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THE  
ACTS AND PROCEEDINGS

OF  
THE SYNOD

OF THE  
PRESBYTERIAN CHURCH OF CANADA

IN CONNECTION WITH  
THE CHURCH OF SCOTLAND,

BEGUN AT KINGSTON, 8TH JUNE,

1831.



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MINUTES OF THE CONVENTION  
OF  
MINISTERS AND LAY COMMISSIONERS,  
AT WHICH THE FORMATION OF A  
CANADIAN SYNOD AND PRESBYTERIES,  
IN CONNECTION WITH  
**THE CHURCH OF SCOTLAND,**  
WAS DETERMINED ON.

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*At Kingston, the Seventh Day of June, One Thousand  
Eight Hundred and Thirty-one:—*

The Ministers and Commissioners from the Congregations in connection with the Church of Scotland in Canada met, pursuant to agreement, in the Church of Kingston, when the Rev. John Machar, Minister of Kingston, having been called to the chair, the meeting was constituted with prayer.

The Rev. Alexander Gale was then appointed Clerk.

The Clerk made up a roll of the members present, as follows:—

|                                    |                                                                                 |
|------------------------------------|---------------------------------------------------------------------------------|
| THE REV. ALEXANDER GALE,           | Minister of <i>Amherstburgh.</i>                                                |
| “ GEORGE SHEED,                    | “ <i>Ancaster and Dundas.</i>                                                   |
| “ JOHN MACHAR,                     | “ <i>Kingston.</i>                                                              |
| “ JOHN CRUIKSHANK,                 | “ <i>Bytown.</i>                                                                |
| “ ALEXANDER ROSS,                  | “ <i>Aldborough.</i>                                                            |
| “ ROBERT MCGILL,                   | “ <i>Niagara.</i>                                                               |
| “ THOMAS CLARKE WILSON,            | “ <i>Perth.</i>                                                                 |
| “ WILLIAM McALISTER,               | “ <i>Lanark and Dalhousie.</i>                                                  |
| GEORGE MCKENZIE, Barrister at Law, | <i>Commissioner from the Kirk<br/>Session of Kingston.</i>                      |
| JOHN WILLISON, Surgeon,            | <i>Commissioner and Elder from the Kirk<br/>Session of Ancaster and Dundas.</i> |

Mr. McGill, in explanation of the objects of the Meeting, called the attention of members to Sir George Murray's Despatch to Sir John Colborne, Lieutenant Governor of Upper Canada, relative to a union between the different classes of Presbyterians; to the necessity of forming Presbyteries and a Synod in Canada; and of applying to the General Assembly for recognition.

After long deliberation on these points, it was resolved to adjourn till to-morrow at ten o'clock, A. M.

The meeting was closed with prayer.

(Signed) JOHN MACHAR, Chairman.

*Kingston, 8th June, 1831.*

Pursuant to adjournment, the Convention of Ministers and Commissioners from the congregations in connection with the Church of Scotland met, and having been constituted with prayer, the Clerk was ordered to complete the roll of members present; when in addition to the members present at yesterday's Sederunt, there appeared and took their seats—

|                           |                           |
|---------------------------|---------------------------|
| THE Rev. WILLIAM RINTOUL, | Minister of <i>York</i> . |
| " ALEXANDER MATHIESON     | " <i>Montreal</i> .       |
| " HENRY ESSON,            | " <i>Montreal</i> .       |
| " JOHN MCKENZIE,          | " <i>Williamstown</i> .   |
| " HUGH URQUHART,          | " <i>Cornwall</i> .       |
| " ARCHIBALD CONNEL,       | " <i>Martintown</i> .     |

JOHN MCGILLIVRAY, Esq., *Commissioner from Williamstown.*

ALEXANDER McMARTIN, Esq., *Commissioner from Martintown.*

JOHN TURNBULL, Esq., *Commissioner from the Congregation at Belleville.*

The Convention then proceeded to consider the question of the formation of Presbyteries and a Synod in Canada, when, after mature deliberation, it was moved, seconded, and carried unanimously, that this Convention of Ministers and Elders in connection with the Church of Scotland, representing their respective Congregations, do now form themselves into a Synod to be called the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland, leaving it to the Venerable the General Assembly to determine the particular nature of that connection which shall subsist between this Synod and the General Assembly of the Church of Scotland.

The meeting was then closed with prayer, and dissolved.

(Signed) JOHN MACHAR, *Chairman.*

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Mr. George  
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and Mr. John

The Minutes

# MINUTES OF THE SYNOD.

**Minutes of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, begun at Kingston, the 8th Day of June, and concluded the 13th Day of June, 1831 years.**

## SESSION I.

### DIET I.

*At Kingston, and within St. Andrew's Church there:—  
The Eighth Day of June, One Thousand Eight  
Hundred and Thirty-one:—*

The Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, being met, the Rev. John McKenzie, of Williamstown, was chosen Moderator, and constituted the Court with prayer.

Sederunt, the Rev. John McKenzie, *Moderator*:—Mr. John Machar, Mr. George Sheed, Mr. Robert McGill, Mr. Hugh Urquhart, Mr. Henry Esson, Mr. Thomas Clarke Wilson, Mr. William McAlister, Mr. John Cruickshank, Mr. Alexander Ross, Mr. William Rintoul, *Ministers*:—and Mr. John Willison, and John McGillivray, Esq., *Elders*.

The Rev. Robert McGill, was chosen Synod Clerk.

The Synod adjourned till to-morrow at Ten o'clock, A. M., and was closed with prayer.

(Signed) JOHN MCKENZIE, *Moderator*.  
ROBERT MCGILL, *Synod Clerk*.

### DIET II.

*St. Andrew's Church, Kingston, 9th June, 1831.*

The Synod of the Presbyterian Church of Canada, met this day, pursuant to adjournment, and was constituted with prayer.

Sederunt, The Rev. John McKenzie, *Moderator*:—Mr. John Machar, Mr. George Sheed, Mr. Robert McGill, Mr. Hugh Urquhart, Mr. Henry Esson, Mr. Thomas Clarke Wilson, Mr. William McAlister, Mr. John Cruickshank, Mr. Alexander Ross, Mr. William Rintoul, *Ministers*:—and Mr. John Willison, and John McGillivray, Esq., *Elders*.

The Minutes of yesterday were read.

The Rev. Edward Black, Minister in Montreal, appeared at the Bar of the Synod, gave in his adherence and submission to the Synod, and took his seat accordingly.

The Synod proceeded to consider the division of the Church into Presbyteries, when it was unanimously resolved that this Synod be divided into four Presbyteries, as follows :—

*First.*—The Presbytery of Quebec, consisting of the following Ministers ; Mr. James Somerville, Mr. Henry Esson, James Harkness, D. D., Mr. Edward Black, Mr. Alexander Mathieson, Mr. John Clugston.

*Second.*—The Presbytery of Glengary, consisting of Mr. John McKenzie, Mr. John McLaurin, Mr. Hugh Urquhart, and Mr. Archibald Connel.

*Third.*—The Presbytery of Bathurst, consisting of Mr. John Machar, Mr. John Cruickshank, Mr. Thomas Clarke Wilson, and Mr. William McAlister.

*Fourth.*—The Presbytery of York : Mr. William Rintoul, Mr. Alexander Gale, Mr. George Sheed, Mr. Alexander Ross, and Mr. Robert McGill.

The Presbyteries of Glengary, Bathurst and York, were enjoined to meet in St. Andrew's Church, Kingston, for any competent business, to-morrow, at half-past 7 o'clock, A. M. ;—and the Presbytery of Quebec was enjoined to meet at Montreal, on the second Wednesday of August next.

A Committee consisting of the Moderator, Mr. John Machar, Mr. Henry Esson, Mr. William Rintoul, and Mr. Robert McGill, was appointed to draw up a Memorial to the General Assembly, in terms of the Resolution of Convention, Mr. McGill, to be Convener.

A Committee was also appointed, consisting of Mr. George Sheed, Mr. Alexander Mathieson, Mr. Hugh Urquhart, Mr. Alexander Gale, *Ministers* :—and Mr. John McGillivray, Ruling Elder, to draw up a Memorial to the King in Council, on the subject of the Clergy Reserves, and the temporal provision for the Church of Scotland in Upper Canada, Mr. Sheed, to be Convener.

The Synod recommended, at the same time, to the Presbytery of Quebec, to adopt the same course with respect to Lower Canada.

It was unanimously resolved, that the several members of this Synod shall prepare a report of the state of religion in their several congrega-

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tions and neighbourhoods, and that they shall transmit the said reports, within three months of this date, to the Convener of the Committee on the Memorial to the General Assembly, with a view to their preparing a report of the state of religion in Canada, for the information of the General Assembly. It was also resolved that the different Presbyteries within the bounds of the Synod, do see that sessions be regularly organized in the different congregations, and proper records kept of their proceedings.

Presbyteries are enjoined to bring their Records annually to the Synod for examination.

The following Committee was appointed to watch over the general interests of the Church, viz:—Mr. John Machar, Mr. William Rintoul, Mr. Robert McGill, Mr. George Sheed, the Honourable James Crooks, the Honourable Archibald McLean, Doctor Dunlop: The Rev. Mr. Rintoul, to be Convener.

The following members were appointed a Committee of bills and overtures, viz:—Mr. Edward Black, Mr. John Cruickshank, and Mr. William Rintoul.

The Synod adjourned till to-morrow, at ten o'clock, A. M., and was closed with prayer.

(Signed)

JOHN MCKENZIE, *Moderator.*  
ROBERT MCGILL, *Synod Clerk.*

### DIET III.

*St. Andrew's Church, Kingston, 10th June, 1831.*

The Synod met, pursuant to adjournment, and was constituted with prayer.

The Minutes of last Sederunt were read.

The Committee for drawing up a Memorial to the General Assembly, craved delay of their Report till to-morrow.—Agreed to.

The Committee for bills and overtures presented a report which was read.

In conformity thereto, the Synod proceeded to take up the case of a dispute in the Church of St. Gabriel Street, Montreal, when there was produced and read, a representation of the case by Mr. Black, *Minister*, and certain Elders, with a declaration of their willingness to submit the

case to arbitration, in accordance with a recommendation of Dr. Lee, of Edinburgh, an attested copy of whose letter was produced and read.

There was also produced and read, a petition, numerously and respectfully signed, by certain Elders, Members of Committee, and Members of the aforesaid Church, requesting the Synod to take the case of the said Church into consideration, whereupon Mr. Black repeated verbally his pledge to submit the whole case in dispute, in St. Gabriel Street Church, to the decision of arbitrators, of whom Mr. John Machar, and Mr. John McKenzie, *Ministers*, should form two, and Mr. Esson having also pledged himself to submit the whole case to arbitration, appointed Mr. George Sheed, and Mr. Robert McGill, arbitrators on his part; and both Mr. Black and Mr. Esson, agreed that the said arbitrators should have power to call in an Umpire if necessary.

The Synod having maturely considered the specialties and difficulties of the case, approved of the submission to the aforesaid arbitrators, and instructed those brethren to proceed in the arbitration with the caution and deliberation which the importance of the case demands, and to procure from the parties, if necessary, a written pledge, that they shall abide by the decision of the arbitrators. The Synod instructed the Clerk to furnish Mr. Esson and Mr. Black, each with a copy of this minute for themselves, and for the parties respectively connected with them.

And the Synod recommended that the doors of the said Church be opened on Sabbath se'ennight, for public worship, and that both Mr. Esson and Mr. Black do preach in the Church as heretofore, unless any thing in the decision of the arbitrators, bar their doing so:—Mr. Black preaching in the morning of Sabbath se'ennight, and Mr. Esson in the afternoon, according to rotation.

The Synod further instructed the arbitrators to report to the Synod, at the next meeting, the decision which they may have come to in this case. The deliverance of the Synod was read to the parties, and agreed to by them.

The Synod then proceeded to consider the case of Mr. James Smith, Preacher of the Gospel in Quebec; and his letter applying for ordination to the Church of Guelph, was read; when it was agreed to remit the case to the Presbytery of York, with instructions to them to proceed according to the laws of the Church.

The Moderator of the Presbytery of Bathurst, craved permission to call a meeting of Presbytery, to-morrow, for special business, and leave was granted.

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The Synod deferred other business, and adjourned till to-morrow, at ten o'clock, A. M.

The Synod was closed with prayer.

(Signed)

JOHN MCKENZIE, *Moderator.*  
ROBERT MCGILL, *Synod Clerk.*

DIET IV.

*St. Andrew's Church, Kingston, 11th June, 1831.*

The Synod met, pursuant to adjournment, and was constituted with prayer.

The Minutes of the Sederunt of yesterday being read, Mr. John Crooks produced his commission from the Kirk Session of Niagara, and the Hon. Archibald McLean from the Kirk Session of Cornwall, and took their seats accordingly.

A motion was made to form a Missionary Society in connection with the Synod, when the following Committee was appointed to digest a plan for missionary undertakings, viz:—Mr. William Rintoul, Mr. John Machar, Mr. Alexander Gale, Mr. William McAlister, Mr. Henry Esson, Mr. Alexander Mathieson, and Mr. Alexander Ross, *Ministers*; and Mr. John Crooks, and Mr. John McGillivray, *Ruling Elders*; Mr. Mathieson to be convener—with instructions to report to the Sederunt on Monday.

The Synod appointed a collection to be made by all the Sessions within their bounds for the establishment of a Synod Fund, the collections to be remitted to the Treasurer on or before the next Meeting of Synod.

John McLean, Esq., of Kingston, was appointed Treasurer of the Synod.

An application having been made by the Rev. Alexander Mathieson respecting the payment of a debt due to Hart, Logan, and Company, for sums paid to C. J. Grant, Esq., late agent in Scotland and London for Presbyterians in Canada, the Synod agreed to recommend this case to the consideration of individual members.

A copy of a despatch from Sir George Murray to Sir John Colborne was then communicated by Mr. McGill, and read as follows:—

DOWNING-STREET, 1st August, 1830.

SIR,—“ I have the honour to acknowledge the receipt of your Despatch of the 25th January, enclosing the copy of the Memorial from the Presbyterian Ministers of Upper Canada, not in direct communion with

the Church of Scotland, praying that they may be considered entitled to share the allowance granted to the Ministers of the Church of Scotland, from the funds of the Canada Company, by Lord Bathurst's Despatch of the 6th October, 1826.

"It appears to me very desirable, if such a measure could be accomplished, that the whole of the Presbyterian Clergy of the Province should form a PRESBYTERY or SYNOD, and that each Presbyterian Minister, who is to receive the allowance from Government, should be recommended by that body, in like manner as the Roman Catholic Priests, who receive assistance from Government, are recommended by the Catholic Bishop. By this arrangement the whole of the Presbyterian Clergy of Upper Canada would be placed upon the same footing with respect to their immediate connection with the Government of the Province, as with respect to the assistance afforded by Government towards their support; whereas under the present plan the Government has indirect connection with a part only of the Presbyterian body in Upper Canada, to the exclusion of the remainder.

"You will, therefore, consider yourself authorized to consult with the leading members of the Presbyterian body in Upper Canada, as to their disposition to adopt a union of the nature which I have suggested in this Despatch, and report to me on the subject.

"I have the honour to be, Sir,

"Your most obedient humble servant,

"G. MURRAY."

"MAJOR GENERAL SIR JOHN COLBORNE, K. C. B., &c., &c."

Whereupon the Synod, having taken the same into their respectful consideration, Resolved, that they consider the difficulty of holding communication with the government removed so far as the Ministers of the Church of Scotland are concerned, by the formation of this Synod, and while they recognise it as highly desirable that the Presbyterians of Upper Canada, who are agreed in doctrine, discipline and government, with the Church of Scotland, should be united into one Ecclesiastical body, they think it inexpedient to proceed to the consideration or formation of a connection with any Presbyterian Ministers not in communion with the Church of Scotland, until they shall obtain further information, and appoint the following Committee, viz:—Messrs. John Machar, William Rintoul, Robert McGill, George Sheed, the Hon. James Crooks, the Hon. Archibald McLean, and Dr. Dunlop, (Mr. Rintoul, Convener,) to collect all such information as may bear on this subject, and report to the next meeting of Synod.

The Synod deferred taking up the Reports of Committees, and adjourned till Monday, at eight o'clock, A. M.

The Synod was closed with prayer.

(Signed.)

JOHN McKENZIE, *Moderator.*  
ROBERT MCGILL, *Synod Clerk.*

## DIET V.

*St. Andrew's Church, Kingston, June 13th, 1831.*

The Synod met, pursuant to adjournment, and was constituted with prayer.

The Minutes of last Sederunt were read.

The Committee for drawing up a Memorial to the General Assembly was called upon to Report, and a draft of a Memorial was produced and, having been read paragraph by paragraph, was approved of, and the same was ordered to be engrossed; and presented for the signatures of the members:—the tenor whereof follows:—

*Unto the General Assembly of the Church of Scotland.—The humble Memorial of the Undersigned, the Ministers and Elders in connection with the Church of Scotland, constituting the Synod of the Presbyterian Church of Canada, in Synod assembled.*

Your Memorialists address themselves to your Venerable House with the reverence of children, and the affection of brethren, remembering as Ministers that, amongst you, their earliest instructions in Divine truth were found,—that in your Colleges they have drunk of the fountains of human and sacred learning, and that by your Presbyteries they have been set apart to the honoured work of ministering the Everlasting Gospel, and from them received the right hand of brotherhood; And your memorialists humbly pray that the God and Father of our Lord Jesus Christ may plentifully pour down on you the Holy Spirit as an abiding unction, whereby love and unity, zeal for the truth, and success in maintaining it, may ever characterize you, and throw an increasing glory around a name already so highly distinguished throughout the Christian World.

Your Memorialists in thus addressing you, primarily design to inform you of the formation of an Ecclesiastical Union among themselves, and in terms of the resolution by which they were constituted into a Synod, to submit to you the determination of the precise relation which the Synod shall have to your Venerable Body, and withal to crave the counsel of your mature experience and the aid and encouragement which you may be able to extend towards them.

Your Memorialists, holding firmly to the authorized standards of the Church of Scotland, have considered their Ecclesiastical Union as the natural result of the common views on Church policy, which they entertain, and the common spiritual office with which they have been invested, in connection with the circumstances of their living in the same provinces,—and they have accordingly united themselves into a Synod, branched out into Four distinct Presbyteries; and a union flowing out of a higher principle than mere expediency, will, they confidently hope, through the divine blessing, remedy evils under which their Churches have hitherto laboured, and conduce to the planting of new churches.

Your Venerable Assembly are well aware that Governments are the Ordinance of the Great Head of the Church, and that they are essential to the existence of the Church as well as of the State,—and you may not be altogether ignorant that some Churches of this Province have suffered deeply in times past, and have brought even discredit on the Church at large by their internal discord. Now your Memorialists hope that in the Judicatories at length happily formed, a remedy against such evils will be found; and that through the exercise of the inspection, and discipline competent to these Courts, the unity, good order and peace of the Church will be promoted.

It is scarcely necessary for your Memorialists to state that the increase of the Churches in communion with the Church of Scotland throughout Canada, has kept a very unequal pace even with the emigrant population from Scotland, to say nothing of the greater population of settlers from other quarters of the British dominions who are pouring into these Provinces; and that multitudes of settlers, and those attached to the Church of Scotland by the strongest and tenderest ties, have been left altogether destitute of the stated administration of the life-giving word and ordinances of the Gospel; and have been thereby exposed to the peril of sinking into utter spiritual darkness and death.—Their cries, which have been heard even in Scotland, could not but fall louder on the ears of the Ministers in their neighbourhood, and accordingly some of your Memorialists have given themselves to itinerant labours throughout the settlements in their neighbourhood, to the small extent that their duties to their own congregations would permit.

Your Memorialists, by the Ecclesiastical Union into which they have now entered, have especially contemplated a provision for a more extended system of Missions in the country, and they trust that while their individual exertions will be increased and combined, they may expect the co-operation and support of individuals and committees in other places who may sympathize and concur with them in this undertaking.

Your Venerable Assembly knows that there are many external relations and interests of a Church which may be best watched over by a General Court, and that amongst these most interesting to the Churches under the jurisdiction of the Synod, is their right to a share in the lands set apart for the maintenance of a Protestant Clergy. Your Memorialists contemplate that all such relations and interests will be most effectually as well as constitutionally watched over by the Synod, and that through it an organ of communication between the different Ministers and the Government will be supplied,—the wants of which the Heads of the Government have already felt, as may be inferred from a recent despatch from the Right Hon. Sir George Murray, late Secretary to His Majesty for the Colonies, to His Excellency Sir John Colborne, Lieut. Governor of Upper Canada, a copy of which despatch was communicated by His Excellency to one of your Memorialists, and is herewith enclosed.

Those and other obvious considerations appeared to your Memorialists to justify their forming themselves into a Synod. And your Memorialists respectfully await your decision as to the particular nature of that connection which shall subsist between this Synod and your Venerable

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Assembly; confident that their Churches will not be left by you in a less favoured situation to the Established Church of Scotland, than that in which the Episcopal Churches in these, and in other foreign parts, stand to the Established Church of England.

Your Memorialists beg to enclose an extract of the Minutes of the Meeting of Ministers and Elders in which this Synod originated.

And your Memorialists subscribe themselves the dutiful Servants of your Venerable Assembly: As witness their hands, at Kingston, Upper Canada, the Thirteenth day of June, One Thousand Eight Hundred and Thirty-one Years.

(Signed) John McKenzie, *Moderator*: John Machar, William Rintoul, George Sheed, Hugh Urquhart, John Cruickshank, Alexander Ross, Robert McGill, Thomas Clarke Wilson, William McAlister, Alexander Gale, Henry Esson, Archibald Connel and Alexander Mathieson, *Ministers*: and John McGillivray, Archibald McLean, John McLean, and John Crooks, *Elders*.

The Report of the Committee for drawing up a plan for Missionary exertions, was next called for, and the same having been read and approved of, the Synod, in terms of the said Report, agreed to appoint an interim Committee for Missions, giving them full power to collect funds and appoint a Missionary or Missionaries any where within the bounds of the Synod.

The following Committee was appointed, viz.:—the Moderator, Mr. John Machar, Mr. William Rintoul, Mr. Robert McGill, Mr. George Sheed, Mr. Alexander Mathieson, Dr. Harkness, Mr. John Clugston,—Mr. Machar to be Convener. The Committee was instructed to report to next Meeting of Synod.

The following Committee was appointed to revise the Minutes, and to draw up, print and circulate an abstract of the same, for the information of the Church, viz.:—Mr. William Rintoul, Mr. Robert McGill, and Mr. George Sheed, *Ministers*: and John Crooks, and John Willison, *Ruling Elders*.

The following Members were appointed as a deputation to wait upon His Excellency the Lieutenant Governor, to present to him, an address from this Court,—the deputation to consist of Mr. George Sheed, Mr. William Rintoul, and Mr. Robert McGill, *Ministers*: and John Crooks, and John Willison, *Esquires*, *Elders*, with power to add to their number. The same Committee were enjoined to furnish the Governor, as soon as possible, with a Report of the Synod's proceedings.

A vote of thanks was passed to the Minister, Elders and Trustees of St. Andrew's Church, Kingston, for the comfortable accommodation

afforded by them to the Synod during their sittings; and the same was acknowledged by Mr. Machar.

The thanks of the Synod were also tendered to the Rev. Robert McGill for his exertions in convening the meeting of Ministers and Elders, in which the Synod originated, and were acknowledged by Mr. McGill.

Mr McGill, having reported that John Crooks, Esq., of Niagara, had printed, free of expense, the circulars to the different Ministers, calling the preliminary meeting, the thanks of the Synod were unanimously voted to Mr. Crooks. The Moderator was requested to communicate to him the same.

The report of the Committee for drawing up a petition to the King, being called for, a draft was produced, read, and agreed to, and Mr. Wilson was requested to engross the same on parchment, and lay it before the Synod at Eight o'clock this evening, the tenor whereof follows:—

TO THE KING'S MOST EXCELLENT MAJESTY:

The Petition of the Ministers of the Presbyterian Church in connection with the Church of Scotland, in the Province of Upper Canada,

MOST HUMBLY SHEWETH:

That your Petitioners feel great reluctance at a time of unusual excitement like the present, in bringing forward and urging on the consideration of your Majesty, claims which, during the reign of their late much-revered Sovereign, were submitted for the decision of his Government; but they feel that they cannot, without the dereliction of a sacred duty, abstain from presenting to your Majesty their humble and earnest opposition to certain statements contained in a petition recently drawn up in behalf of the Bishop and Clergy of the Diocese of Quebec, on the subject of the allotment or appropriation of lands in the Province of Canada, for the support of a Protestant Clergy; and, at the same time, they deem it a duty they owe to themselves and their brethren of the same persuasion, humbly to solicit the favourable consideration of your Majesty to the claims above referred to.

It is scarcely necessary for your Majesty's petitioners to disclaim any desire "to attack the vested rights of the Church of England" in this Province; and they cannot but regret that the Bishop of this Diocese and his Clergy should think so unfavourably of them as to deem them capable of joining "various dissenting sects" in such attack. If, however, to assert what they regard as a right, belonging as well to their Church as to the Church of England, is to be construed as "an attack" upon the vested rights of the latter, then, indeed, your Majesty's petitioners must admit that the charge is not unfounded. But your Majesty's petitioners have yet to learn on what reasonable grounds the Clergy of the Church of England can designate the appropriation of lands for the support of a Protestant Clergy in this Province "a vested

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right," or why your petitioners should refrain from questioning the exclusive claims urged by the Sister Church, seeing these claims are set up in opposition to what your petitioners conceive to be the plain meaning of the Act of Union, to the sense of the House of Assembly of Upper Canada, to the legal opinion of Lord Lyndhurst, late Lord Chancellor, while Attorney-General, and of the late Lord Gifford, while Solicitor-General, as well as to the Report of the Committee of the House of Commons.

It is stated in the petition referred to, that "for a period of thirty years it never became a question, but that it (the reserve of one-seventh of the Province) was made for the exclusive maintenance of the Church of England; and hence it is intended that it should be inferred that during the whole of that period the exclusive claim of the Church of England was acquiesced in by the members and Ministers of the Church of Scotland. Candour ought to have induced the Lord Bishop of Quebec and his Clergy, at the same time, to state that for nearly thirty years, the Church of England derived no benefit from, and assumed no controul over these Reserves; that, during that period they produced very little, if any thing, and that up to the year 1820, there was but one Clergyman in connection with the Church of Scotland, resident in Upper Canada, from whom it could scarcely be expected that he should enter into a controversy for Lands which, till then were of no value. It is, however, well known, and can be established by proof, if necessary, that this gentleman frequently and earnestly represented to the Executive Government of the Province, the impropriety of creating any distinction between two Churches having equal claims, and the injustice of extending to the one, a support which was withheld from the other. Immediately after the formation of the Clergy of the Church of England into a corporation for managing the Clergy Reserves, (a duty not generally considered compatible with those which belong to their station) the public attention was drawn to the subject, and during the year 1822, the House of Assembly addressed his late Majesty in behalf of the Church of Scotland. The proceedings of the Assembly on this occasion are, in the petition of the Lord Bishop of Quebec, attributed to the "exertions of an individual in the Legislature" of this province, and it is insinuated that they are in the face of the plain enactments of the statute 31st, Geo. 3rd, Chap. 31, "because these declare that the Lands reserved shall be for the support of a (meaning one) Protestant Clergy, and the claim was urged in behalf of the Ministers of the Church of Scotland," as a part of the Protestant Clergy recognized by the laws of the United Kingdom. Whether the construction of the statute as given by his Lordship the Bishop of Quebec and his Clergy, in their own favour, strengthened by the opinion of any barrister, however eminent, or that which has been declared by former law officers of the Crown, and subsequently by the House of Assembly of Upper Canada, and by a Committee of the House of Commons, sitting on Canadian affairs, is to be regarded as the most entitled to consideration, it is for your Majesty's Government to determine, and to that decision your Petitioners look forward with every confidence, that it will be guided and influenced by no considerations but those of justice and equity. The difficulties which exist in a country having but a thin population, and not very abundant means for providing adequate support for clergymen duly qualified for the Ministry, are plainly and correctly stated in the Lord Bishop's petition to your Majesty; and the anxiety of the

Members of the Church of Scotland to procure well educated and efficient Ministers to settle and officiate amongst them, may be gathered from the fact, that since encouragement, small as it is, to individuals, has been held out in Upper Canada, eight Clergymen have been invited and have arrived from Scotland, who are now engaged in the discharge of their duties in various parts of the Province, and many more would be immediately applied for, if the sum allowed by Government were such in amount as to admit of further subdivision.

Your Majesty's Petitioners would exceedingly regret to see the Clergy of the Church of England deprived of that support which is necessary to ensure their respectability or usefulness; but belonging to the Established Church of a portion of the British Empire, they could not but feel it humiliating and unfortunate that they should not be considered worthy of the same measure of support, when the means are not wanting to afford ample encouragement to both. The claims of the Church of Scotland, and of all natives of that portion of your Majesty's dominions, is founded upon the Act of Union between the two Kingdoms, which guarantee an equal communication of all rights and privileges to the inhabitants of both; and though the Church of England claims to be regarded as the Established Church, your Majesty's Petitioners cannot perceive how such claims can be supported. It is almost unnecessary to press on your Majesty's attention, that the words "territories thereunto belonging," under any construction, can only refer to the possessions of the realm of England, and cannot, in accordance either with the words or the spirit of the said Act, extend to, or include any accession of territory that might subsequently be acquired by the United Kingdom.

The only question which creates any difference between the Churches of England and Scotland, within this Province, is, whether the latter is entitled to share in the provision made by the before mentioned Act of the British Parliament, for the support of a Protestant Clergy, and the assertion in the Petition on behalf of the Episcopal Church, that "there is no more ground for concluding that emigrants from Scotland have a right to find their Church recognized and supported in the Colonies, than that they carry with them the right to enjoy the civil and criminal law of Scotland," appears to your Majesty's Petitioners to afford no argument whatever against them. It may be asked whether the Church of England would, or could be entitled to any support as such, or whether the laws of England could necessarily come into operation in these Provinces immediately after their conquest. If so, then the provisions of the Act under which that Church now claims one-seventh of the Province of Upper Canada, and the Act which introduces the criminal law of England into both Provinces, must be, if not wholly superfluous, at least, in a great measure, unnecessary. But such reasoning appears undeserving of farther comment. If the Act 31, George III, chap. 31st had been perfectly silent as to any provision for the support of religion, your Majesty's Petitioners respectfully contend that neither the one Church nor the other would be entitled to claim anything as a matter of absolute right. Provision having been made in that Act, as your Petitioners believe, fully sufficient for the support of all the Protestant Clergy of the Province, recognised by the laws of the United Kingdom, it is not unreasonable that the Members of the Church

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of Scotland should desire to be placed on the same footing with their fellow subjects of the Church of England. But having every reason, as well as every desire to repose the most implicit confidence in the justice and liberality of your Majesty's Government, your Petitioners humbly submit their case,—and that your Majesty may long reign to guard the rights of all classes of your Majesty's subjects, is the earnest prayer of your Majesty's Petitioners.

(Signed) Thomas C. Wilson, Hugh Urquhart, John Cruickshank, Alexander Gale, Robert McGill, Alexander Ross, John McKenzie, John Machar, William McAlister, William Rintoul, George Sheed, and Archibald Connel.

An address to His Excellency Sir John Colborne, was read, approved and ordered to be engrossed; the tenor whereof follows:—

*To His Excellency SIR JOHN COLBORNE, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major-General Commanding His Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:—

We, his Majesty's most dutiful and loyal subjects, the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, avail ourselves of the opportunity afforded, by this our first meeting, to express to your Excellency, as well the deep sense we entertain of your Excellency's paternal care of the general interests of religion in this part of his Majesty's dominions, as our grateful acknowledgments for your Excellency's attention to the interests of that portion of his Majesty's faithful subjects who are attached to the Church of Scotland.

The want of an Ecclesiastical Court to superintend the Spiritual interests of our Church in these Provinces, has been long felt, and the formation of such a Court, will, we humbly trust, through the blessing of Divine Providence, prove instrumental in promoting the great cause of Religion and Morality. Nor is it in our estimation, a slight advantage, that the formation of the Synod of the Presbyterian Church of Canada, may afford a more direct means of communication with the Government under which we have the happiness to live.

With a firm reliance on HIM, whose servants we profess to be, it is our fixed determination, not only in this our public capacity, but also individually, to advance, by every means in our power, the religious and moral improvement of the people under our pastoral care, and by example no less than by precept, to inculcate obedience to the laws and respect for constituted authority, ever bearing in mind, that the same Scripture which enjoins us to fear God, also directs us to honour the King.

Permit us to assure your Excellency, that we feel it our most sacred duty, to second your Excellency's zealous endeavours for the public good, by promoting, as far as in us lies, the interests of pure and undefiled religion.

That Almighty God may bless your Excellency with every spiritual and temporal blessing, and after lengthened years and honours on earth, receive you into His everlasting kingdom, is the faithful prayer of,

May it please your Excellency,

Your Excellency's most devoted and most obedient Servants,

John McKenzie, *Moderator*; John Machar, William Rintoul, George Sheed, Hugh Urquhart, John Cruickshank, Alexander Ross, Robert McGill, Thomas Clarke Wilson, William McAlister, Alexander Gale, Henry Esson, Archibald Connel, Alexander Mathieson, *Ministers*; and John McGillivray, Archibald McLean, John McLean, *Elders*.

The Synod adjourned till eight o'clock this evening, and was closed with prayer.

(Signed) JOHN McKENZIE, *Moderator*.

At eight o'clock the Synod, pursuant to adjournment, met and was constituted with prayer. The Memorial to the General Assembly was presented and signed, as also the petition to the King. And also an address to his Excellency Sir John Colborne.

The whole Minutes having been read over, the Synod appointed their next ordinary meeting to be held at Kingston, on the first Wednesday in August, One Thousand Eight Hundred and Thirty-two Years, and was closed with prayer and the blessing.

(Signed) JOHN McKENZIE, *Moderator*.  
ROBERT MCGILL, *Synod Clerk*.