f

DENTISTRY. DR. COWLES has removed his Office to his intended residence, on King Street, the house formerly occupied by Mr. Sisson, nearly opposite Messrs. Gravelly and Jackson's Store. Cobourg, June, 19, 1844. 362-1f

J. W. BRENT, CHEMIST AND DRUGGIST, KING STREET, KINGSTON. PHYSICIAN'S AND FAMILY PRESCRIPTIONS CAREFULLY COMPOUNDED. July 14, 1842. 362-1f

MR. J. D. HUMPHREYS, (FORMERLY OF THE ROYAL ACADEMY OF MUSIC) PROFESSOR OF SINGING AND THE PIANO FORTE. Toronto, Oct. 7, 1843. 350-1f

EDWARD GEORGE O'BRIEN, GENERAL AGENT, ACCOUNTANT AND NOTARY PUBLIC, CHURCH STREET. TWO DOORS SOUTH OF KING STREET, TORONTO. 332-1f

MR. W. SCOTT BURN, ACCOUNTANT, 369 No. 8, WELLINGTON BUILDINGS, KING STREET, TORONTO. Toronto, June, 1844. 364

OWEN, MILLER & MILLS, COACH BUILDERS, FROM LONDON, CORNER OF PRINCESS AND BARRIE STREETS, KINGSTON, AND KING STREET, TORONTO. 329-1f

T. & M. BURGESS, MERCHANT TAILORS, (LATE G. HILTON) No. 128, KING STREET, TORONTO. 343

A. MORPHIE, UPHOLSTERER AND PAPER HANGER, One of our Couches, and Chairs, stuffed and neatly repaired; Mattresses and Pillows always on hand; Curtains and Carpets cut and made to order. 391-1f

RIDOUT & PHILLIPS, WHOLESALE AND RETAIL GROCERS, AND DEALERS IN WINES AND LIQUORS, Wellington Buildings, CORNER OF KING AND CHURCH STREETS. Toronto, February 2, 1843. 291-1f

THOMAS WHEELER, CLOCK AND WATCH MAKER, ENGRAVER, &c. 191, King Street, Toronto. References, for integrity and ability, kindly permitted to the Lord Bishop of Toronto. 370

BUILDING LOTS.

ELEVEN splendid BUILDING Lots for sale, containing about half an acre each, beautifully situated on the East Bank of the River Don, about a quarter of a mile from the Bridge, and well adapted for the erection of Rustic Cottages with Urbine bricks, several of the lots run down to the river, the soil is excellent, and the price extremely low.

FOR SALE.

WHAT very valuable property, beautifully situated on the Shore of Lake Simcoe, Township of Georgina, being "THE BIRIARS," the property of the late CAPTAIN BOURCHIER, Esq.

THE Estate contains 200 acres of very good land, of which there are 70 under good cultivation, and fenced in a very superior manner; the House is of Brick, well built, and not only comfortable for a gentleman's family, with all necessary and fitting offices, but also well and completely finished in every particular.

"THE BIRIARS" is within a mile of the Church, Post Office, excellent Grist Mill, Saw Mill, and Store, and a few minutes walk from the Steamboat Wharf at Jackson's Point, the cost of which is one of the most perfectly sheltered harbours of that beautiful piece of water, Lake Simcoe.

TO any person visiting the picturesque scenery of the Lake, or desirous of settling on its healthy banks, this property can be pointed out by Capt. LANGTON, the intelligent commander of the Steamboat Beaver, who is acquainted with the place, and on whose information every reliance may be placed.

For terms and particulars apply to EDWARD G. O'BRIEN, Land Agent, &c., No. 4, Victoria Road, King Street, Toronto, April, 1844. 353-1f

NOTICE TO THE PUBLIC.

THE Sale of the Eleven (sixteen, as per hand-bills) BUILDING LOTS, on the East bank of the River Don, near the City of Toronto, advertised in the fourth page of this Journal, will be sold by AUCTION, on TUESDAY EVENING, the 11th day of June next, at EIGHT o'clock precisely, at Mr. Wakefield's Auction Mart.

TERMS:—Only £20. on each lot required down, the remainder can be paid in four equal annual instalments.

NOTICE.

These Lots are larger, (being from one-fourth to three-fourths of an acre each), cheaper, (see hand-bills), and upon a better title than any lots now offered for sale. The soil is well adapted for Pasture, Orchard, or Garden; and those lying at the Margin of the River, are well adapted for the erection of any kind of Machinery propelled by Steam, and would answer well for a Brewery, Distillery, or Tannery.

N.B.—Persons desiring to have a Deed at once, can have one, by giving a Mortgage.

It may be well to remark, that such a Deed will entitle the holder to a VOTE in the First Riding of the County of York. Toronto, May, 1844. 357-1f

THE PHENIX FIRE ASSURANCE COMPANY OF LONDON.

APPLICATIONS for Insurance by this Company are requested to be made to the undersigned, who is also authorized to receive premiums for the renewal of policies. MOFFATTS, MURRAY & Co. Toronto, July 1, 1841.

BRITISH AMERICA FIRE & LIFE & MARINE ASSURANCE COMPANY.

(INCORPORATED BY ACT OF PARLIAMENT.) AGENT AT COBURG—ROBERT HENRY, Esq. November, 1844. 353-1f

Home District Mutual Fire Company.

OFFICE—NEW STREET, OPPOSITE NEWGATE STREET, TORONTO.

INSURERS Dwellings, Houses, Warehouses, Buildings in general, Merchandise, Household Furniture, Mills, Manufacturing, &c.

DIRECTORS. John McMurich, John Doel, James Barry, Charles Thompson, John Eastwood, Benjamin Thorne, James Leslie, J. B. Warren, Capt. J. Elmisy, B. W. Smith, J. RAINES, Secretary. J. H. PRICE, Esq., President. All losses promptly adjusted. Letters by mail must be post-paid. July 5, 1843. 317

HOFFATS VEGETABLE LIFE PILLS AND PHENIX BITTERS.

THE high and envied celebrity which these pre-emptive Medicines have acquired for their invaluable efficacy in all the diseases which they profess to cure, has rendered the usual practice of putting off repairs, their good effects testify for them, and they thrive not by the faith of the credulous.

IN ALL CASES OF Acute and Chronic Rheumatism, Affections of the Bladder and Kidneys, Bilious Fever and Liver Complaints, Bilious and Dyspeptic Liver Complaints, LIVER COMPLAINTS, MERCURIAL DISEASES, Scarcely ever fails to evacuate nature, and the effects of Mercury indelibly disappear, their good effects testify for them, and they thrive not by the faith of the credulous.

THE original proprietor of these Medicines was cured of PILES of 30 years standing by the use of the Life Pills and Bitters, which he has since administered to many others, and they have been found to be sure of relief by the Life Pills and Bitters.

THE original proprietor of these Medicines was cured of PILES of 30 years standing by the use of the Life Pills and Bitters, which he has since administered to many others, and they have been found to be sure of relief by the Life Pills and Bitters.

THE LIFE PILLS AND PHENIX BITTERS.

PURIFY THE BLOOD, AND THUS REMOVE ALL DISEASE FROM THE SYSTEM. A single trial will place the LIFE PILLS and PHENIX BITTERS beyond the reach of competition, in the estimation of every patient.

Prepared and sold wholesale and retail, by DR. WELLS, 225, N. York Street, New York.

The Genuine of these Medicines are now put up in white wrappers and labels, together with a pamphlet, called "Moffat's Great Remedy," containing the directions, &c., on which is a drawing of the man, from Wall Street to our Office, by which strangers visiting the city can very easily find us. The wrappers and "Sanitariums" are copyrighted, therefore, any person who pretends to sell these Medicines, can be assured that they are genuine. Be careful, and do not buy those with yellow wrappers; but if you do, be satisfied that they come direct from us, or don't touch them.

J. M. GROVER, Agent for Colborne, G. W. JOLEY & Co., Asphodel and Ottonabee. P. M. GROVER & Co., Peterboro.

The Church.

IS published by THE MANAGING COMMITTEE, at COBURG every Friday. TERMS:—FIFTEEN SHILLINGS per annum To Post Masters, Ten Shillings per annum. Payment to be made yearly, or at least half yearly, in advance.

The terms in Great Britain and Ireland are, Thirteen Shillings and Six Pence Sterling per annum, payable in advance to the Agent of the paper Mr. Samuel Rowell, 31, Chesapeake, London.

No orders for discontinuance will be attended to, unless accompanied (POST-PAID) with a remittance of all arrears in full.

AGENTS.

- Rev. H. F. Russell, - - - - - Bathurst, N. B.
Messrs. Esq., P. M. - - - - - Brudenell and Seymou
G. W. Baker, Esq., P. M. - - - - - Byron
J. Beavis, Esq. - - - - - Clarke
Wm. Gravelly, Esq. - - - - - Cochrane
J. D. Gooley, Esq. - - - - - Dundas
John Gosnell, Esq. - - - - - Dundas
J. B. Groat, Esq. - - - - - Dundas
James Stanton, Esq. - - - - - Erie
Charles F. Wetmore, Esq. - - - - - Fredericton, N.B.
George M. Esq., P. M. - - - - - Gungah
Henry Fryer, Esq. - - - - - Halifax, N.S.
Mr. James Jones, Esq. - - - - - Hillier
Arthur Hooper, Esq., P. M. - - - - - Kingston
J. W. Brent, Esq. - - - - - Kingston
Mr. Goodman, Esq. - - - - - March, Bathurst District
Rev. James Hudson - - - - - Montreal
Charles Brent, Esq. - - - - - Montreal
Messrs. Swords, Stanford & Co. - - - - - New York
Davidson, Esq., P. M. - - - - - Niagara
A. S. Newbury, Esq., P. M. - - - - - Palermo
G. C. Annum, Esq., P. M. - - - - - Peterboro
L. B. Stevenson, Esq. - - - - - Pictou
Donald Barwell, Esq. - - - - - Port Huron
Charles Hughes, Esq., Druggist, - - - - - Port Hope
George Hall, Esq., Esq. John Street, - - - - - Quebec
A. J. Hoyt, Esq. - - - - - Richmond
L. P. Deahley, Esq., - - - - - Sandwich, New Brunswick
A. G. Boomer, Esq. - - - - - St. Catharines
George Wheeler, Esq. - - - - - St. Catharines
Thos. Channin, Esq. - - - - - Toronto
Mr. Nixon, P. M. - - - - - Warwick
Mr. Smith, Esq., P. M. - - - - - Wellington Square
Mr. W. H. White, - - - - - Whitehall
H. C. Barwick, Esq. - - - - - Woodstock, U. C.
Rev. S. D. J. Woodstock, N. B. - - - - - Woodstock, N. B.
G. P. Kirby, Esq., P. M. - - - - - Zone Mills.