

A
LETTER
TO
"A PROTESTANT
OF THE
Church of Scotland."

BY MISOPSEUDES.

Ne quid falsi dicere audeat, ne quid
Veri non audeat.—*Cicero.*

8th JULY, 1826.

A Letter, &c.

SIR,

I have seen your "letter to the Right Honourable the Earl of Liverpool, K. G." etc. etc. dated "Kingston, Upper Canada, 1st June, 1826"—and, judging from its contents, I must pronounce it the dying speech of your party. As such, it might be considered unworthy of notice; but it is so completely made up of false facts, and sophisticated reasoning, that I think it necessary to undeceive that class of readers whom it might mislead; I mean those for whose benefit and instruction the "*Clergy Reserves*" have been wisely, and with a proper feeling of benevolence, appropriated.—Were I inclined to rest the question, to whom *should* the Clergy Reserves belong? upon a single point, I should unhesitatingly hang it upon your letter, and as unhesitatingly give it against the Church of Scotland. For if her Party (and I look upon you as their chosen champion, in this cause,) can be capable of so much falsehood and sophistry, as I pledge myself to point out, in the letter before me, surely every assistance to enable them to propagate their principles, in this happy country, should be withheld.

First then, with regard to your *facts*, I shall shew that they are generally false. (I crave my readers' pardon, once for all, for the coarseness of the expression, but the case admits of no other epithet.) In your first sentence, you say "The rights of the

Church of Scotland, in the British Provinces, &c. are now so strongly opposed by the Clergy of the Church of England," &c. Now, sir, this is not only false, in the sense in which you evidently intend it to be understood, (for you, plainly enough, insinuate that the Clergy of the Church of England *commenced* this opposition,) but you must have *known* it to be false—setting aside, for a moment, the question of the “rights” of the Church of Scotland, in these Provinces, you must have known that no claim to the Clergy Reserves, on her part, was ever thought of, much less set up—until you yourself, and a few others of recent importation, cast an anxious and inquiring eye towards, what you are pleased to term, this “munificent appropriation.” If the Clergy of the Church of England (who had long been in the undisputed possession of these lands) opposed the attempted encroachments, of the church of Scotland, on their property, it was only in self defence. They were placed in the situation of a person in the possession of a property left him by a parent, but obliged to defend himself against the rude, though long delayed, attempts of a brother to elbow him out of a portion of his inheritance—upon pretence of an equal right, founded on the claim of equal affinity to the Testator. In such a case, I dare say even *you* would have resisted the attempt, without thinking you thereby incurred the imputation of opposing “the rights” of any one.

“By the 31st of His late Majesty (you say,) the seventh part of Canada is reserved for the support and maintenance of a Protestant Clergy; and the Clergy of the Church of England have claimed and obtained the management and whole profits of this munificent appropriation.” Now, sir, it is

not true that the seventh part of *Canada* is reserved, &c. neither is it true that “the Clergy of the church of England” have *claimed* the whole profits &c. The seventh part of *Upper Canada* is indeed reserved for the maintenance of “a Protestant clergy” but it is not true that the seventh part of *Lower Canada* is so reserved ; in this latter province, only the seventh of the lands ungranted, at the time of passing the Quebec act, is reserved. It is indeed true that the imperial government *gave* the “whole profits” of the Lands in question to the Clergy of the Church of England, in the manner provided by the spirit of “the 31st of His late Majesty”—but it, by no means, follows that any particular *claim* to the whole profits of those lands was set up by the Clergy. The “whole profits” continued, for many years, to be appropriated, undisputed by any one, to the maintenance, as far as they went, of the Clergy of the Church of England, in this colony—and owing to the neglect, or bad management of the persons employed to lease those lands and collect the rents, they were found to be almost wholly unproductive. To remedy this evil, His present Majesty thought it expedient to create the Bishop of Quebec and his Clergy into a Corporation, by a royal charter, for the management, &c. of the reserves. By this charter, which is founded on the 31st of His late Majesty, this Corporation is empowered to dispose of the lands in question, by lease, in such manner as they may think best, and are to pay over the profits, arising from them, into the hands of his Majesty’s receiver general for these provinces respectively. The Gov’r, or person administering the government, is empowered to appropriate the said profits to the maintenance of the Clergy of the Church of England, in this Col-

any, in such manner and proportion as he shall think fit, according to the true intent and meaning of the “31st of His late Majesty.” Now, sir, even if this arrangement had been made, at the request, or suggestion of the Bishop and his Clergy, it could not have borne you out, in your assertion, that they *claimed* the “whole profits,” because they had been, long before, in the undisputed possession of the said profits, to the same extent as they are at present. It was not till after the appearance of this charter—not till after it was acted upon, that the Clergy of the Church of Scotland set up a claim to a share “of the profits.” This claim was immediately followed by others, from the different sects of Protestant Dissenters in these Provinces; and I shall shew, in the sequel, that they have all an equal “*right*” with the sect known by the name of the Kirk of Scotland. “They (the Clergy of the Church of England) style themselves (you say) “the Protestant Clergy,” as if they were the only Protestant Clergy—their Church “*the* established Church of the Mother Country,” as if it were the only established church of the Mother country.” By the expression “they style themselves,” you evidently mean that they have assumed a title derived from no authority but their own. But, is this true? Let those acts of the Imperial Parliament, which have conferred on them, and on them alone, the title of “the Protestant Clergy,” answer the question. That they have styled their Church “the Established Church of the *Mother Country*,” as if it were the *only* established church of the Mother Country is false, in every sense of the words. They are, no where, nor have they ever been, so styled. They are indeed styled

“the Established Church of England,” and “the United Church of England and Ireland,” and they, of course, use the titles which have been conferred on them, by the proper, constituted authorities of the Realm.

“These positions are not supported by facts and fair induction, but by colours of reasoning, adduced with boldness and art.” Here, for once, you have told *some* truth. The positions, of which you speak, are none of ours—they are your own—and I admit that they are not supported by “facts and fair induction,” not even by “colours of reasoning; adduced,” certainly, “with boldness,” but no “art.” There is a “*colour*” of art running through your whole production, but you have laid it on so thickly and so unskillfully that, unfortunately, little else can be discerned.

In page 14 of your Letter, you say that the Clergy of the Church of England “must blame themselves for *exciting* this discussion, by their greediness and intolerance.” I have already proved this to be false; but I must give an additional proof that the Clergy of the Church of England did *not* “excite this discussion,” from your own mouth. In the very next page, you say; “why our legislators on the north of the Tweed, and especially why the Clergy of the Church of Scotland have hitherto silently allowed the rights, privileges, and advantages of their Church, secured to them, as a birth right, by the valour and virtue of their fathers, to be taken from them in the North American Colonies, by art and influence, is not easily conjectured.” Truly you are a most noble champion!!! Knowing that the Legislators and Clergy of the Church of Scotland have *hitherto* (i. e. previously to the commence-

ment of this discussion) *silently* allowed their rights, privileges, &c. to be taken from them;—knowing, too, that these pretended rights, privileges and advantages were the identical rights privileges and advantages of which the Clergy of the Church of England were “hitherto” in the quiet possession, pray how could you attribute the *exciting cause* to them? People do not usually provoke an attack upon their right to property, of which they have been long in quiet possession. No, sir, the “greediness” of the Clergy of the Church of Scotland was the exciting cause of this discussion; & your assertion is, therefore, a falsehood so gross, so wilful and malicious, that I know not which to place pre-eminent, the wickedness of the heart that could have conceived it, or the folly of the fool that could have expected it to gain credence.

“A portion of the profit, arising from the allotment of the seventh part of the lands, in Canada, would plant ministers and schoolmasters of the Church of Scotland, in every township in these Colonies, and an University at Kingston or Montreal!”

This would, indeed, be a most splendid effect of this “munificent appropriation,” were it but true. I consider this false statement however an error rather of the head than of the heart—but sins of ignorance should be corrected, as well as wilful transgression. I shall therefore endeavour to set you right, by proving, that, so far is a portion of the Clergy lands from being sufficient for the great purposes you have mentioned, even the “whole profits” never can be more than sufficient for the maintenance of a Clergyman, (let alone the schoolmasters and University) in “every township in these Colonies.” The average num-

ber of clergy lots, of 200 acres, in each township, in Lower Canada, (for we have no authentic published statement of the number, in Upper Canada) is fifteen, very nearly. In order to give to a Clergyman, "in every township," the same stipend which the Government of England thinks necessary for his support, viz: £225 currency, each lot must yield a revenue of £15. Comparing this with the average price now obtained for *some few of the best* of these lots, viz: £2 10s. per annum; I may, I think, venture to say that neither you nor I, though we should even pass the age of fourscore years, can expect to see the day when the "whole profits" will be sufficient for the maintenance of a Clergyman "in every township in these Colonies." But, let us take up the question in a more positive point of view. Let us suppose every clergy lot, in any given township, to be leased; and let us suppose the average price to be £2 10s. which is very nearly double the sum that can be actually obtained—what then would be the income of the clergyman situated in this given township? Why truly! it would be the enormous sum of £37 10s. I cannot bring myself to believe that even *you*, with all the *disinterested feeling* displayed in your letter, could be satisfied with this sum. But you will perhaps say; the lands will rise in value—and I admit it—but what is to cause this rise? I apprehend it must be an increase of population. Upon this principle of the rise of land keeping pace with the increase of population, you must also have a proportionate increase of ministers—for, before we can suppose all the clergy lots, in any given township, to be leased, we must suppose *that* township to be fully settled—and, under these circumstan-

ces, no man will, I apprehend, think the labours of a clergyman too much for such a population. Double that population, and double, with it, if you please, the revenue of the Reserves, but you must also double the Parson. Had you looked a little more minutely into the question you have so pompously undertaken to settle, you might have avoided the error into which you have here fallen, as well as some others, which I shall point out, before I have done with you. After this display of your splendid establishment of school masters, ministers and University, you triumphantly exclaim—"And what have these effected in Scotland since 1688? they have changed the Scottish peasantry from being poor, ignorant, idle and wicked, to be comfortable, industrious, enlightened and moral." Your readers must have been at some loss to guess what effects could have been produced in *Scotland*, so long ago as 1688, by ministers and schoolmasters in "every township in these Colonies," and by "an University at *Kingston or Montreal*," which have no existence in 1826, had they not been enlightened, by such a shrewd, *truth-telling* gentleman as yourself.—"Episcopacy *alone* (you say) cannot produce these effects." I agree with you—she would, certainly, need the aid of so skilful a man-midwife as "a Protestant of the Church of Scotland" to enable her to bear the pangs of bringing forth such a monstrous mass of necromancy. "The genius of Episcopacy is in opposition to the genius of the people." I trust, sir, it ever will be so. We have the highest authority for believing that what you are pleased to term "the genius of the people," which, I suppose, is included in "every imagination of the thoughts of the heart," is "only

evil continually." "The genius of Episcopacy" is certainly opposed to this.—To oppose and correct this "genius of the people" she was constituted, by the inspired Apostles of that Divine Master who promised to be with her, to the end of the world. We thank you for these two compliments, though, I dare say they were not intended.

I shall close this part of my subject with the exposure of one more of your false statements, and then I shall leave the world to judge whether I have not, so far, redeemed my pledge.

"Your Lordship is not a Lauderdale, an Aberdeen or a Perth, to propagate Episcopacy by persecuting Presbyterians." This is something more than an insinuation that the Presbyterians are persecuted in this colony. If to resist the pretended "rights" of the Presbyterian Clergy, in this country, to a property which was *given* to the Episcopal clergy, and of which they have been, many years, in the quiet and undisputed possession—if this be persecution, then are the Presbyterians persecuted. Had the clergy of the Church of Scotland been in possession of this property, during the same period, and by the same means, and had the Clergy of the Church of England attempted, as you are now doing, to deprive them of a share of it—or had a clergyman of the Church of England interrupted a clergyman of the Church of Scotland, in the public discharge of his sacred functions, as was done by one of the latter to one of the former, not an hundred miles from your own door; then, I admit, you might, with some "colour of reasoning," have shouted, persecution! Really, sir, there are those who have something more than a "colour of reasoning" for saying that persecution is at least attempted, on your part, instead of ours.

I come now to the proof of your sophistry.— You have entered into a long, and unnecessary discussion, about the meaning of the term, “a Protestant Clergy,” used in the preamble of the 31st of His late Majesty. I say unnecessary, because, the preamble of a Bill, if it be ambiguous, can only be explained by its clauses. But, there is a little unfair dealing in your manner of endeavouring to make out your point, which, it is necessary to expose. After quoting a pretty long passage from the 2d chap. of the 25th article of the Act of Union, which has no allusion, whatever, that I can discern, to the subject in question, you give us the following: “And lastly, that after the decease of Her present Majesty, (whom God long preserve,) the sovereign succeeding to her, in the Royal Government of the Kingdom of Great Britain, shall, in all time coming, at his or her accession to the Crown, swear and subscribe, that they shall inviolably maintain and preserve the foresaid settlement of *the true Protestant Religion*; with the government worship and discipline, right and privileges of this Church, as above established, by the laws of this Kingdom, in prosecution of the claim of right.” This last quotation, you have given as being also a part of ch. 2, of the 25th Article—but, it happens to be part of the 4th ch. of that article, which is intended merely to exempt the Presbyterians, in *Scotland*, from taking any oath, inconsistent with the establishment of Presbyterianism in that country,—and to oblige the Queen’s successors to maintain the same. To have quoted this clause in its proper place, would not have answered your purpose, quite so well as the transposition you have adopted. But, sir, to have quoted it fairly, you should

have told us it was part of the act passed by the Parliament of Scotland, securing the establishment of the Presbyterian Church Government, *in that Kingdom*, as it stood by “the fifth act of the first Parliament of King William, and Queen Mary”—and you should have given us the benefit of chap. 8, of the same article; whereby it would have appeared that the Queen, and her successors, were bound “to take and subscribe an oath to maintain and preserve, inviolably, the settlement of the *Church of England*, and the doctrine, worship, and government thereof, as by law established, within the Kingdoms of England and Ireland, the Dominion of Wales, and Town of Berwick upon Tweed, *and the territories thereunto belonging.*” From all this, it would have ben evident that the establishment of the Presbyterian Church Government was confined to that part of her Majesty’s dominions, commonly called Scotland—and that the establishment of the Church of England was secured, in *all other* parts of her dominions. The first quotation you have made from the act of Union, proves that the Parliament of Scotland, had no other view, with regard to the Church of Scotland, than to secure her establishment, as settled by “the fifth act of the first Parliament of King William and Queen Mary.” Surely this gives her no right (and she has had no extension of her privileges since that period,) to an establishment, in any other part of the British Empire. But the same act of union secures the Church of England, as she was then, “by law established.” To what extent was she, then, by law established? assuredly in all parts of the British empire, except Scotland, or in no part of it. This, sir, is the conclusion at which you would have arrived, had

you been candid, instead of sophistical. You have certainly shown that, in the Act of Union, the terms "Protestant Religion," and "true Protestant religion," are applied indiscriminately to the two churches, but what this has to do with the explanation of the term, "a Protestant Clergy," I am at a loss to discern.—You have not thought proper to enlighten us on this point—I shall therefore leave it where it is.

In examining "the authority by which 'the Clergy of the religion established in England,' claim the whole of the profits accruing from the Clergy Reserves in this country," you have adopted a mode remarkable for nothing but disingenuity. You state that the clauses of the 31st of his late Majesty, which relate to the Clergy, are, in number, eight, viz : the 35th, 36th, 37th, 38th, 39th, 40th, 41st and 42d. You proceed to shew, that, in the first three clauses, no particular mention is made of "the Clergy of the Church of England ;" and from hence, sagely conclude that on neither of these can they found any exclusive claim to the lands in question. The 38th clause, you admit, "*changes the general term* Protestant, for the *particular expression* Church of England," and this "*change,*" you should have added, is continued through all the clauses, to the 41st. I take no notice of the random expressions which may have fallen, in the debate, from any of the members, both because they can have no weight in the question, and because I have some suspicion that Mr. Fox's speech has not been fairly quoted, since one part of it is wholly unintelligible ; but I have not the means of detecting you in this particular. From this change of terms, you infer that the "framers of the act knew the

meaning of the language they used and did not apply the term "Protestant" as synonymous with the term "Episcopal." Who has said they did so apply it? Do they so apply it, in any of the clauses which, you allow, have exclusive reference to the Clergy of the Church of England? it was not necessary so to apply it; the term "Protestant Clergy," was quite sufficient for their purpose. But your *grand* object, in exhibiting this *change of terms*, is to induce the world to believe that the Clergy of the Church of England are, here, more particularly designated, in order to point out the *manner* in which they were to be invested with their *portion* of the lands in question. But if the "Clergy of the Church of Scotland" were, also, to have a *portion* of these lands, where are the clauses which point out the *manner* in which they are to be *invested* with it? or by what authority, or by whose act or instrumentality, are they to be put in possession of it? You have yourself said, they are "supported by Government, in Great Britain," as well as "the clergy of the Church of England." Surely then, that government, if they include the former in the provisions of the Quebec act, to an equal extent with the latter, would have been equally explicit with both, as to the mode of putting them in possession of the intended benefit. The King is the temporal head of both Churches; why should he not, then, have been empowered, by some clause of the act, to present "Ministers of the Church of Scotland," to livings, or Parishes endowed by some of the Clergy lands? Simply because no such endowment ever was intended. In commenting on those clauses which you are pleased to say, provide for the maintenance of the Clergy

of the Church of England, particularly, you have attempted to cavil upon the mode in which this provision has been actually bestowed, as differing from that which is pointed out, by the act. "The 38th clause (you say,) has not been acted upon, in Upper Canada.—Portions of the Clergy Reserves are not set apart to particular Rectories. The Episcopal Clergymen are not paid in the way provided for, by this clause of the act. They are paid, partly by the Society for the Propagation of Religion in Foreign Parts, and partly from the profits of the whole of the Clergy Reserves, given to the Episcopal Clergy, but in contradiction to its letter and spirit, and in direct contradiction to the articles of the Union of Scotland and England." Now, supposing all this to be true, what has it to do with the question under consideration? If the clergy of the Church of England have not been endowed with these reserved lands, according to the *letter* of the act, are the lands thereby forfeited to the Clergy of the Church of Scotland? I apprehend, even *you*, who have said so many absurd things, will not maintain such an inference. The Clergy of the Church of England, in this colony, are certainly not fully paid, from the profits of these lands. And why are they not? "The why is plain as way to Parish Church"—because "the profits" have hitherto amounted to little or nothing. The Clergy are therefore, almost entirely, paid, by the British Government, and society, until such time as "the profits" shall be sufficient to relieve them from the burden. But how you can make out that this is done contrary to the spirit of the act, unless, indeed, you contemplate giving the lands to one, and "the profits" to another—or how it is in direct contradiction

to the "Act of Union," unless you can shew some reference, in that act, to the appropriation of the clergy lands, I confess I am at a loss to determine. This is another point on which you have not condescended to enlighten us. "Those (you contend) who have assumed the title of Rector, in this country, have neither been *presented, instituted, nor inducted, as provided by this act.*" This, sir, is one of those little departures from the truth which escaped my notice, when I was on the subject of your falsehoods. It happens that His Majesty has, "by an instrument under the great seal," constituted, and erected all the missions, and other livings in the Diocese of Quebec, into "Parsonages or Rectories, as provided in the 38th sec. of the 31st of His late Majesty," and several of the incumbents have been already "*presented, instituted, and inducted.*"

The 41st clause (you say,) "*recapitulates the contradistinction between the general and particular provision, in language more clearly expressed, and not admitting a double meaning.*"

Protestant Clergy generally.	}	XLI. <i>Provided always, and be it further enacted by the authority aforesaid,</i> That the several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces, and also respecting the constituting, erecting, and endowing parsonages, or Rectories, within the said Provinces, and also respecting the presentation of Incumbents or Ministers to the same, and also respecting the manner in which such Incumbents or Ministers shall hold and enjoy the same,
Episcopal Clergy, particularly.	}	
The Legislature of Canada may alter this allotment of	}	

land, and
grant the
whole of it
to the

*Church of
Scotland.*

shall be subject to be varied or repealed by any express provisions for that purpose, contained in any act or acts which may be passed by the Legislative Council and Assembly of the said Provinces, respectively, and assented to by His Majesty, his heirs, or successors, under the restriction hereinafter provided.

Now, sir, there is nothing contained in this clause of the act, "more clearly expressed," or "less admitting a double meaning," than in any of the clauses you have before dragged into notice. There is, indeed, something more "clearly expressed," and not "admitting a double meaning," in the marginal references of the said 41st clause, which you have given us as the marginal references contained in the Act itself. I have taken the trouble to examine the 31st of His late Majesty, and, on the margin of the 41st clause, I find, instead of what you have quoted, the following—"Provision respecting the allotment of lands for the support of a Protestant Clergy, &c. may be varied or repealed by the Legislative Council and Assembly," but not another syllable.—You must have been hard driven indeed; and all your sophisticated ingenuity must have been exhausted, when you resorted to this base and palpable falsehood. I forbear to give full vent to my feelings at such dishonourable dealing. And here, sir, I take my leave of you. I intended to have taken some notice of your rodomontade about the comparative numbers of the Churches of England and Scotland. But the Rev. Mr. Campbell, of Belville, whom you so infamously slandered, has given you a sufficient castigation on this subject. I shall only add, that I beg my rea-

ders to bear in mind, that I have no quarrel with the Church of Scotland ; I respect her as sister to the Church of England, and should be ever ready to defend and support her establishment in Scotland, if necessary. It is only the conduct of *some* of her unworthy children in this colony, which I feel myself called upon, in the present case, to expose and condemn.

MISOPSEUDES.

1st July, 1826.