

CANADA.
(CLERGY RESERVES).

RETURN to an ADDRESS of the Honourable The House of Commons,
dated 29 July 1839;—for,

- 1.—COPIES or EXTRACTS of DESPATCHES from the SECRETARY OF STATE for the COLONIES and Sir GEORGE ARTHUR, relative to the CLERGY RESERVES in *Upper Canada*.
- 2.—ACCOUNT of the CLERGY RESERVES sold in *Upper* and *Lower Canada* from the Year 1827, and the Application thereof.
- 3.—ACCOUNT of the Total Amount of the Proceeds of the CLERGY RESERVES sold in *Upper* and *Lower Canada*, and at present invested in the Three per Cent. Consolidated Annuities.

Colonial Office, Downing-street, }
15 August 1839. }

H. LABOUCHERE.

(*Mr. Pakington.*)

Ordered, by The House of Commons, to be Printed,
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S C H E D U L E.

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UPPER CANADA.

No. 1.

COPIES OF EXTRACTS OF DESPATCHES from the SECRETARY OF STATE for the COLONIAL DEPARTMENT and Sir G. ARTHUR, K. C. H., relative to the CLERGY RESERVES in *Upper Canada*.

— No. 1. —

(No. 4.)

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor Sir *George Arthur*, K. C. H., dated Downing-street, 26 December 1837.

Sir,

AMONGST the questions to which your attention will be called upon your arrival in Upper Canada, one of the most important is that which relates to the provision for the maintenance and diffusion of Christian knowledge throughout the increasing population of the province.

This subject has recently engaged much of the public attention in Upper Canada, with reference to the recent beneficial appropriation of the lands set apart by the Act of 1791 for religious purposes, and known by the name of Clergy Reserves. It could scarcely be expected that the discussion of this question could fail to produce considerable controversy and excitement, or that its settlement could be accomplished without serious difficulty. I entertain, however, a confident hope that some plan may at an early period be agreed to, by which the difficulties which have hitherto opposed a satisfactory adjustment of the conflicting claims of various religious denominations may be removed, and an adequate provision be made for meeting, on comprehensive principles, the religious wants of the great body of the inhabitants.

I regret that the agitated question of the endowment of 57 rectories in the commencement of the year 1836 has introduced a new element of dissension. The correspondence which has taken place between Her Majesty's Government and your predecessor on this subject will place you fully in possession of the facts of this case. How far the view originally taken of that subject by the law officers of the Crown may be altered when they shall have maturely considered the explanations which have recently, for the first time, reached me, as to the grounds on which the Lieutenant-governor and Executive Council really proceeded, I am at present unable to state. In the meantime, however, before I can receive their Report, I think it right to acquaint you with the view which I at present entertain of the course which it may be desirable to pursue with reference to this subject.

The House of Assembly of Upper Canada, as appears from their Journals of the 9th February 1837, adopted a series of resolutions relative to these endowments, of which the sixth declared, "That this House regards as inviolable the rights acquired under the patents by which rectories have been endowed, and cannot therefore either invite or sanction any interference with the rights thus established." On the part of Her Majesty's Executive Government, I cannot hesitate to avow our entire adoption of the principle by which this resolution was dictated. Although the endowments of the rectories in the year 1836 did not take place with the previous concurrence or knowledge of the present Ministers of the Crown, yet, as they appear to have been made at least under a presumed authority from the Secretary of State, and as considerable time has now elapsed since the parties were put in possession of the lands, I should much regret to be compelled to disturb that settlement, or to dispossess the clergy

No. 1.

Lord Glenelg to
Sir G. Arthur,
26 Dec. 1837.

No. 1.
 Lord Glenelg to
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 26 Dec. 1837.

clergy of the Church of England of the lands which have been assigned for their maintenance.

Should the legal right now appear to the law officers of the Crown to be indefeasible, no practical question will of course remain for the decision of the Government; but, even on the contrary supposition, I feel that, with the concurrence of the Local Legislature, the endowments which have actually been made might be ratified in connexion with some general scheme for the future appropriation of the clergy reserves which would satisfy the reasonable claims of other denominations of Christians. As a basis of such a settlement I would propose that, under the peculiar circumstances of the case, the right of the Church of England to the endowments of January 1836 should be acknowledged and ratified. I would further suggest that this measure should be accompanied by a legislative declaration that the establishment and endowment of rectories in the province shall not be construed to confer any right to exercise any ecclesiastical or spiritual power whatever, "except over the members of the Church of England." I quote these words from the resolutions of the Assembly of the 9th of February 1837, to which I have already referred. That House, indeed, proposes that this declaration should proceed, not from the Local Legislature, but from Parliament. But I conceive that, if the arrangement I suggest should meet with general acceptance, there will be no difficulty in obtaining an Act of General Assembly for the purpose, and that the interference of Parliament in the internal affairs of the province may thus be avoided.

In the next place, I have to refer you to my Despatch to Sir F. Head, of the 7th of September, No. 231, in which, and in the enclosures accompanying it, will be found an explanation of the system established on my advice by his late Majesty, for providing for the religious instruction of the inhabitants of the Australian Colonies. I do not here enter into the details of that measure, with which you are already familiar, but I confine myself to the statement that the general principle of it is, that the contributions of the State towards the support of the different Christian communions should be regulated by the extent of the voluntary efforts which the members of each should make for the promotion of the same general end. Of the success of that plan in New South Wales I have the most satisfactory proofs. The result in that colony, even during the short period which has elapsed since the provisions of this measure have been in operation, has been greatly to increase the spontaneous exertions of the various denominations of Christians, the number of ministers, and the means applicable to the general diffusion of Christian instruction. If the clergy reserves of Upper Canada should be converted into a fund subject to a similar appropriation, I perceive no reason to doubt of a corresponding result. If, by the adoption of this scheme, with any modifications which the knowledge possessed by the Local Legislature of the circumstances of the province, and the comparative numbers of the religious denominations existing in it, may suggest, concord and a mutual good understanding could be restored amongst the different Christian societies existing in Upper Canada, an object of the highest importance would be attained. We should have closed a controversy hostile to the general peace of Her Majesty's subjects inhabiting that part of her dominions, and should have brought to an end a debate painful to every one who is justly alive to the interests of the Christian faith, which we all acknowledge and profess under various forms of ecclesiastical government.

You are therefore authorized to convey these or any other suggestions which you consider better adapted to effect the object in view, to the Legislative Council and House of Assembly, in whatever manner may be most consistent with constitutional forms, and with a careful respect for their rights and privileges; and I earnestly hope that they will cordially co-operate with Her Majesty's Government and with yourself, in the adoption of such measures, with reference to this important subject, as will most effectually conduce to the advancement of the best interests of all classes of Her Majesty's subjects in the province.

I have, &c.
 (signed) *Glenelg.*

-- No. 2. —

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K.C.H., to
Lord *Glenelg*, dated Toronto, 11 July 1838.

No. 2.
Sir G. Arthur to
Lord Glenelg,
11 July 1838.

At the first meeting of the Legislature I propose to cause a Bill to be introduced for re-investing the lands reserved for the clergy in the Crown, to be applied for religious purposes, and I have reason to think it will be carried by a considerable majority.

— No. 3. —

(No. 95.)

COPY of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K.C.H., to
Lord *Glenelg*, dated Toronto, 28 November 1838.

My Lord,

At the request of the Bishop of Montreal, and the clergy of the Church of England in this province, I have the honour to transmit herewith an address to your Lordship from that body, adopted at their recent visitation held in this city, in which they express their sentiments respecting the appropriation of the clergy reserves, and pray for a judicial decision of that question,—the present fruitful cause of agitation in this country.

No. 3.
Sir G. Arthur to
Lord Glenelg,
28 Nov. 1838.

An address of similar import they have presented to me, of my answer to which I beg to enclose your Lordship a copy.

The bishop and clergy presented to me, at the same time, an address of congratulation on my assuming the government of this province; a copy of which, and my reply to it, I have also the honour to enclose.

I have, &c.
(signed) *Geo. Arthur*.

First Enclosure in No. 3.

To the Right honourable Lord *Glenelg*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

May it please your Lordship,

WE, the Clergy of the Established Church of Upper Canada at this time assembled, under the authority of the Lord Bishop of the Diocese, beg leave to present this our Memorial to your Lordship touching a question of the most vital interest to your Memorialists, and deeply affecting the inhabitants of the province at large.

Enclosure No. 1.

Your Memorialists beg to represent, that by the Act of 31 Geo. 3, c. 31, one-seventh of the lands of this province has been set apart for the support of the Protestant Clergy therein.

That your Memorialists, after a careful and patient investigation of all the arguments which have been advanced on the subject of this reservation, remain not only unchanged, but more confirmed in the opinion that the clergy reserves were by that Act designed solely and exclusively for the Church of England.

That your Memorialists, from a careful examination of that Act, and of every authority which can be brought to illustrate it, can arrive at no other conviction than that the power delegated therein to the Provincial Legislature, to "vary or repeal" its provisions, has no application to the reservations of land which have already been made, but can be construed merely into a permission to vary the amount of appropriation, or regulate and restrain it for the future.

That whereas doubts have been raised as to the legality of the exclusive claim of your Memorialists to the clergy reserves, they have uniformly expressed a willingness to submit the question to a judicial tribunal competent to pronounce a decision, and respectfully to yield to the judgment which in such case should be awarded.

That against any proposal for the settlement of this question which should go to alienate the clergy reserves from the original object of their appropriation,—the religious instruction of the people of this province,—your Memorialists feel bound by a most solemn sense of duty to record their decided protest.

No. 3.
Sir G. Arthur to
Lord Glenelg,
28 Nov. 1838.

Enclosure No. 1.

That, with a view to the settlement of this question, any plan for the division of this property amongst various sects and denominations, which would directly compromise the principles as well as interests of the Established Church, endanger the cause of Protestantism, and lead to a religious discord, which must prove the fruitful and permanent source of civil disunion, your Memorialists are constrained from an equal sense of duty to oppose.

That your Memorialists feel bound to express it as their decided conviction, that the agitation which has ensued from the discussion of this question, and the excitement of which it has been rendered the instrument, are not to be ascribed to the simple merits of the question itself, but to the misrepresentations and abuse of the public mind, which, in many cases, for interested and unhallowed purposes, have been industriously made.

That although, in the opinion of your Memorialists, the operation of the Act for the appropriation of the clergy reserves, as understood by themselves, could not possibly prove a grievance, but a blessing of the highest order to the community, they do not view without pain and anxiety the political disquiet and religious animosity to which the agitation of this question has unhappily given rise, and that they are most desirous of its adjustment upon some basis which may ensure the peace as well as preserve the religious interests of the country.

That, from the influence of conflicting prejudices and interests, your Memorialists are firmly of opinion that an impartial, equitable and satisfactory adjustment of the question of the clergy reserves cannot be expected from the Provincial Legislature.

That your Memorialists, not deeming themselves competent to make any concession which may compromise or appear to compromise in any degree the interests of the Church and their successors in the ministry, earnestly pray, for the sake of peace, a judicial decision of the question before a competent tribunal, either the Judges of England or the judicial branch of Her Majesty's most Honourable Privy Council; or should this their honest prayer be found after every effort unavailing, that then an Act be passed by the Provincial Legislature, reinvesting the clergy reserves in the Queen in Parliament, to be appropriated for the support of a Protestant clergy in this province, according to the spirit and intention of the Constitutional Act.

Wherefore your Memorialists most earnestly solicit your Lordship to interpose the influence of your high station in behalf of this their prayer.

That the Divine wisdom and blessing may direct the consultations of your Lordship to the glory of God and to the good of his people, is the fervent prayer of the clergy of Upper Canada.

In the name and on behalf of the Clergy,

(signed)

G. Montreal.

George O'Kill Stuart, LL. D.

Archdeacon of Kingston.

John Strachan, D. D., LL. D.,

Archdeacon of York.

Toronto, Upper Canada,
11 October 1838.

Second Enclosure in No. 3.

To the Reverend the Clergy of the Established Church of *England*, in Visitation assembled, under the authority of the Lord Bishop of the Diocese of *Montreal*.

Enclosure No. 2.

I HAVE perused with deep attention the Memorial wherein you bring under my consideration the question of the clergy reserves, praying that they may not be alienated from the original object of their appropriation, but that they may be preserved to the exclusive benefit of the Established Church of England in Upper Canada.

It is my intention to bring before the Legislature, at its next session, a Bill, reinvesting these reserves in the Crown, as a primary measure, and in discussing with them the Church question generally, to devise such remedies as may prove the means of effecting an equitable and a satisfactory adjustment of the claims both of yourselves and others.

Believe me, that I feel the most lively interest in this matter; and that it is, and long has been, my earnest desire to reconcile the differences to which the agitation of the question forming the subject of your Memorial has given rise.

The present unsettled state of the province is a serious impediment to the calm and dispassionate consideration of points affecting the interests of the Church; but I look with confidence to the eventual establishment of order, and to the return of confidence and security.

(signed) *George Arthur.*

— No. 4.—

(No. 198.)

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor Sir *G. Arthur*, K.C.H., dated Downing-street, 15 November 1838.

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch of the 28th November last, No. 95, transmitting an address to me from the Bishop of Montreal and clergy of the Church of England in Upper Canada, praying for a judicial decision of the question respecting the clergy reserves, either before the Judges of England, or before the Judicial Committee of Her Majesty's Privy Council.

In reply I have to inform you, that as Her Majesty's Government see no reason to doubt the correctness of the opinion delivered on this subject in 1819 by the law officers of the Crown, they do not consider it necessary to originate any proceedings on the subject before the Judges of England or the Privy Council.

I have, &c.

(signed) *Glenelg*.

No. 4.
Lord Glenelg to
Sir G. Arthur,
15 Nov. 1838.

— No. 5.—

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K.C.H., to the Marquis of *Normanby*, dated Toronto, 12 April 1839.

THE present state of the clergy reserve question, and the opinions entertained thereon by different parties, will be best explained to your Lordship by the following recapitulative statement.

The House, having received the Report of the Committee, to whom was referred that part of the Speech from the Throne bearing on the subject, rejected, after much discussion, the measure of relief which the Committee had suggested.

The Report of a Select Committee to whom had been referred the Report of a Committee of the whole House, into which the House had resolved itself, in regard to the future appropriation of the clergy reserves, next came under discussion, and was finally superseded by resolutions for dividing the reserves among the three Protestant denominations of—

The Church of England,
The Church of Scotland,
The Wesleyan Methodist Church in connexion with the
English Conference.

These resolutions, passed yesterday, were referred, to be reported on, to a Select Committee composed entirely of members of the Church of England; the object of such selection being probably to ascertain what suggestions would emanate from that party if left to itself.

Independent of these general measures of the House on this subject, two Bills in connexion with it have been introduced in the Assembly by individual Members; one of them, by Mr. Boulton, being to declare the powers of rectors, and to provide for their removal in certain cases; and the other, by Mr. Prince, being to reinvest in Her Majesty the lands set apart for a Protestant clergy.

The former of these Bills has been read twice, and been in Committee of the whole House, who have reported progress, and obtained leave to sit again; the latter has not yet gone beyond its first reading.

Copies of all these documents are herewith transmitted for your Lordship's information.

From such conflicting testimonies it is of course impossible to form any decided opinion as to what will be the eventual result of the proceedings in this matter.

No. 5.
Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

5.

No. 5.

Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

Enclosure No. 1.

First Enclosure in No. 5.

REPORT of the Committee of the House of Assembly of Upper Canada on the
Clergy Reserves.

To the Honourable the Commons House of Assembly in Provincial Parliament
assembled.

The Committee, to whom was referred that part of his Excellency's opening Speech which related to the Clergy Reserves, beg leave to make the following Report:—

THAT, deeply impressed with the importance of the subject, and anxious, if possible, to suggest some measure which might be acceptable to the community, keep in view the spirit of the object for which the reserves were set apart, and avoid the excitement of any feelings on this most difficult topic, your Committee determined to commence and prosecute their labours with calm and impartial feelings.

Their first object was to fix on some leading principles as the basis of the plan they might recommend to your honourable House, the adoption of which would tend to reduce the question to one of mere detail; and the following subjects were carefully considered:—

First.—The propriety of carrying into full operation the system commenced under the authority of the Imperial Parliament; viz. selling all the clergy reserves.

Second.—The funds in which the proceeds of all sales should be invested.

Third.—The purposes to which the sums so raised should be devoted, and whether the principal monies or the annual interest only should be appropriated.

Fourth.—The mode by which such appropriation should be carried into effect.

Your Committee, on the first of these points, came to a determination to recommend to your honourable House that all the clergy reserves should be sold. Among other arguments which weighed with your Committee in arriving at this conclusion, it may suffice to mention, that there appeared no other certain mode of obtaining an immediate income to any considerable amount from these lands.

In considering the next question, your Committee, while they would advise the investment of the proceeds of all sales of the reserves in provincial funds, feel it their duty strongly to press on your honourable House that the interest should be so safely secured that hereafter no difficulty may be experienced in its collection. At the same time, it was their desire that the proceeds should be loaned to the province, so as to be of immediate service for its internal improvement; and, with a view of combining these two objects, your Committee have resolved to recommend to your honourable House that the monies accruing from such sales shall be immediately invested in provincial debentures bearing an interest of six per cent. per annum, and shall (if only the interest be appropriated) be expended in making and improving the public highways throughout the province; the interest to be secured by tolls on such roads, by a tax on the districts wherein the money shall be laid out, and by any other mode which your honourable House shall see fit to adopt.

The third and most important subject of deliberation with your Committee was, to what purposes the proceeds of these sales should be applied, and whether the appropriation should be confined to the interest or extend also to the principal money.

Your Committee have felt themselves bound, by every consideration of the future welfare of this province, to urge on your honourable House that the proceeds of these lands should be exclusively appropriated to religious purposes, and they have selected three objects to which they think the expenditure may be properly made applicable:—

First.—The maintenance of public worship.

Second.—The erection of churches and chapels.

Third.—The education of individuals for the office of the ministry.

Considering also that these invaluable benefits should be secured not only to the present but to future generations, your Committee submit, that only the annual interest should be thus expended.

Your Committee have not found it, in their judgment, advisable to offer any plan of distribution of the interest of the sales which would be complete in all its details, but have thought it more advisable to leave them unsettled to a certain extent, so as to leave to the Executive Government a power to provide for any changes from time to time in the circumstances of different religious bodies in the community. They have, therefore, resolved to recommend to your honourable House that the Lieutenant-Governor in council should be empowered to appropriate such interest in the following manner:—

First.—Not more than one-fourth to the Church of England.

Second.—Not more than one-fourth to the Church of Scotland.

Third.—The residue among such bodies of Christians as he shall think fit, in order to promote to the uttermost the “diffusion of religion and true piety throughout the province.”

In order to carry out the recommendation of your Committee, independently of the general sanction of the home Government, the direct assistance of the Imperial Parliament will be necessary to authorize the transfer of the proceeds of clergy reserves already sold from the British funds into provincial securities.

Your

Your Committee have prepared a series of resolutions in accordance with this Report, which they respectfully offer for the adoption of your honourable House.

Your Committee are well aware that no plan can be brought for the settlement of this interesting question to which objections will not be found and urged, or which can be made palatable to those who will not abate one jot of their own opinions, and still less to such as desire to prolong the contention to which this subject has unhappily given rise. Your Committee have, on their part, earnestly endeavoured to suggest a scheme which will tend to allay any present irritation, and will form the basis of an ultimate and satisfactory solution of all the difficulties which have either arisen from or been increased by the long delay of legislation on the subject.

All which is respectfully submitted.

Committee Room, House of Assembly,
18 March 1839.

Wm. H. Draper, Chairman.

No. 5.
Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

Enclosure No. 1.

1. Resolved, That the lands set apart from time to time as reserves for the support and maintenance of a Protestant clergy be sold in the same manner as other Crown lands in this province.

2. Resolved, That the proceeds of past and future sales of any such lands be loaned to the province at an interest of six per cent. per annum, to be invested in debentures, which may be authorized by the Legislature for the making and improving the Queen's public highways throughout this province; the interest on such debentures to be secured by tolls on such highways, by a tax on the districts within which the outlay shall take place, and by such other means as the Legislature may deem fitting and proper.

3. Resolved, That the annual interest arising from such debentures be appropriated and divided, under the authority and direction of the Lieutenant-Governor in council, in manner following:—

Not more than one-fourth to the Church of England.

Not more than one-fourth to the Church of Scotland.

The residue to such other religious denominations as the Lieutenant-Governor in council shall see fit, to be by them expended for the following purposes:—

The maintenance of public worship.

The erection of churches or chapels.

The education of persons for the ministry.

4. Resolved, That accounts of the expenditure of all sums granted, duly verified, shall be, when required, rendered by the Churches or bodies of Christians receiving the same, and that the Lieutenant-Governor be authorized to withhold further aid from any church or body of Christians until previous grants have been duly accounted for.

5. Resolved, That annual accounts of the receipt and expenditure be laid before each branch of the Legislature.

6. Resolved, That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament the passing such enactments as may be necessary for carrying the foregoing resolutions into full effect.

Resolved, That the resolutions this day adopted upon the subject of the clergy reserves be referred to a Select Committee, with liberty to report by Bill or otherwise; and that said Committee consist of Messrs. Attorney-general, Solicitor-general, Prince, Sherwood, and Gowan.

Resolved, That there be reserved or purchased in each and every township in the province one or more lots of land of 100 acres each for a glebe or residence for ministers of the Churches of England and Scotland, to be granted or conveyed to such clergymen for the time being, and their successors lawfully appointed according to the ecclesiastical constitution of such Churches respectively; no such grant or conveyance to be made until a resident clergyman be appointed; provided that no such provision shall be made for more than two clergymen of each Church in any one township, and that every clergyman already enjoying an endowment or provision by grant of lands from the Crown shall be reckoned as if he were provided for pursuant to this resolution.

That a similar reservation or purchase of one or more lots be made in each circuit for the resident ministers of the Wesleyan Methodist Church in Canada in connexion with the English Wesleyan Conference, to be granted or conveyed in trust for such resident ministers for the time being, and their successors under the discipline of the said Church; provided that the number of circuits be limited to 100 in the whole, and that not more than two such lots be reserved or purchased in any one circuit; and that no such grant or conveyance be made until there is a resident minister within such circuit for each and every such lot, and not less than one chapel or place of worship built within the circuit.

That all the clergy reserves now unsold, and which shall not be reserved for the foregoing purposes, be sold under the rules and regulations from time to time in force relative to the sale of Crown lands; that the proceeds of all past and future sales, subject to the

necessary

No. 5.
 Sir G. Arthur to
 the Marquis of
 Normanby,
 12 April 1839.

Enclosure No. 1.

necessary expenditure for the purchase of lots from time to time as limited in the foregoing resolutions, be invested in provincial debentures, and the interest be disposed of as follows:—

- 1st. To pay to each clergyman of the Churches of England and Scotland, resident according to the first resolution, an annual stipend not to exceed 100 *l*.
- 2d. To pay to the Wesleyan Methodist Church in Canada in connexion with the English Conference, or their proper officer, a sum not to exceed 100*l*. per annum, for as many ministers of that Church as there shall be lots granted and conveyed in each circuit, according to the second resolution.
- 3d. The surplus of interest not otherwise disposed of to be expended in aid of the erection of places of public worship throughout the province generally.

That a Board of Three Commissioners be appointed to carry out the provisions of an Act to be passed in conformity with the foregoing resolutions.

That an humble address be presented to Her Majesty, praying that She will be graciously pleased to lay this subject before the Imperial Parliament, and to recommend the passing of an Act to give effect to so much of these resolutions as relates to the proceeds of clergy reserves sold under the authority of the imperial statute.

Second Enclosure in No. 5.

REPORT of the Select Committee on the Clergy Reserves.

To the Honourable the Commons House of Assembly.

Enclosure No. 2. The Select Committee, to whom was referred the Report of the Committee of the whole House on the subject of the Clergy Reserves, beg leave to report the following Resolutions, which they recommend to the adoption of your honourable House:—

1. Resolved, That there be reserved or purchased in each and every township of the province, one or more lots of land of 100 acres each lot, for a glebe or residence for one or more resident ministers of the Churches of England and Scotland, so soon as a resident minister or ministers of either Church may be appointed: Provided always, that the lands heretofore appropriated to either Church be taken into account in the general appropriation.

2. Resolved, That a similar allotment be reserved or purchased in each and every circuit for one or more resident ministers of the "Wesleyan Methodist Church in Canada in connexion with the English Wesleyan Conference," so soon as a resident minister or ministers may be appointed.

3. Resolved, That the whole of the remainder of the clergy reserves be sold as Crown lands are at present sold, and that the interest of the proceeds thereof, with the interest of those already sold, be disposed of as follows:—

- 1st. To secure to each and every resident minister of the Churches of England and Scotland the sum of 75 *l*. per annum.
- 2d. To secure to the "Wesleyan Methodist Church in Canada in connexion with the English Conference," at the rate of 75 *l*. per annum for each and every minister of that Church regularly authorized and actually officiating in the discharge of his ministerial duties.
- 3d. That the residue of interest be paid annually to the several Conferences, or other bodies representing the several other Christian denominations recognized by law, and not otherwise provided for from any public source, in proportion to the number of ascertained ministers regularly authorized and actually officiating in the discharge of their ministerial duties of each denomination respectively; such sum in no case to exceed the sum of 75 *l*. per annum for each minister, and to be appropriated in such manner as the respective denominations may from time to time determine, according to the respective rules and regulations of their Church government, and whose religious tenets do not prohibit their bearing arms.
- 4th. The surplus interest (if any) to be expended in the erection of suitable places for public worship in the several townships, and for the religious and moral education of youth within the same.

4. Resolved, That there be secured to the ministers of the Churches of England and Scotland at present resident in this province the several amounts at present paid to them; but that on the death or removal from office as a minister of the present incumbents, their successors shall become subject and liable to the same regulations as to salary and allowances as the other ministers of those Churches hereafter to be appointed.

5. Resolved, That the amount of the sales of the clergy reserves already invested in the English funds, and the proceeds of future sales, be invested in the debentures of this province, in the discretion of the Board of Commissioners hereafter to be appointed.

6. Resolved,

6. Resolved, That Three Commissioners be appointed by the Legislature to carry out the provisions of a Bill embodying the foregoing resolutions, who shall remain in office for four years; but in case of a vacancy by death, resignation or otherwise, the vacancy to be supplied by the Lieutenant-Governor.

Committee Room, House of Assembly,
9 April 1839.

Ogle R. Gowan, Chairman.

No. 5.
Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

Enclosure No. 2.

Third Enclosure in No. 5.

BILL to authorize the future Appropriation of the Clergy Reserves to the purposes of all recognized religious Denominations.

WHEREAS by an Act passed in the Parliament of Great Britain in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec, in North America,' and to make further Provision for the Government of the said Province," it was amongst other things enacted, that it should and might be lawful for his said late Majesty, his heirs and successors, to authorize the Governor or Lieutenant-Governor of each of the said provinces respectively, or the person administering the government therein, to make from and out of the lands of the Crown within such provinces such allotment and appropriation of the lands for the support and maintenance of a Protestant clergy within the same as may bear a due proportion to the amount of such lands within the same as had at any time been granted by or under the authority of his said late Majesty, and that upon any grant of land within either of the said provinces which should thereafter be made by or under the authority of his Majesty, his heirs or successors, there should at the same time be made in respect of the same a proportionable allotment and appropriation of land for the above-mentioned purpose within the township or parish to which such lands so to be granted should appertain or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid or effectual unless the same should contain a specification of the lands so allotted or appropriated in respect of the land to be thereby granted, and that such land so appropriated and allotted should be, as nearly as the circumstances and nature of the case would admit, of the like quality as the lands in respect of which the said land should be so allotted and appropriated, and should be, as nearly as the same could be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted; and it was thereby further enacted, that all and every the rents, profits or emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid should be applicable solely to the maintenance of a Protestant clergy within the province in which the same should be situated, and to no other use or purpose whatever: And whereas various parts of the said clergy reserves within this province have been demised, by letters patent under the great seal of the province, to divers persons for terms of years which have not yet expired: And whereas by a certain Act of Parliament of the United Kingdom of Great Britain and Ireland passed in the seventh and eighth years of the reign of his late Majesty King George the Fourth, intituled, "An Act to authorize the Sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada," it is enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor or officer administering the government of the said provinces, or either of them, with consent of the Executive Council appointed within such province for the affairs thereof, in pursuance of any instructions which may be issued to such Governor, Lieutenant-Governor or other officer as aforesaid, by his Majesty, through one of his Principal Secretaries of State, to sell, alienate and convey in fee-simple, or for any less estate or interest, a part of the said clergy reserves in each of the said provinces, not exceeding in either province one-fourth of the reserves within such province, upon, under and subject to such conditions, provisions and regulations as his Majesty, by any such instruction as aforesaid, shall be pleased to direct and appoint; provided nevertheless, that the quantity of the said clergy reserves so to be sold as aforesaid, in any one year, in either of the said provinces, shall not in the whole exceed 100,000 acres; provided also, that the monies to arise by or to be produced from any such sale or sales shall be paid over to such officer or officers of his Majesty's revenue within the said province respectively, as his Majesty shall be pleased to appoint to receive the same, and shall by such officer or officers be invested in the public funds of the United Kingdom of Great Britain and Ireland, in such manner and form as his Majesty shall from time to time be pleased to direct; provided also, that the dividend and interest accruing from such public funds so to be purchased shall be appropriated, applied and disposed of for the improvement of the remaining part of the said clergy reserves, or otherwise for the purposes for which the said lands were reserved as aforesaid, and for no other purpose whatsoever, save only so far as it may be necessary to apply the same or any part thereof in or towards defraying the expenses of or attendant upon any such sale or sales as aforesaid, and which appropriation shall be so made in such manner and form, and for such special purposes, as his Majesty from time to time shall approve and direct: And whereas in pursuance of the said last-recited Act, the Lieutenant-Governor for the time being of this province, with the consent

Enclosure No. 3.

No. 5.
 Sir G. Arthur to
 the Marquis of
 Normanby,
 12 April 1839.

Enclosure No. 3.

of the Executive Council, hath, in pursuance of instructions for that purpose issued by his late Majesty King George the Fourth, through one of his Principal Secretaries of State, effected sales of divers parts of the clergy reserves: And whereas by a message to both Houses of the Provincial Legislature, bearing date the 25th day of January in the year of our Lord 1832, his Excellency Major-general Sir John Colborne, K. C. B., signified to both Houses his Majesty's most gracious invitation to consider how far the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal that part of its provisions which relate to the lands allotted and appropriated in this province to the support and maintenance of a Protestant clergy, could be called into exercise for the spiritual and temporal interest of his Majesty's faithful subjects in this province: And whereas it is desirable that this power should be now exercised in making provision for the religious instruction of the people of this province; be it, &c., That except as is hereinafter provided, all the lands heretofore or to be hereafter set apart within this province, under the provisions of the said Act passed in the 31st year of the reign of his late Majesty King George the Third, for the support and maintenance of a Protestant clergy, be sold, alienated, granted and conveyed in fee-simple in like manner and subject to the same regulations, and under and upon the same conditions, limitations and provisions as now are or at any time hereafter shall be in force and use for the sale, alienation, grant and conveyance of Crown lands in this province: Provided always, that the expenses of or attendant upon any such sale or sales shall be defrayed out of the first monies arising therefrom.

2. And be it, &c., That the grant of every lot so reserved shall specify and declare such lot to be of the description commonly known as clergy reserves, and that no grant of any such lot heretofore made or hereafter to be made by or on behalf of Her Majesty, or Her successors, or of any of Her royal predecessors, shall be or be deemed to be invalid or ineffectual, or be liable to be impeached, vacated or set aside by reason that any such grant does not contain a specification of lands reserved and appropriated for the support and maintenance of a Protestant clergy in respect of the lands thereby granted, and that hereafter no such specification, allotment or appropriation shall be made as aforesaid in respect of any such lot or lots commonly called clergy reserves in the grant thereof to the purchaser or grantee of the same.

3. And be it, &c., That the monies to arise and be produced and henceforth received from any such sale or sales, after deducting the expenses as aforesaid, shall be paid over to such officer or officers of Her Majesty's Government within this province as Her Majesty shall be pleased to appoint to receive the same, and shall be by such officer or officers invested in the public debentures of this province, bearing interest at the rate of not less than six per centum per annum, in the name or on the behalf of the Board of Commissioners hereinafter appointed.

4. And be it, &c., That there shall be reserved and set apart in each and every township in this province one or more clergy reserves, containing 100 acres each, for glebes or residences for one or more clergymen of the Church of England and Scotland, and of all the other Christian denominations recognized by the laws and statutes of this province; and that as soon as there shall be one or more clergymen of either of the said Churches respectively duly appointed to and becoming resident in any township, it shall and may be lawful for Her Majesty, Her heirs and successors, to grant to every such clergyman, and his successors to be lawfully appointed, according to the ecclesiastical constitution of such Churches respectively, one such lot of 100 acres, to be held by such incumbent or resident clergyman and his successors, as a corporation sole.

5. And be it, &c., That whenever there shall not be a sufficient number of clergy reserves unsold in any township, or from situation or other reasonable cause a convenient reservation for the purposes aforesaid cannot be made in such township, it shall and may be lawful for the Board of Commissioners hereinafter created, and they are hereby required to purchase at the most reasonable prices in their discretion, one or more lots, containing 100 acres each, as glebes or residences for one or more clergymen of the said Churches, which lots, when so purchased, shall be respectively conveyed in like manner and for the same purposes, and with and under the same powers, limitations, provisions and restrictions as are in this Act contained and expressed of and concerning grants to be made by Her Majesty to the resident clergymen of the said Churches.

6. Provided always, and be it, &c., That nothing in this Act shall extend or be construed to extend to prevent the bishop, synod or other person or body of and in the said Churches respectively, having lawful authority, according to the canons and constitution of such Churches, from removing or depriving any such clergyman from his office or situation as incumbent or resident clergyman of or in any such township, and from appointing a successor, from time to time and as often as it may be necessary; nor to give to or vest in any such clergyman any right, title or interest in the said land other than that which he may hold as a corporation sole as aforesaid, and while he shall so be the incumbent or resident clergyman in and for the township wherein such land shall lie.

7. Provided always, and be it further, &c., That such reservations, grants, purchases and conveyances shall not be made to or for more than two clergymen of any one denomination in any one township in this province; provided further, that every clergyman of either of the said churches, who shall have received any endowment or grant of lands from the Crown, either to or in trust for or for the use and benefit of him and his successors as rector or resident minister, or otherwise in his character and capacity as a clergyman in any township,

township, shall be, for the purposes herein contained, considered as if such endowment or grant of lands had been given or conveyed to him under the authority and in pursuance of the provisions of this Act.

8. And be it, &c., That the annual dividends and interests arising from the investment of the proceeds of all and every sale of clergy reserves in this province, whether past or future, and wheresoever and howsoever invested, shall be appropriated and applied by the Board of Commissioners hereinafter created, to and for the following uses and purposes; that is to say, to pay to each clergyman of the Churches of England and Scotland, who shall be in the actual occupation and enjoyment of any present or future grant or endowment of lands as a resident clergyman as aforesaid, an annual stipend not to exceed 100*l.*, and in like manner to pay to the treasurer or other officer who shall be duly authorized and appointed by the several denominations to receive the same, an annual sum not to exceed 100*l.* for each and every minister now or hereafter to be appointed by the said Churches within this province, according to the provisions of this Act; and after these several payments and appropriations, and the payment of the necessary charges and expenses of conducting the said commission, to apply the residue of such annual interest or dividends in aid of the erection of places of public worship in this province for any denomination of Christians.

9. And be it, &c., That the treasurer or other proper officer of the said Churches shall, once in every year, render to the said Board of Commissioners a true and faithful account of the expenditure of the monies received by him under the authority of this Act, and that further payments to and for the use of the said Churches shall from time to time be suspended until the preceding payments and grants are duly accounted for.

10. Provided always, and be it further, &c., That nothing in this Act contained shall be construed to limit and prevent the Board of Commissioners hereinafter named from laying out and expending from time to time such sum or sums of money, whether principal monies arising from the sale of clergy reserves, or interest accruing from the investment thereof in provincial debentures, as shall be found necessary for the purchase of any lot or lots of land to be conveyed to and for the several uses and intents hereinbefore declared, nor for such purpose from selling any debenture or debentures that they may find necessary; provided that the said Board of Commissioners shall not lay out in the purchase of any one lot of 100 acres a greater sum than 200 *l.*

11. And be it, &c., That there be constituted and created a Board of Three Commissioners, a majority of whom shall form a quorum for transacting business, who shall be appointed on the joint recommendation of both Houses of the Legislature, by the Lieutenant-Governor, by letters patent under the great seal of this province, and who shall hold office for the term of four years, subject however to be sooner removed, and another or others appointed in the stead of him or them so removed, on a like joint address; which board is hereby constituted and declared to be a body corporate and politic in fact, by the name of the Commissioners for Religious Instruction, and by that name they and their successors shall have continued succession, and shall be capable of contracting and being contracted with, suing and being sued, impleading and being impleaded, answering and being answered unto, in all courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever, and that they and their successors shall have a common seal, and may change and alter the same at their will and pleasure, and that they and their successors may and shall be capable in law of purchasing, taking and conveying any such real estate from time to time as may be necessary for the carrying into full effect the purposes of this Act, and that they and their successors shall have full power and authority to do every other necessary act, matter and thing in and for the proper discharge of the several duties required to be performed and done in and by the different clauses of and provisions of this Act.

12. And be it, &c., That it shall be the duty of the said Commissioners, and they are hereby required, to distribute and pay the several stipends and annual sums hereinbefore directed to be paid and allowed in such manner as to give no undue priority, preference or advantage to any or either the Churches hereinbefore mentioned to the other or others of them.

13. And be it, &c., That the said Commissioners shall have power to appoint such clerks and officers for carrying on and fulfilling the duties hereby required of them, with such salaries as they may think reasonable and proper, and from time to time to remove such clerks: Provided always, that such appointment and the amount of the salaries shall be subject to the approval of the Lieutenant-Governor.

14. And be it, &c., That the said Commissioners shall once in every year make a full and particular return to the Lieutenant-Governor of all monies received by them; of the amount of monies invested and of the dividends thereon; the number of lots, and to whom granted or conveyed; the number of stipends paid to the clergymen of the said Churches, and the amount of each such stipend, and the return made of the expenditure thereof; the number of their clerks and officers, and their salaries, together with the amount of all expenses incurred in conducting the affairs of the said Commission; and generally of every other matter and thing relating to their duties as such Commissioners; and that copies of such annual returns be laid before both branches of the Legislature of this province.

No. 5.

Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

Enclosure No. 3.

No. 5.
 Sir G. Arthur to
 the Marquis of
 Normanby,
 12 April 1839.

Fourth Enclosure in No. 5.

BILL to declare the Powers of Rectors, and to provide for their Removal in certain cases.

Enclosure No. 4.

WHEREAS fears are entertained and doubts expressed as to the extent of power and authority conferred upon the incumbents of rectories constituted under the provisions of the Act passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province;" which it is essential, for the quieting of those fears and restoring peace and harmony to all religious communities, and promoting a spirit of charity among different denominations, should be removed: And whereas it is necessary to provide for the resignation or removal of rectors or parsons from their rectories or parsonages in certain cases, and for the appointment of select vestries and churchwardens; be it, &c., That no parson or rector now or hereafter to be instituted and inducted into any parsonage or rectory now or hereafter to be constituted and erected under the provisions of the said Act shall have, hold, exercise or enjoy any right, power, authority or pre-eminence whatever, either ecclesiastical or civil, beyond the limits of his rectory, which any other clergyman duly licensed by the bishop of the diocese to perform duty within the same shall not possess.

2. And be it, &c., That when and so often as any parson or rector shall be desirous of resigning his parsonage or rectory, it shall and may be lawful for such parson or rector to signify such his desire by an instrument under his hand and seal to his diocesan, who shall, so soon as to him shall seem meet, cause the same to be notified to the vestry and churchwardens of such parsonage or rectory, who shall make an entry thereof in the books of the vestry, whereupon it shall be lawful for the bishop to institute and induct a successor, who shall thenceforth be the parson or rector of such parsonage or rectory.

3. And be it, &c., That it shall and may be lawful for the bishop of the diocese in which any rectory or parsonage in this province shall be situate, at any visitation or convocation of his clergy, to hear any complaint against, or to institute any inquiry into the conduct, life or demeanor of the parson or rector of any such parsonage or rectory, and if a majority of the clergy present at any such visitation or convocation shall, under the direction and authority of the bishop there present, declare the charges to be proven, it shall and may be lawful for the said bishop to proceed to admonish such parson or rector, or to deprive him of his parsonage or rectory, according to his discretion, having a due regard to the interests of religion and the purity and morals of the clergy.

4. And be it, &c., That it shall and may be lawful for the pewholders of any church in this province, in the presence of the parson or rector, on every Easter Tuesday, to choose from among the said pewholders such a number of vestrymen, not less than seven, as they shall think proper, to manage the affairs of the church during the ensuing year, who shall appoint a vestry clerk and one churchwarden, who, together with one other churchwarden to be appointed by the parson or rector, shall be possessed of the chattel property of the church, and shall collect the pew rents and other dues for the use and benefit of the public frequenting the same, and attending divine service thereat, and for the decent and orderly celebration of divine worship in such church.

Fifth Enclosure in No. 5.

BILL to reinvest in Her Majesty the Lands set apart for a Protestant Clergy.

Enclosure No. 5.

WHEREAS in and by an Act of the Parliament of Great Britain passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," it is among other things recited and declared, that his said late Majesty had been graciously pleased, by message to both Houses of Parliament, to express his royal desire to be enabled to make a permanent appropriation of lands in the said provinces for the support and maintenance of a Protestant clergy within the same, in proportion to such lands as had been already granted within the same by his Majesty; and further, that such provision might be made with respect to all future grants of land within the said provinces respectively as might best conduce to the due and sufficient support and maintenance of a Protestant clergy within the said provinces, in proportion to such increase as should happen in the population and cultivation thereof: And whereas, for the purpose of more effectually fulfilling his said Majesty's gracious intentions as aforesaid, and of providing for the due execution of the same in all time to come, certain provisions were made in and by the said Act respecting the support and maintenance of a Protestant clergy within the said provinces, which provisions are contained in the 35th, 36th, 37th, 38th, 39th, 40th, 41st and 42d clauses of the said statute

statute passed in the 31st year of the reign of his late Majesty King George the Third, and are in the following words; that is to say,

35. " And whereas by the above-mentioned Act passed in the 14th year of the reign of his present Majesty it was declared, that the clergy of the Church of Rome in the province of Quebec might hold, receive and enjoy their accustomed dues and rights with respect to such persons only as should profess the said religion; provided, nevertheless, that it should be lawful for his Majesty, his heirs or successors, to make such provisions out of the rest of the said accustomed dues and rights for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant clergy within the said province, as he or they should from time to time think necessary and expedient: And whereas, by his Majesty's royal instructions given under his Majesty's royal sign manual, on the 3d day of January in the year of our Lord 1775, to Guy Carleton, esquire, now Lord Dorchester, at that time his Majesty's Captain-general and Governor-in-chief in and over his Majesty's province of Quebec, his Majesty was pleased, amongst other things, to direct ' that no incumbent professing the religion of the Church of Rome, appointed to any parish in the said province, should be entitled to receive any tithes for lands or possessions occupied by a Protestant, but that such tithes should be received by such persons as the said Guy Carleton, esquire, his Majesty's Captain-general and Governor-in-chief in and over his Majesty's said province of Quebec, should appoint, and should be reserved in the hands of his Majesty's Receiver-general of the said province for the support of a Protestant clergy in his Majesty's said province, to be actually resident within the same, and not otherwise, according to such directions as the said Guy Carleton, esquire, his Majesty's Captain-general and Governor-in-chief in and over his Majesty's said province, should receive from his Majesty in that behalf, and that in like manner all growing rents and profits of a vacant benefice should, during such vacancy, be reserved for and applied to the like uses: ' And whereas his Majesty's pleasure has likewise been signified to the same effect in his Majesty's royal instructions given in like manner to Sir Frederick Haldimand, Knight of the most honourable Order of the Bath, late his Majesty's Captain-general and Governor-in-chief in and over his Majesty's said province of Quebec, and also in his Majesty's royal instructions given in like manner to the said Right honourable Guy Lord Dorchester, now his Majesty's Captain-general and Governor-in-chief in and over his Majesty's said province of Quebec; be it enacted by the authority aforesaid, That the said declaration and provision contained in the said above-mentioned Act, and also the said provision so made by his Majesty in consequence thereof by his instructions above recited, shall remain and continue to be of full force and effect in each of the said two provinces of Upper Canada and Lower Canada respectively, except in so far as the said declaration or provisions respectively, or any part thereof, shall be expressly varied or repealed by 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 restrictions hereinafter provided.

36. " And whereas his Majesty has been graciously pleased, by message to both Houses of Parliament, to express his royal desire to be enabled to make a permanent appropriation of lands in the said provinces for the support and maintenance of a Protestant clergy within the same, in proportion to such lands as have been already granted within the same by his Majesty: And whereas his Majesty has been graciously pleased by his said message further to signify his royal desire that such provision may be made with respect to all future grants of land within the said provinces respectively as may best conduce to the due and sufficient support and maintenance of a Protestant clergy within the said provinces, in proportion to such increase as may happen in the population and cultivation thereof; therefore, for the purpose of more effectually fulfilling his Majesty's gracious intention as aforesaid, and of providing for the due execution of the same in all time to come; be it enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs or successors, to authorize the Governor or Lieutenant-governor of each of the said provinces respectively, or the person administering the government therein, to make from and out of the lands of the Crown within such provinces such allotment and appropriation of lands for the support and maintenance of a Protestant clergy within the same as may bear a due proportion to the amount of such lands within the same as have at any time been granted by or under the authority of his Majesty; and that whenever any grant of lands within either of the said provinces shall hereafter be made by or under the authority of his Majesty, his heirs or successors, there shall at the same time be made in respect of the same a proportionable allotment and appropriation of lands for the above-mentioned purpose within the township or parish to which such lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto as circumstances will admit; and that no such grant shall be valid or effectual unless the same shall contain a specification of the lands so allotted and appropriated in respect of the lands to be thereby granted; and that such lands so allotted and appropriated shall be, as nearly as the circumstances and nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and shall be, as nearly as the same can be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted.

37. " And be it further enacted by the authority aforesaid, That all and every the rents, profits or emoluments which may at any time arise from such lands so allotted and appropriated as aforesaid shall be applicable solely to the maintenance and support of a Protestant clergy within the province in which the same shall be situated, and to no other use or purpose whatever.

No. 5.
Sir G. Arthur to
the Marquis of
Normanby,
12 April 1839.

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38. " And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs or successors, to authorize the Governor or Lieutenant-Governor of each of the said provinces respectively, or the person administering the government therein, from time to time, with the advice of such Executive Council as shall have been appointed by his Majesty, his heirs or successors, within such province, for the affairs thereof, to constitute and erect, within every township or parish which now is or hereafter may be formed, constituted or erected within such province, one or more parsonage or rectory, or parsonages or rectories, according to the establishment of the Church of England, and from time to time, by an instrument under the great seal of such province, to endow every such parsonage or rectory with so much or such a part of the lands so allotted and appropriated as aforesaid in respect of any lands within such township or parish which shall have been granted subsequent to the commencement of this Act, or of such lands as may have been allotted and appropriated for the same purpose by or in virtue of any instruction which may be given by his Majesty in respect of any lands granted by his Majesty before the commencement of this Act, as such Governor, Lieutenant-governor, or person administering the government shall, with the advice of the said Executive Council, judge to be expedient under the then existing circumstances of such township or parish.

39. " And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs or successors, to authorize the Governor, Lieutenant-governor, or person administering the government of each of the said provinces respectively, to present to every such parsonage or rectory an incumbent or minister of the Church of England who shall have been duly ordained according to the rites of the said Church, and to supply from time to time such vacancies as may happen therein; and that every person so presented to any such parsonage or rectory shall hold and enjoy the same, and all rights, profits and emoluments thereto belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties as the incumbent of a parsonage or rectory in England.

40. " Provided always, and be it further enacted by the authority aforesaid, That every such presentation of an incumbent or minister to any such parsonage or rectory, and also the enjoyment of any such parsonage or rectory, and of the rights, profits and emoluments thereof, by any such incumbent or minister, shall be subject and liable to all rights of institution and all other spiritual and ecclesiastical jurisdiction and authority which have been lawfully granted by his Majesty's royal letters patent to the Bishop of Nova Scotia, or which may hereafter by his Majesty's royal authority be lawfully granted or appointed to be administered and executed within the said provinces, or either of them respectively, by the said Bishop of Nova Scotia, or by any other person or persons, according to the laws and canons of the Church of England which are lawfully made and received in England.

41. " Provided always, and be it further enacted by the authority aforesaid, 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, 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.

42. " Provided nevertheless, and be it further enacted by the authority aforesaid, That whenever any Act or Acts shall be passed by the Legislative Council and Assembly of either of the said provinces containing any provisions to vary or repeal the above-recited declaration and provisions contained in the said Act passed in the 14th year of the reign of his present Majesty, or to vary or repeal the above-recited provision contained in his Majesty's royal instructions given, on the 3d day of January in the year of our Lord 1775, to the said Guy Carleton, esquire, now Lord Dorchester; or to vary or repeal the provisions hereinbefore contained for continuing the force and effect of the said declaration and provisions; or to vary or repeal any of the several provisions hereinbefore contained respecting the allotment and appropriation of lands for the support of a Protestant clergy within the said provinces, or respecting the constituting, erecting or endowing parsonages or rectories within the said provinces, or respecting the presentation of incumbents or ministers to the same, or respecting the manner in which such incumbents or ministers shall hold and enjoy the same; and also that whenever any Act or Acts shall be so passed containing any provisions which shall in any manner relate to or affect the enjoyment or exercise of any religious form or mode of worship, or shall impose or create any penalties, burdens, disabilities or disqualifications in respect of the same; or shall in any manner relate to or affect the payment, recovery or enjoyment of any of the accustomed dues or rights hereinbefore mentioned; or shall in any manner relate to the granting, imposing or recovering any other dues, or stipends or emoluments whatever to be paid to or for the use of any minister, priest, ecclesiastic or teacher, according to any religious form or mode of worship, in respect of his said office or function; or shall in any manner relate to or affect the establishment or discipline of the Church of England amongst the ministers and members thereof within the said provinces; or shall in any manner relate to or affect the King's prerogative touching the granting of waste lands of the Crown within the said provinces; every such Act or Acts shall, previous to any declaration

declaration or signification of the King's assent thereto be laid before both Houses of Parliament in Great Britain; and that it shall not be lawful for his Majesty, his heirs or successors, to signify his or their assent to any such Act or Acts until 30 days after the same shall have been laid before the said Houses, or to assent to any such Act or Acts in case either House of Parliament shall, within the said 30 days, address his Majesty, his heirs or successors, to withhold his or their assent from such Act or Acts; and that no such Act shall be valid or effectual to any of the said purposes within either of the said provinces unless the Legislative Council and Assembly of such province shall, in the session in which the same shall have been passed by them, have presented to the Governor, Lieutenant-governor, or person administering the government of such province an address or addresses specifying that such Act contains provisions for some of the said purposes hereinbefore specially described, and desiring that, in order to give effect to the same, such Act should be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of his Majesty's assent thereto."

And whereas since the passing of the said Act, divers allotments and appropriations of land have been made within the province of Upper Canada in pursuance of the aforesaid provisions for the support and maintenance of a Protestant clergy, which allotments are commonly known by the name of clergy reserves, and have been made in the proportion of one-seventh of the lands granted or to be granted within the said province: And whereas of these allotments of land, some portions have been demised by his said late Majesty or his successors for term of years, and other portions have been from time to time sold under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland passed in the seventh and eighth years of the reign of his late Majesty King George the Fourth, intituled, "An Act to authorize the Sale of a part of the Clergy Reserves in the Province of Upper and Lower Canada," under the provisions of which Act, the monies accruing from such lands sold are to be appropriated, applied and disposed of for the purposes for which the said lands were so reserved as aforesaid, and for no other purpose whatsoever, and the residue of the said allotments or reserves, not being leased or otherwise disposed of, continue vested in the Crown, subject to the provisions of the Act first herein recited:

And whereas doubts have arisen respecting the proper legal construction of the said Act passed in the 31st year of the reign of his late Majesty King George the Third, and it has been made a question to what sects or denominations of Protestants the term "Protestant clergy" used in the said Act was intended to be applicable, and what clergy can of right claim to participate or can be legally admitted to participate in the advantages of the said allotments or reserves:

And whereas the continuance of such doubts, and the controversies to which they have given rise, are in a high degree prejudicial to the peace and good government of this province, and unfavourable to the spiritual and temporal interests of the people thereof, and it is expedient to put an end to such doubts and controversies, by enabling Her Majesty, Her heirs or successors, to dispose of the said allotments or appropriations of land, and of the monies which have accrued or may hereafter accrue from the sale or other disposal of the same, or any part thereof, in such manner as to Her Majesty, Her heirs or successors, may seem just and fit for the maintenance of public worship and the support of religion within this province:

Be it therefore enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," and by the authority of the same, that the 36th and 37th clauses of the said statute, and so much of the 38th clause thereof, as relates to the endowment of any parsonage or rectory with land, shall be and the same are hereby repealed; and that all and every the lands which are now vested in Her Majesty, and which before the passing of this Act were reserved, allotted and appropriated for the maintenance and support of a Protestant clergy within this province, under the authority of the said Act of the Parliament of Great Britain passed in the 31st year of his said late Majesty's reign, shall be and remain vested in Her Majesty, Her heirs and successors, freed and absolutely discharged from all and every of the trusts, conditions, limitations or restrictions contained in or imposed or declared by the said last-mentioned Act: Provided always, nevertheless, that the said lands are by this Act vested in Her Majesty, Her heirs and successors, discharged from the trusts and conditions aforesaid, to the intent and in order that the same lands may be, by and under the authority of the Parliament of the United Kingdom of Great Britain and Ireland, applied and appropriated, by way of endowment or otherwise, solely for the maintenance of public worship and the support of religion within this province, and to no other use or purpose whatsoever.

2. And be it further enacted by the authority aforesaid, That nothing in this Act contained shall extend to interfere with or make void any grant, sale, lease, endowment or other appropriation, which before the passing of this Act may have been made of any part or portion of the said allotments or appropriations of land called Clergy Reserves: Provided nevertheless, that the monies which shall have arisen and accrued, and which now remain unexpended, or which shall hereafter arise and accrue from such sale, or in con-

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sequence of such lease having been made, shall be applicable to the same purposes to which the lands so allotted and appropriated as aforesaid shall be applicable after the passing of this Act, and to no other; and that such monies shall be paid over, applied and accounted for in such manner and form as Her Majesty, Her heirs or successors, shall be graciously pleased to direct.

3. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, no grant, sale, lease or other disposition of any of the said allotments or appropriations of land, or of any part thereof, shall be made otherwise than in pursuance of instructions which shall from time to time be given by Her Majesty, Her heirs or successors, after the passing of this Act.

— No. 6. —

(No. 110.)

COPY of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K. C. H., to the Marquis of *Normanby*, dated Toronto, 14 May 1839.

No. 6.
Sir G. Arthur to
the Marquis of
Normanby,
14 May 1839.

My Lord,

WITH reference to my Despatch to your Lordship of this date (No. 108), I have the honour to enclose herewith the reserved Bill passed by the Provincial Legislature, intituled, "An Act to dispose of the Lands commonly called the 'Clergy Reserves,' and for other purposes therein mentioned."

The object of this Act is to provide that the proceeds of all the reserves sold, or to be sold, be paid into the hands of the Receiver-general of the province, to be applied by the Imperial Parliament for religious purposes.

By the enclosures numbered (A.) to (D.), your Lordship will perceive the various measures which were successively proposed and finally rejected prior to the passing of the Bill, which has referred the decision on the matter to the Imperial Government, and which was carried in the Assembly by a majority of one vote, in a House of 44 members, at a late hour on the night preceding the day of prorogation.

In the various stages of the discussions on this subject, the different plans that were proposed and adopted were carried in the Assembly by very small majorities, and I believe I may add, without the hearty concurrence of any considerable number of Members; while, on the other hand, the various schemes which were proposed, and which failed, were supported and opposed without any unanimity or determination of opinion.

The Assembly was in fact divided into many small parties; negative majorities were easily procured; but an affirmative vote, in which a majority might concur from conscientious approval, could not be obtained. The several Bills on the subject of the clergy reserves which passed in the Assembly may indeed be said not to have met with the positive approval of a majority of that body; and when every other expedient had been tried in vain, the vote referring the decision of the question in England was carried by the bare majority which I have mentioned.

The question of the distribution of these reserves is in its nature most exciting, and tends to give rise to the fiercest discussions, both in regard to political and religious principles. The mischiefs which its animated discussion here necessarily introduced have been much aggravated by the invitation to legislate being pressed upon the local government, and time has added to the evil, by showing to political agitators how readily they could influence the popular mind by extreme and impracticable views on the subject. Thus, while many were conscientiously opposed to the several measures devised, it cannot be denied that others would gladly have kept the question open to be used, as before, for the purposes of agitation.

In this state of affairs I acknowledge that, after every effort had been tried, unsuccessfully, to bring parties to any thing like unanimity of sentiment, I was gratified to see the matter referred to the Imperial Parliament, even by the small majority of a single vote.

It now only remains that a liberal and just appropriation of the clergy reserve funds should be made in England.

Before I left Van Diemen's Land a Bill was drafted, under my direction, for the disposal of the clergy lands in that province; I believe, with some modification,

modification, it subsequently passed into a law; and as I am of opinion that its provisions would answer well for Upper Canada, I should strongly recommend it, so far as it can be adopted consistently with the interests of incumbents in this province who are now receiving small salaries from the clergy reserve fund, and to whom the faith of Government must be considered as in a manner pledged.

Whatever might have been the legal interpretation in the present Act of the term "Protestant clergy," it is my duty to state that no such limitation will now satisfy the people of this country. Above all things, my Lord, I would urgently recommend promptitude of action in the matter, as I am sure that public meetings will be held throughout the province with a view to influence proceedings in England, and every means will be taken still to agitate the question.

I have, &c.
(signed) *Geo. Arthur.*

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14 May 1839.

Enclosure No. 1 in No. 6.

(No. 1147.)

AN ACT to dispose of the Lands commonly called "Clergy Reserves," and for other Purposes therein mentioned.

This Bill reserved for the signification of Her Majesty's pleasure thereon, on Saturday the 11th day of May 1839.

(signed) *R. A. Tucker*, Provincial Secretary.

WHEREAS by an Act passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," it was enacted, that it should and might be lawful for his Majesty, his heirs and successors, to authorize the Governor or Lieutenant-governor of each of the provinces hereinbefore named respectively, or the person administering the government therein, to make from and out of the lands of the Crown within such provinces such allotment and appropriation of lands for the support and maintenance of a Protestant clergy within the same, as might bear a due proportion to the amount of such lands within the same, as have at any time been granted by or under the authority of his Majesty; and that whenever any grant of lands within either of the said provinces should thereafter be made by or under the authority of his Majesty, his heirs or successors, there should at the same time be made in respect of the same a proportionable allotment and appropriation of lands for the above-mentioned purpose, within the township or parish to which such lands so to be granted should appertain or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid and effectual unless the same should contain a specification of the lands so allotted and appropriated in respect of the lands to be thereby granted, and that such lands so allotted and appropriated should be, as nearly as the circumstances and nature of the case would admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and should be, as nearly as the same can be estimated at the time of the making such grant, equal in value to the seventh part of the lands so granted: And whereas it was in and by the said in part recited Act further enacted, that all and every the rents, profits or emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely to the maintenance and support of a Protestant clergy within the province in which the same should be situated, and to no other use or purpose whatever: And whereas in pursuance of the said Act such proportionable allotments and appropriations of land as aforesaid have from time to time been reserved for the purposes therein mentioned, which lands are known by the name of "Clergy Reserves:" And whereas it is wisely provided by the said Act, section 41st, "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, 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 and successors: And whereas by a message to both Houses of the Provincial Legislature, bearing date the 25th day of January in the year of our Lord 1832, his Excellency Major-general Sir John Colborne, K. C. B., signified to both Houses his Majesty's most gracious invitation to consider how far the powers given to the Provincial Legislature by the Constitutional Act to vary or repeal that part of its provisions which relate

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to the lands allotted and appropriated in this province to the support and maintenance of Protestant clergy, could be called into exercise for the spiritual and temporal interests of his Majesty's faithful subjects in this province: And whereas it is expedient, for the peace, welfare and good government of this province, that this power should be now exercised; be it therefore enacted, by The Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," and by the authority of the same, That the 36th and 37th clauses of the said Act of the Imperial Parliament, passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," be and the same are hereby repealed.

2. And be it further enacted by the authority aforesaid, That all the lands heretofore set apart within this province under the provisions of the said Act passed in the 31st year of the reign of his late Majesty King George the Third, for the support and maintenance of a Protestant clergy, and now ungranted, be sold, alienated, granted and conveyed in fee-simple, in like manner, and subject to the same regulations, and under and upon the same conditions, limitations and provisions, as now are or at any time hereafter shall be in force and use for the sale, alienation, grant and conveyance of Crown lands in this province: Provided always, that nothing in this Act contained shall be construed to make void any sale heretofore made for which the patent from the Crown has not issued; but such sales shall be and the same are hereby declared to be as valid as if the same had been made under the provisions of this Act: Provided always, that all sums due or hereafter to become due shall be applied in the same manner as the proceeds of sales made under this Act.

3. And be it further enacted by the authority aforesaid, That the monies to arise and to be produced and henceforth received from any such sale or sales shall be paid into the hands of Her Majesty's Receiver-general of this province, to be appropriated and applied by the Imperial Parliament for religious purposes.

Legislative Council Chamber, }
10th day of May 1839. }

Jonas Jones, Speaker.

Commons House of Assembly, }
10th day of May 1839. }

Allan N. Mac Nab, Speaker.

I reserve this Bill for the signification of Her Majesty's pleasure thereon.

George Arthur,
Lieutenant-Governor.

Enclosure (A.) in No. 6.

BILL to authorize the future Appropriation of the Clergy Reserves to the purposes of all recognized religious Denominations.

This Bill is precisely the same as that in page 11, excepting the 4th and 7th clauses, which are amended as follows:—

Enclosure (A.)

4. "And be it, &c., That there shall be reserved and set apart in each and every township in this province one or more clergy reserves not exceeding 100 acres each for glebes or residences for one or more clergymen of the Church of England and Scotland, and of all the other Christian denominations recognized by the laws and statutes of this province; and that as soon as there shall be one or more clergymen of either of the said Churches respectively duly appointed to and becoming resident in any township, it shall and may be lawful for Her Majesty, Her heirs and successors, to grant, for the use of every such clergyman and his successors, to be lawfully appointed according to the ecclesiastical constitution of such Churches respectively, one such lot not exceeding 100 acres, to be held by such incumbent or resident clergyman and his successors as a corporation sole."

7. "Provided always, and be it further, &c., That such reservations, grants, purchases and conveyances shall not be made to or for more than two clergymen of any one denomination in any one township in this province: Provided also, that in any township where 200 acres or more have already been granted to a minister or ministers of any one of the said Churches or denominations, no further appropriation shall be made for the ministers of such Church or denomination in such township."

Enclosure

Enclosure (B.) in No. 6.

No. 6.
 Sir G. Arthur to
 the Marquis of
 Normanby,
 14 May 1839.

REPORT of the Select Committee of the Legislative Council upon the Clergy Reserve Lands Disposition Bill, and an Amendment to the same, submitted by them for the adoption of the House.

Enclosure (B.)

Your Committee, to whom was referred the Bill sent up from the Assembly, relating to the disposal of the Clergy Reserves in this province, have prepared the following Amendments, which they respectfully recommend for the adoption of your honourable House :

After "Whereas," in the Preamble, strike out the remainder of the Bill, and insert as in the annexed draft.

R. B. Sullivan, Chairman.

Committee Room, 30 April 1839.

For the advancement of the Christian religion, and the promotion of good morals in Upper Canada, it is expedient to appropriate the lands called Clergy Reserves, and the yearly income arising from the interest, rents and proceeds of sales thereof, in aid of the maintenance of the ministers of religion; Be it therefore enacted, &c. That it shall and may be lawful for the Lieutenant-governor of this province, by and with the advice of the Executive Council, to cause to be sold and alienated, granted and conveyed, all or any portion of the clergy reserves in this province, in like manner as other lands of the Crown now are or shall be sold or alienated: Provided always, that the necessary expenses attending such sale shall be defrayed out of the first monies arising therefrom.

2. And be it further enacted, &c., That the letters patent alienating such lands shall describe the same as clergy reserves, and that no further reservation in respect of such lands shall be necessary.

3. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-Governor, by and with the advice of the Executive Council, to cause to be invested the monies proceeding from such sales, and also all monies which have heretofore arisen from such sales, in the public funds, in the name of the Receiver-general in England, or in the public debentures of the province; and such investment to withdraw and change, in the whole or in part, from time to time as circumstances may require.

4. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, by and with such advice as aforesaid, in the name of Her Majesty, Her heirs and successors, to grant and appropriate portions of the said reserves, not exceeding 100 acres in each case, as residences for officiating clergymen or ministers of religion, and for the building churches, chapels and places of public worship therein, and, in case such clergy reserves shall not be found in the neighbourhood required, to procure, by exchange of such clergy reserves, not exceeding 100 acres, or by purchase, for any sum not exceeding ——— in each case, convenient sites for the purposes in this clause mentioned, and to grant and appropriate the lands so required for such purposes, which grant or appropriation shall be made to the officiating clergyman and his successors as a corporation sole, or to trustees named for the purpose by the respective congregations, as the tenets and discipline of such Churches or denominations of Christians shall respectively require.

5. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, with the advice of the Executive Council, to order and direct by his warrant the payment of the yearly stipends, at present payable to the clergy or ministers of religion out of public funds in this province, to be paid out of the yearly interest accruing on sales of the said clergy reserves, and upon the investment of the proceeds thereof during the incumbency of the present clergymen or ministers.

6. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-Governor, by and with the advice of the Executive Council, to appropriate and direct the payment out of the said interest money of stipends towards the support of clergymen and ministers of religion, duly appointed according to the rules of their respective church or congregation, in the following cases; that is to say, whenever there shall be shown to the said Lieutenant-Governor in Council that there is resident, within reasonable distance of any church, chapel or place of public worship, a population of adults, who shall subscribe a declaration, setting forth their desire to attend such church, chapel or place of public worship, and shall subscribe and pay to the said clergyman or minister of religion a yearly sum of money, not less than ——— pounds, then and in such case the public stipend or salary to be paid to such clergyman or minister of religion shall be equal to the said private subscription: Provided always, that in no case shall such public stipend amount to more than ——— pounds.

7. And be it further enacted, &c., That the interest money aforesaid shall be chargeable, in the first place, with the stipends or salaries of the clergy or ministers of religion now paid out of any public funds in this province, and that in the case of alteration by death or removal of any of the said incumbents, and also in case of the establishment of new churches, chapels and places of public worship, the interest money aforesaid shall be paid and distributed as in this Act directed, preference and priority being given according to the priority of time in the building such church, chapel or place of public worship, and to the priority of time in subscribing and paying a clergyman or minister of religion attached thereto out of private funds as aforesaid.

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Enclosure (B.)

8. And be it further enacted, &c., That a book shall be kept in the office of the provincial secretary and registrar, in which shall be yearly entered the township or place at which each church, chapel or place of public worship shall be erected, the name of the officiating clergyman, the number of adults attached to his congregation, and the name of the church or denomination of Christians to which he belongs; which entries shall be founded on yearly returns, signed by the respective clergymen or ministers of religion, certified under the hands of at least 12 freeholders of his congregation.

9. And be it further enacted, &c., That no public aid under this Act shall be given to any clergyman or minister of religion who shall not, in the first place, take and subscribe the oath of allegiance, and who is not a natural-born or naturalized subject of the British Crown.

10. And be it further enacted, &c., That no public aid shall be extended to any clergyman or minister of religion who shall not produce satisfactory proof of his ordination and appointment by authority of some Church or denomination of Christians having within this province or within Her Majesty's dominions due power of ordination and appointment, or unless such clergyman or minister of religion shall be wholly devoted to his religious duties, without secular employment.

11. And be it further enacted, &c., That in any case of one clergyman or minister of religion having the care of two or more congregations, amounting in number to 100 adults, who shall subscribe and declare as in the sixth clause of this Act mentioned, and who shall subscribe and pay towards the support and maintenance of such clergyman or minister of religion a sum not less than _____, as in the said clause mentioned, then and in such case, and until the said congregations shall increase so as respectively to come within the scope and meaning of the said sixth clause, it shall and may be lawful for such public aid and stipend to be paid to such clergyman or minister of religion in like manner as if the private aid and subscription came from one congregation.

12. And be it further enacted, &c., That nothing in this Act contained shall extend or be construed to extend to interfere with or deprive any bishop, synod, conference, or other Church government of any power of appointment, suspension or deprivation of any clergyman or minister of religion, but that the functions of Church government in the several Churches and denominations of Christians shall continue to be exercised as heretofore, and that no clergyman or minister of religion shall be considered as having any right to any of the public aid, stipend, or land or benefit, other than he shall hold under, during and by virtue of his incumbency.

13. And be it further enacted, &c., That accounts of the receipt and expenditure, state of investment, together with a full report of all proceedings under this Act, shall be laid before the Houses of the Provincial Parliament within one month from the beginning of such session.

14. And be it further enacted, &c., That the 35th, 36th and 37th clauses of an Act passed in the Parliament of Great Britain in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," be and the same are hereby repealed, in so far as the said clauses confine the disposition of the lands mentioned therein to the support and maintenance of a Protestant clergy.

15. And be it further enacted, &c., That for and notwithstanding any thing in the said last-mentioned Act contained, and also for and notwithstanding any law, act or usage to the contrary, no bishop, rector, priest, synod, conference, or other church dignitary or government shall levy any tithes or church dues, or other compulsory payments for the support of religion, or exercise any temporal or ecclesiastical jurisdiction over the laity or over any clergy or ministers not belonging to his or their Church or denomination of Christians.

Enclosure (C.) in No. 6.

BILL for the future Disposal of the Clergy Reserves in this Province, as reported by the Committee of the whole in the Legislative Council.

Enclosure (C.)

WHEREAS, for the advancement of the Christian religion and the promotion of good morals in Upper Canada, it is expedient to appropriate the lands called Clergy Reserves, and the yearly income arising from the interest, rents and proceeds of sales thereof, in aid of the maintenance of the ministers of religion; be it therefore enacted, &c., That it shall and may be lawful for the Lieutenant-governor of this province, by and with the advice of the Executive Council, to cause to be sold and alienated, granted and conveyed, all or any portion of the clergy reserves in this province, in like manner as the clergy reserve lands have hitherto been sold: Provided always, that the necessary expenses attending such sale shall be defrayed out of the first monies arising therefrom: Provided always, that nothing herein contained shall be taken or held to interfere with any incomplete grant, order of council, or other act or undertaking of Government heretofore made for the granting or alienating any portion of the said reserves, notwithstanding that the same may be found to contain more than 100 acres.

2. And

2. And be it further enacted, &c., That the letters patent alienating such lands shall describe the same as clergy reserves, and that no further reservation in respect of such lands shall be necessary.

3. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, by and with the advice of the Executive Council, to cause to be invested the monies proceeding from such sales, and also all monies which have heretofore arisen from such sales, in the public funds, in the name of the Receiver-general in England, or in the public debentures of the province, and such investment to withdraw and change, in the whole or in part, from time to time as circumstances may require.

4. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, by and with such advice as aforesaid, in the name of Her Majesty, Her heirs and successors, to grant and appropriate portions of the said reserves, not exceeding 100 acres in each case, as residences for officiating clergymen or ministers of religion, and for the sites of churches, chapels and places of public worship therein, and in case such clergy reserves shall not be found in the neighbourhood required, to procure by exchange of such clergy reserve, not exceeding 100 acres, or by purchase, for any sum not exceeding 200*l.* in each case, convenient sites for the purposes in this clause mentioned, and to grant and appropriate the lands so required for such purposes; which grant or appropriation shall be made to the officiating clergyman and his successors, as a corporation sole, or to trustees named for the purpose by the respective congregations, as the tenets and discipline of such Churches or denominations of Christians shall respectively require.

5. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-Governor, with the advice of the Executive Council, to order and direct, by his warrant, the payment of the yearly stipends at present payable to the clergy or ministers of religion out of any public funds in this province, to be paid out of rents of said reserves, and out of the yearly interest accruing on sales of the said clergy reserves, and upon the investment of the proceeds thereof during the incumbency of the present clergymen or ministers.

6. Provided always, and be it further enacted, &c., That nothing in this Act contained shall extend or be construed to extend to authorize the payment of any stipend towards the support of clergymen and ministers of religion, other than such as belong to the Churches of England and Ireland, the Church of Scotland, the United Synod Presbyterians of Upper Canada, the Roman Catholic clergy, and the ministers of the Wesleyan Methodists: Provided further, that no sect or denomination shall be recognized or receive any aid from the said fund unless the parties representing such sects shall acknowledge and subscribe their belief in the doctrine of the Holy Trinity.

7. And be it further enacted, &c., That, notwithstanding any thing in this Act contained, it shall and may be lawful for the Lieutenant-governor, by and with the advice of the Executive Council, to extend occasional assistance to the support and maintenance of the Christian religion and its ministers belonging to denominations of Christians other than those for whom aid is by this Act permanently provided, in the way of grants of portions of the said reserves for religious purposes, or by appropriations of money out of the said interest money.

8. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, by and with the advice of the Executive Council, to appropriate and direct the payment out of the said rents and interest money of stipends towards the support of clergymen and ministers of religion, duly appointed according to the rules of their respective Church or congregation, in the following cases; that is to say, whenever there shall be shown to the said Lieutenant-governor in Council that there is resident, within reasonable distance of any church, chapel or place of public worship, a population of adults, who shall subscribe a declaration setting forth their desire to attend such church, chapel or place of public worship, and shall subscribe and pay to the said clergyman or minister of religion a yearly sum of money not less than 50*l.*, then and in such case the public stipend or salary to be paid to such clergyman or minister of religion shall be equal to the said private subscription: Provided always, that in no case shall such public stipend amount to more than 200*l.*; and provided also, that the money so subscribed shall be paid to the treasurer of the district in which such church, chapel or place of public worship may be situated, for the use of such clergyman or minister, and the certificate of the said treasurer to that effect transmitted to the Lieutenant-governor before any payment is made, as provided for in this Act; but no such stipend shall exceed the amount mentioned in such certificate as being actually paid to the treasurer, which sum shall be paid over to the clergyman by said district treasurer within ten days after receiving the same.

9. And be it further enacted, &c., That the rents and interest money aforesaid shall be chargeable, in the first place, with the stipends or salaries of the clergy or ministers of religion, now paid out of any public funds in this province: Provided always, that such church, chapel or place of public worship, whose officiating clergyman or minister is paid out of any public funds of this province, shall, upon the death or removal of such clergyman or minister, be entitled to priority over all new claimants as contemplated by this Act.

10. And be it further enacted, &c., That it shall and may be lawful for the Lieutenant-governor, by and with the advice of the Executive Council, and he is hereby required to appropriate and set apart such portion of the clergy reserves or proceeds thereof as may be required to form a suitable provision for a Bishop of the Church of England and Roman Catholic Bishop in this province: Provided always, that the annual income to be derived from such appropriation shall not exceed 800*l.* for the former, and 500*l.* for the latter, and that until such bishops shall be consecrated, the income so appropriated or set apart shall form part of the general fund applicable to the purposes of this Act.

No. 6.

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14 May 1839.

Enclosure (C.)

No. 6.
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 the Marquis of
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 14 May 1839.

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11. And be it further enacted, &c., That all applications for public aid under this Act shall be made by memorial to the Lieutenant-governor in Council, on or before the 30th day of June in each and every year, and the private contributions for the support of the respective clergymen and ministers of religion shall be proved to have been duly paid before that time, and that until the fund arising from the rents and interest aforesaid shall be fully equal, after paying the stipends and annuities hereby charged upon the said fund, to pay an equal amount of stipends to the amounts contributed privately, the funds remaining in the hands of the Receiver-general shall be distributed amongst the applicants, in proportion to the amount of the private contributions in their favour respectively: Provided always, that no new applications shall be favourably entertained until, by the increase of the said fund, the stipends payable to the clergymen or ministers of religion whose applications shall have been approved shall equal the full amount of the private contributions, according to the true intent and meaning of this Act.

12. And be it further enacted, &c., That a book shall be kept in the office of the provincial secretary and registrar, in which shall be yearly entered the township or place at which each church, chapel or place of public worship shall be erected, the name of the officiating clergyman, the number of adults attached to his congregation, and the name of the Church or denomination of Christians to which he belongs; which entries shall be founded on yearly returns, signed by the respective clergymen or ministers of religion, certified under the hands of at least twelve freeholders of his congregation.

13. And be it further enacted, &c., That no public aid under this Act shall be given to any clergyman or minister of religion who shall not, in the first place, take and subscribe the oath of allegiance, and who is not a natural-born or naturalized subject of the British Crown.

14. And be it further enacted, &c., That no public aid shall be extended to any clergyman or minister of religion who shall not produce satisfactory proof of his ordination and appointment by authority of some Church or denomination of Christians having within this province, or within Her Majesty's dominions, due power of ordination and appointment, or unless such clergyman or minister of religion shall be wholly devoted to his religious duties, without secular employment, other than the education of youth.

15. And be it further enacted, &c., That in any case of one clergyman or minister of religion having the care of two or more congregations, amounting in number to 100 adults, who shall subscribe and declare as in the sixth clause of this Act mentioned, and who shall subscribe and pay, towards the support and maintenance of such clergyman or minister of religion, a sum not less than 50 l. as in the said clause mentioned, then and in such case, and until the said congregations shall increase so as respectively to come within the scope and meaning of the said sixth clause, it shall and may be lawful for such public aid and stipend to be paid to such clergyman or minister of religion in like manner as if the private aid and subscription came from one congregation.

16. And be it further enacted, &c., That nothing in this Act contained shall extend or be construed to extend to interfere with or deprive any bishop, synod, conference or other Church government of any power of appointment, suspension or deprivation of any clergyman or minister of religion, but that the functions of Church government in the several Churches and denominations of Christians shall continue to be exercised as heretofore; and that no clergyman or minister of religion shall be considered as having any right to any of the public aid, stipend, or land or benefit, other than he shall hold under, during and by virtue of his incumbency.

17. And be it further enacted, &c., That accounts of the receipt and expenditure, state of investment, together with a full report of all proceedings under this Act, shall be laid before the Houses of the Provincial Parliament within one month from the beginning of each session.

18. And be it further enacted, &c., That the 35th, 36th and 37th clauses of an Act passed in the Parliament of Great Britain in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," be and the same are hereby repealed, in so far as the said clauses confine the disposition of the lands mentioned therein to the support and maintenance of a Protestant clergy.

19. And be it further enacted, &c., That for and notwithstanding any thing in the said last-mentioned Act contained, and also for and notwithstanding any act, law or usage to the contrary, no bishop, rector, priest, synod, conference or other church dignitary or government shall levy any tithes or church dues, or other compulsory payments for the support of religion, or exercise any temporal or ecclesiastical jurisdiction over the laity, or over any clergy or ministers not belonging to his or their Church or denomination of Christians.

20. And be it further enacted, &c., That it shall be lawful for any clergyman or minister of religion, belonging to any Church or denomination of Christians named in this Act, to celebrate marriage according to the forms of their respective Churches or denominations, without any license from the quarter sessions, or qualification other than their respective ordination or appointment, any law or usage to the contrary thereof in anywise notwithstanding.

Enclosure

Enclosure (D.) in No. 6.

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Enclosure (D.)

A BILL to dispose of the Lands commonly called "Clergy Reserves," and for other purposes therein mentioned.

WHEREAS by an Act passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," it was enacted, that it should and might be lawful for his Majesty, his heirs and successors, to authorize the Governor or Lieutenant-Governor of each of the provinces hereinbefore named respectively, or the person administering the government therein, to make, from and out of the lands of the Crown within such province, such allotment and appropriation of lands for the support and maintenance of a Protestant clergy within the same, as might bear a due proportion to the amount of such lands within the same, as have at any time been granted by or under the authority of his Majesty, and that whenever any grant of lands within either of the said provinces should thereafter be made, by or under the authority of his Majesty, his heirs or successors, there should at the same time be made in respect of the same a proportionable allotment and appropriation of lands for the above-mentioned purpose within the township or parish to which such lands so to be granted should appertain or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid and effectual unless the same should contain a specification of the lands so allotted and appropriated in respect of the lands to be thereby granted; and that such lands so allotted and appropriated should be, as nearly as the circumstances and nature of the case would admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and should be, as nearly as the same can be estimated at the time of the making such grant, equal in value to the one-seventh part of the lands so granted: And whereas it was in and by the said in part recited Act further enacted, that all and every the rents, profits or emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely to the maintenance and support of a Protestant clergy within the province in which the same should be situated, and to no other use or purpose whatever: And whereas, in pursuance of the said Act, such proportionable allotments and appropriations of lands as aforesaid have from time to time been reserved for the purposes therein mentioned, which lands are known by the name of clergy reserves: And whereas it is wisely provided by the said Act, section 41st, that the several provisions hereinbefore contained respecting the allotment and appropriation of lands for the support of a Protestant clergy within the said province, 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, 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 and successors: And whereas, by a message to both Houses of the Provincial Legislature, bearing date the 25th day of January in the year of our Lord 1832, his Excellency Major-general Sir John Colborne, K. C. B., signified to both Houses his Majesty's most gracious invitation to consider how far the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal that part of its provisions which relate to the lands allotted and appropriated in this province to the support and maintenance of a Protestant clergy, could be called into exercise for the spiritual and temporal interests of his Majesty's faithful subjects in this province: And whereas it is expedient for the peace, welfare and good government of this province, that this power should be now exercised; Be it therefore enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," and by the authority of the same, That the 36th and 37th clauses of the said Act of the Imperial Parliament, passed in the 31st year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of his Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec in North America,' and to make further Provision for the Government of the said Province," be and the same are hereby repealed.

2. And be it further enacted by the authority aforesaid, That all the lands heretofore set apart within this province, under the provisions of the said Act passed in the 31st year of the reign of his late Majesty King George the Third, for the support and maintenance of a Protestant clergy, and now ungranted, be sold, alienated, granted and conveyed in fee-simple, in like manner and subject to the same regulations, and under and upon the same conditions, limitations and provisions, as now are or at any time hereafter shall be in force and use for the sale, alienation, grant and conveyance of Crown lands in this

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this province: Provided always, that nothing in this Act contained shall be construed to make void any sale heretofore made for which the patent from the Crown has not issued, but such sales shall be and the same are hereby declared to be as valid as if the same had been made under the provisions of this Act: Provided always, that all sums due or hereafter to become due shall be applied in the same manner as the proceeds of sales made under this Act.

3. And be it further enacted by the authority aforesaid, That the monies to arise and to be produced and henceforth received from any such sale or sales shall be paid into the hands of Her Majesty's Receiver-general of this province, to be appropriated and applied by the Provincial Legislature for religion and education.

— No. 7. —

(No. 135.)

COPY of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K. C. H., to the Marquis of *Normanby*, dated Toronto, 8 June 1839.

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

My Lord,

IN my Despatch (No. 110) I apprized your Lordship of the circumstances under which, after many weeks spent in fruitless and unsatisfactory discussions, a Bill for the disposal of the whole of the clergy reserves, and for the subsequent appropriation of their proceeds, by the Imperial Parliament, to religious purposes, was at length agreed upon by both Houses of the Provincial Legislature, at nearly the last moment of the session.

Having transmitted this Bill to your Lordship, in conformity to the 42d section of the Constitutional Act, I shall now proceed to submit for your Lordship's consideration some remarks upon this very important measure, confining myself principally to the investigation of facts, and abstaining, as far as possible, from any expression of opinion upon those great points, which Her Majesty, with the advice of Her Parliament, will consider and dispose of in the manner most conducive to the temporal peace and concord, as well as the effectual advancement of the spiritual interests of the loyal people who occupy this portion of Her Majesty's dominions.

By the Act 14 Geo. 3, cap. 83, regulating the government of the old province of Quebec, and securing to the Roman Catholic subjects of the Crown in that colony the free exercise of their religion, and to the clergy of the Church of Rome all their accustomed dues and rights from the members of that Church, a right was expressly reserved to the Crown of "making such provision out of the said accustomed dues and rights for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant clergy, as might be thought from time to time necessary and expedient."

In the year 1791, when the King was pleased, with the advice of Parliament, to confer on this province its present form of government, and separate it from the French settlements in the eastern parts of the old province of Quebec, now known as Lower Canada, it was determined to provide, by a liberal endowment of land, for the support of the Protestant religion; and a reservation was accordingly directed to be made of a portion of the surveyed lands equal in quantity to a seventh part of the lands granted throughout the province. The lands so ordered to be set apart, and subsequently called clergy reserves, were to be permanently appropriated for the support and maintenance of a Protestant clergy, and, as the Declaratory Act of the Provincial Legislature passed a few years since, intitled, "An Act relative to the Right of Tithes within this Province," fully shows, were intended to be substituted for the tithes which, in the previous state of things, might have been collected for Protestant purposes.

This Act was passed in 1821, and received the Royal Assent in 1823.

In pursuance of this provision of the Constitutional Act, lands have from time to time been set apart, until, in the progress of surveys and settlements, the quantity of land reserved for the support of a Protestant clergy has amounted to nearly 2,400,000 acres.

As these reserves were found in a long course of years to have yielded a very slender revenue, it became a question of policy, about the period when emigration to Canada had commenced on an extensive scale, whether the original principle of the appropriation might not be partially set aside without prejudice to religious interests.

The

The discussion of this question ended in the passing of the Imperial Act 7 & 8 Geo. 4, cap. 62, by which the sale of a fourth part of the whole actual reservation was authorized, and the proceeds of the sales directed to be vested in the national stocks, the semi-annual dividends thereupon being held applicable to the improvement of the remaining reserves, or to the original purposes of the appropriation.

In pursuance of the policy thus adopted, I find the clergy reserves have been sold to the extent of nearly 500,000 acres, leaving about 100,000 acres yet liable to sale under the provisions of the Act.

In forming this estimate, it is, however, to be observed, that such lands only as have been actually taken in specification on account of lands granted are to be considered as clergy reserves liable to immediate sale.

By the Provincial Bill, which now awaits the sanction of the Imperial Parliament, a total change in the original plan of endowment is proposed to be effected, by providing that all the remaining reserves, *i. e.* about 1,800,000 acres, shall be sold in the manner in which the Crown lands are now alienated, and that the proceeds thereof shall be applied, under the directions of the Imperial Parliament, to religious purposes.

In the reference of this important matter to the wisdom of Parliament a preliminary question presents itself for consideration, *viz.*, whether religion is to be sustained in this province by an inalienable endowment of land, or by an endowment in money funded in national or other public securities, and to be produced at the present stage of settlement and cultivation by the sale of the lands reserved within the several townships of the province.

With respect to a fixed endowment in land, the chief advantage to be derived from it appears to consist in the increasing revenues which land would yield as the country advanced in cultivation and wealth, and in the number of its inhabitants. Such increase of profits or emoluments would be found to bear some sort of proportion to the growing wants of the people for spiritual instruction.

Looking beyond the present age, and to the period when this country, instead of 400,000, may contain 4,000,000 souls, we may feel assured that lands which now produce a yearly rent of 5 *s.* will a century hence yield 20 *s.* or 30 *s.* per acre, and that lands which now would not sell for more than 10 *s.* or 15 *s.* per acre will then be worth nearly as many pounds.

But there is another advantage in an endowment in land, which arises from its security. While funded property is frequently liable to great and sudden fluctuations in value, to losses, and even sometimes to ruin, land remains a sure and never-failing means of support, which in the lapse of many ages can be but momentarily affected by the vicissitudes of the seasons, or by the embarrassments resulting to nations from a vicious and ill-regulated currency, or the excessive developments, periodically recurring, of a speculative commercial spirit.

Among the schemes of settlement brought forward in the progress of the discussion at the recent session, a middle course, between an entire alienation of the land and a mere funded provision for the maintenance of religion, was suggested, having it in view to assign small portions of land to the ministers of religion in each township as glebes, and providing them with stipends from the revenues derivable from the sales of the remainder of the reserves.

This plan of settlement, however, though it certainly had merit, and claimed some consideration, did not ultimately obtain the general approbation of the Provincial Legislature.

But, without engaging in a speculative inquiry into the comparative advantages of endowments in land and such as rest entirely upon investments in public stocks, the subject is to be viewed practically in connexion with the present posture of the question respecting the clergy reserves, and the peculiarities existing in the social and political condition of the colony.

A departure has been already made from the original scheme for supporting the clergy by means of the rents and profits of the reserved lands, and of these lands nearly one-fourth part has been sold.

It has also been considered by Her Majesty's Government that the clergy of the Church of Scotland may participate, conjointly with the Church of England, in the revenues arising from the sales of the reserves, and the Despatches from the Colonial Office contain repeated expressions of the anxiety felt by Her Majesty's Ministers, that not only the Church of Scotland, but the other large communities of Christians within the province, should receive from the funds

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funds produced by the sales an assistance proportioned to their growing wants and demands.

The Bill transmitted to your Lordship opens for imperial legislation a field even more extensive than Her Majesty's Ministers may have expected; for it admits of an appropriation of the rents and profits arising from future sales to religious purposes generally, and without restricting them to such only as are Protestant.

It appears, indeed, to go much beyond the object of the Imperial Act 7 & 8 Geo. 4, cap. 62, in authorizing not only the interest or profits of the sums of money to be produced by the sales of lands, but even those capital sums also, to be applied to any immediate religious purpose as fast as they may be collected.

But as the application of the money directly produced by the sale of the whole mass of reserves to present and fleeting purposes would be at complete variance with the original design of the appropriation, as well as the views which appear to have been always entertained by Her Majesty's Government, such a course can hardly be favoured so long as the support of religion forms an object of public policy.

It may, indeed, be reasonably presumed that the Provincial Legislature, notwithstanding the latitude of construction which the Bill may bear, did not intend that the benefits to be dispensed by it should be transient, and open to the participation of none but the passing generation.

In devoting to religious purposes the funds arising from the sale of a portion of land equal in value to one-seventh of all the lands granted in the province, it can scarcely be supposed that there was any other object in view than to extend the blessed influences of the Christian faith, by affording to the people, steadily and permanently, through successive generations, the means of religious instruction; and in the carrying of such views duly into effect, it seems most prudent and judicious that the interest on the principal produced by the sales, and vested in the public funds, and the *interest alone*, should be annually distributed in some determinate and satisfactory manner.

On the presumption that views somewhat similar to these may be entertained by Her Majesty's Government, it would have afforded me the utmost gratification if the sources of information within my reach had enabled me on this occasion to transmit to your Lordship a full and particular statement of the numbers belonging to the various religious communities at present existing in the province.

Great and manifold are the differences of opinion which have prevailed upon this point; and in order to terminate them, a provision was last year introduced into the Act for the regulation of the duties of township officers, requiring each assessor, in taking the customary annual census, to specify in separate columns the various religious professions of the inhabitants within the circuit of his duty.

A few of these returns have been already received from the clerks of the peace; but as the time for their transmission to the Government has been extended by the Act until the 1st day of July in each year, I shall not immediately have in my possession the means of supplying your Lordship with a full return for all the districts of the province. I shall not, however, lose a moment in transmitting a general abstract as soon as the returns on which it must be founded shall have reached this Government.

The tabular statement marked (A.), which is herewith enclosed accordingly, contains all the information upon this subject which I can now submit to your Lordship.

One of the points most controverted is the actual numerical strength of the Church of England in this province, which on one side seems to have been as systematically depressed as on the other it may have been unreasonably raised. If the present returns may be considered as warranting a conjecture upon this head, I should say, that upon the completion of the census, the members of the Church of England will be found to form the most numerous body of Christians in the province, and that next in succession to that body, in point of numbers, are to be ranked the members of the Church of Scotland, the Roman Catholics, and the Methodists of the British Wesleyan connexion.

In offering these explanations in connexion with the very imperfect religious returns which I now submit, I am anxious to guard your Lordship against errors injurious

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injurious to the interests of any of the religious communities to which I have adverted.

It is certainly my impression that I am borne out in my estimates by the actual strength of the several religious bodies; but it is very probable that some of the sects may have formed a conjectural estimate of their own numbers very different from mine.

Many inaccuracies are found naturally to slide into the ordinary census, even when carefully taken by the most conscientious persons, and these errors may perhaps be multiplied when a religious census is required to be taken, more especially at a moment of peculiar excitement on questions connected with religion. Hence I consider that it will only be after an opportunity shall have been afforded of comparing the returns of the population for a few consecutive years, that a satisfactory approach to exactness in estimating the actual relative strength of the various Christian denominations in the province can be arrived at. In the meanwhile I am of opinion that no sect will be satisfied with the returns: it is indeed probable that in general they will be greatly disappointed.

I have been thus careful in laying before your Lordship all the information which I now possess, respecting the numerical strength of the sects, under an impression that, however imperfect, it may yet be in some measure acceptable.

When the returns from all the districts shall have been received, they will supply your Lordship with a much better general view of the diversities of religious profession which now exist in the province than the present statement. In the meanwhile I am sure that your Lordship will remark with pain the great numbers of persons who are returned as belonging to *no religious denomination whatever*.

Your Lordship may perhaps next look to me for some explanation of the clashing views and wishes of the people of Upper Canada upon the subject of the reserves. It was at first my full intention to undertake this task; but on a careful review of its nature I have become deeply sensible of its extreme difficulty and delicacy, and of the hazard which, if it were persevered in, I should incur of doing injustice to the claims of particular denominations. Thus impressed, I have thought it most advisable to forego my original design; and I have more readily come to this conclusion because the whole course of the discussions respecting the reserves is now fully before Her Majesty's Government, and the great diversity of opinion prevailing in the colony with regard to their appropriation is a fact well known in England.

A clamour will naturally be made by such as dislike and disapprove of the measure for replacing the reserves under the control of the Imperial Parliament for a renewed appropriation; a similar display of hostility would probably accompany any other conceivable mode of dealing with this most arduous question.

I am, however, induced, after a close and anxious inquiry, to believe (and I hope I am not mistaken in this belief) that the great mass of the considerate and loyal people of the country sincerely desire the extinction of so great a source of excitement as the clergy reserves have long supplied to the lovers of agitation, and that they would gladly see those lands wisely and equitably appropriated to religious purposes by the supreme legislative power of the empire.

I have no hesitation in adding that, according to my impressions, an effectual settlement of the question can now be accomplished by no other than that supreme authority, and that any further delay which may be suffered to occur in resolutely grappling with and overcoming its difficulties must inevitably produce consequences the most hurtful to the common peace and welfare of the country.

Presuming, from these considerations, that a decisive and final measure will be founded by Her Majesty's Government upon the provincial Bill, I have ordered some explanatory statements respecting the reserves to be prepared; and in submitting them to your Lordship, I entertain no doubt that, in the devising of any general scheme for the appropriation of the funds which may be produced by the sale of the clergy reserves, regard will be shown to the existing claims for aid of those religious bodies to whom specific allowances have been annually granted from the Crown funds, and that under any new arrangements which may be formed with respect to the casual and territorial

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revenue, or to the appropriation of the monies produced by the sale of the reserves, Her Majesty's Government will hold those claims valid and binding to the full extent to which the royal faith may be understood as having been pledged.

(B.) By a statement marked (B.), which I have the honour to enclose, the total amount of the aid annually granted to the five principal religious communities is shown to be 13,548*l.* currency.

Of the sum paid to the ministers of the Church of England, amounting to 8,568*l.* 0*s.* 2*d.*, a certain proportion is defrayed from the monies entered in the account (E.), commonly called the Clergy Fund, and the deficiency is supplied from the casual and territorial revenue.

The Clergy fund comprises the rents received on leased lands, the dividends upon the monies vested in the national funds, and the interest collected by the Commissioner of Crown Lands on sales of land. The amount of annual revenue arising from these several sources is expended in paying the salaries of the ministers of the Church of England, in conformity to a Despatch from the Secretary of State (No. 20), dated 5th August 1834, to which Despatch, and the printed papers it enclosed, I beg to draw your Lordship's particular attention.

The whole of the allowances to the other religious bodies have hitherto formed charges upon the casual and territorial revenue.

By one of the Bills which your Lordship will find among those reserved for Her Majesty's consideration, it is, however, proposed, that the casual and territorial revenue shall be surrendered to the control of the Provincial Legislature, upon certain conditions, which do not embrace any provision for the religious bodies. I have in a more particular manner noticed these conditions, and the extent to which they correspond with the terms proposed by Her Majesty's Government, in another Despatch, which your Lordship will receive simultaneously with this.

No. 118.

Should this Bill be sanctioned, it would then rer in to provide the religious grants, hitherto supplied by the Crown revenues, from other sources; and I am not aware that such can be found, except, to a certain extent, in the improving revenues which may arise from the sale of the clergy reserves.

Those revenues are not at present equal to the admitted demands of one of the five parties who claim public aid, viz., the Church of England; but it forms a fit subject for consideration, whether some means may not be devised for speedily rendering them capable of sustaining the charges which the Assembly wishes to cast upon them.

(C.)

According to the statement of the Commissioner of Crown Lands, which I enclose, marked (C.), the total receipts of money upon sales paid into the military chest, since the year 1829, for investment in the public funds, amounts to 108,475*l.* 6*s.* 11*d.* currency.

No. 43.

These payments have been made in pursuance of the Despatch from the Colonial Department, dated 1st October 1831.

By it instructions were given with respect to the mode in which the dividends upon the stock, periodically received by Mr. Sargeant, were to be drawn and applied to the use of the Church of Upper Canada; and upon reference to the office of the Receiver-general of the province, I find that drafts, grounded on those instructions, have been made upon the Board of Treasury since the year 1833, at the periods and to the extent specified in the enclosed statement marked (D.)

(D.)

The irregularity in the amount and date of the several drafts which is apparent on the face of this statement, and which I take this occasion to notice, has arisen, as I learn from the Receiver-general, from the circumstance that no regular exhibition has hitherto been made to this Government of the state of the investment, or of the dividends periodically received upon the stock.

It is fit that I should draw your Lordship's attention to the expediency of causing a semi-annual statement respecting these funds to be transmitted to this Government, in order that the Receiver-general may be directed to draw at regular periods for the dividends, and neither for more nor for less than their exact amount, as it may from time to time appear in the account.

I understand

I understand from Mr. Dunn that of late he has periodically received from Mr. Sargeant a statement of this account; but it does not appear to be made out in so full a manner as, under present circumstances, would appear to be essentially necessary.

The statement marked (E.), which I transmit, exhibits the amount of annual receipts since 1st June 1833 for rent of leased reserves, and the quantity of land now yielding rent, which is stated at 300,000 acres.

Under the operation of the Bill for the further disposal of the reserves (if it should be sanctioned), this source of revenue will be gradually absorbed, in proportion as the sales of those lands are proceeded with, and the extent under lease is reduced; in the meanwhile, however, the sums collected for rents in arrear will continue for a short time to keep the fund moderately productive.

The statement marked (F.) shows the sum now in advance from the Crown funds in aid of the Clergy fund, or, as it is called, Account (E.)

The Parliamentary grant for the Missionaries of the Church of England ceased on 1st July 1832, and the support of those clergymen was thus suddenly thrown upon the revenue arising from the clergy reserves, unaided by any other resources.

For the latter six months of the year 1832, the sum of 4,600*l.* was required for the salaries of the archdeacons and other clergy; and the expenditure for the same purpose in the year 1833, including a few other minor disbursements connected with the Church, and deducting the sum of 599*l.* 5*s.* 8½*d.* remaining in the fund on the 1st January 1833, amounted to 9,918*l.* 17*s.* 10½*d.*, while the income for the same year only amounted to 3,457*l.* 9*s.* 1½*d.*, showing a balance against the fund of 6,461*l.* 8*s.* 9*d.*

The revenue, however, improved in the following years, and by the method proposed (in conformity to a Despatch, dated 5th August 1834, authorizing the Crown funds,) the sum in advance has been gradually reduced to 1,400*l.* 4*s.* 3*d.* sterling.

Under present arrangements is in a rapid course of reduction, and it is now under consideration when any new arrangement is made with respect to the support of the clergy.

The statement marked (C.) your Lordship will collect that the total sales of the reserves amount to the sum of 326,911*l.* 19*s.* 1*d.*, that the sum of the amounts, as already mentioned, to 108,475*l.* 6*s.* 11*d.*, and the amount remaining to be paid is 199,990*l.* 9*s.* 4½*d.* currency.

The average price obtained at these sales is about 13*s.* 2*d.* currency per acre.

If the reserves should be offered for sale by virtue of the Bill now proposed, the average rate of purchase could not be so high as it is at present, because the best lots have been most sought after, and the inferior lots there must be a proportionable number barren or comparatively worthless. Hence it would seem unreasonable to offer the reserves at a price exceeding 10*s.* currency per acre; and when the sales should reach that average, the produce would be about 1,000,000*l.* currency. I am aware the argument may be raised that the inferior lots will obtain an increased value from the fact of the settlement and the improvement of the superior soils; but I should not confide in any such calculation.

From this sum of 900,000*l.* the annual expense of management, with the present amount of actual sales, a total fund, for the various purposes, of about 1,200,000*l.* currency. It is, however, to add, that the day is yet distant when such a result will be attained.

The statement marked (G.), which has been prepared in the office of the Crown Lands, and which I now transmit to your Lordship, gives a more full and comprehensive view of the state of the sales made by that office, and the various prospects of revenue.

The quantity of land sold and the quantity remaining unsold, the total amount of sales (semi-annually specified) from the year 1829 to the year 1838 inclusive, the estimated amount remaining unpaid on sales on 25th May 1839, the estimated amount due and unpaid on 30th June instant, the interest on the amount unpaid accruing annually, the amount of interest due accruing annually,

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

(E.)

(F.)

No. 221.

(G.)

No. 7.
 Sir G. Arthur to
 the Marquis of
 Normanby,
 8 June 1839.

annually, and the sum of the principal and the interest estimated to be due on the 30th instant.

These papers will, I trust, furnish your Lordship with the means of estimating the extent to which it may be practicable at the present time to transfer to the clergy revenues the burden of the annual appropriations in aid of the religious bodies, which have hitherto been chiefly drawn from the Crown funds.

In addition to the annual dividends arising from the public stock, managed under the directions of the Board of Treasury, of which I have no exact information, and the annual income derived from leased lands, which has been already explained, there are payments (noted in the return marked (C.)) made, on account of interest, to the Commissioner of Crown Lands, with reference to which, for the sake of facilitating your Lordship's inquiries into this important branch of the subject, I transmit a copy, marked (H.), of the instrument by which the sale of a clergy reserve is usually acknowledged, and which exhibits the conditions on which it is made.

Your Lordship will see that the payments are extended in all cases, except when the purchasers choose to make them at earlier periods, over a term of nine years, and that the interest does not become payable upon any instalment of principal until such instalment shall itself be due.

This system of sales is, I believe, open to no objection; it accommodates itself to the means and circumstances of the purchaser, and to the general state of things in this country. I am not aware that it would be practicable to hasten in any advantageous manner the collection of instalments upon sales. Much, indeed, must always depend on the contingencies of harvests and prices; and when in both respects they are favourable to the farmer, payments for land are usually more prompt and frequent than at periods when circumstances are discouraging and untoward.

The returns show that, while the annual amount of interest which now accrues upon sales not yet realized is estimated at 12,048*l.* 11*s.* 0½*d.*, the total amount of actual receipts upon account of interest for a term of ten years is but 13,646*l.* 19*s.* currency.

It is at the same time to be seen, by a reference to the fifth column of the Return marked (G.), that instalments have annually fallen in arrear, and that, in fact, there are instalments still due for every year since 1829, on which interest continues to accrue, as stated in column No. 7 of the same Return.

The great uncertainty which is thus proved to attend the payment of instalments on sales is of a nature to disturb any calculation which may be attempted respecting the prospective annual receipts of interest.

The average receipts upon this account during the whole period reaching from 1831, when the system of sales began fairly to take effect, to the close of the year 1838, a period of eight years, is 1,480*l.* 9*s.* 3*d.*, and for the latter half of that term 2,268*l.* 6*s.* 8*d.* currency.

The amount of principal, which is estimated by the fifth column in the Return marked (G.) to be now due, viz. 76,120*l.* 16*s.* 8*d.*, in connexion with the amount of interest which has accrued on the aggregate of sales, estimated at 23,600*l.*, holds out a prospect of increased revenue from this source.

With respect to the present year, I am disposed to estimate the receipts of interest at 4,000*l.*; possibly they may amount to 5,000*l.*, as the sum of 1,800*l.* has already been paid within the current year; but I think it important that they should not be over-rated.

Assuming then 4,000*l.* currency as the limit for the present year, I shall proceed to submit to your Lordship an estimate of the total amount of the revenues which appear to be available for the religious charges. First, on the public stock of Great Britain, which, in the absence of any statement, I set down at hazard as 96,000*l.*, the dividends for the year, at three per cent., would make 2,880*l.* sterling, which, with premium, would be

| | | |
|--------------------------|---|----------|
| | - | £. 3,500 |
| Rents of leased reserves | - | 1,100 |
| Interest collected | - | 4,000 |

£. 8,600

But the sum to be provided is 13,548*l.*, showing a deficiency in the supply of 4,948*l.* currency.

Looking

Looking forward a few years, and estimating the effect of the ordinary process of payments on purchases, and corresponding investments of the sums received in the public funds of the United Kingdom or of the province, I think much is to be expected from the accumulation of interest upon the principal to be realized from sales, which at the present time amount, as stated in the eighth column of the statement marked (C.), to nearly 200,000 *l*.

The income from this source will progressively improve, and bear a proportion to the amount of the unpaid principal created by the sales of the land and the degree of punctuality observed by the purchasers in fulfilling their engagements; while it will at the same time occur, that as fast as instalments of the principal are collected and invested in public stock, a more regular and steady income will be provided in another form.

But while time is required for the due development of the resources which the reserves are capable of yielding, and which, under the most favourable circumstances, cannot satisfy all claimants, your Lordship will remark, that there is no immediate prospect of extending that additional degree of aid to the ministers of various religious denominations which, in consideration of the spiritual destitution of the province under the circumstances of an increasing population, your Lordship will naturally be most solicitous to afford.

There is a mode of increasing the annual revenues which yet remains to be noticed; viz. the sale of the national stock, and the investment of the proceeds thereof in provincial securities, by which measure the interest obtained would be increased from three per cent. payable in London, to six per cent. payable here.

The propriety of such a transfer of the investment from national to provincial securities will depend much upon the view which Her Majesty's Government may take of the state of the finances of this country. Into this subject I have fully entered in another Despatch (No. 131).

Assuming, however, that all the means of improving the income from the reserves have been resorted to, I find that there will be a deficiency, which, if the Bill relating to the casual and territorial revenue should be assented to in its present shape, can be supplied from no other disposable fund.

It is true that, to meet the exigencies of the day, the capital constituting the endowment may be trenched upon; but I hold this point as, at the present moment, suitable only for discussion by Her Majesty's Ministers and the Imperial Parliament, since it involves a question in which future generations are peculiarly interested, viz. whether or not there shall be a permanent provision for the inculcation of the Christian faith among the people of this province in all time to come.

Although I have bestowed much time upon this important subject, I think it proper to inform your Lordship that much still remains for me to do in the investigation of many details connected with the clergy reserves; for although I have thought it most prudent to keep within bounds in estimating their proceeds, I shall be much disappointed if they cannot be made, at a very early period, far more productive.

In my Despatch of 14th ultimo, I expressed my belief that meetings would be called for the purpose of prolonging the agitation which has existed in this country respecting the clergy reserves, and of influencing the proceedings in England upon the Bill authorizing their disposal; I am, however, happy to say that my anticipations upon this point have not been realized. No public meetings, that I am aware of, have been held in any part of the country, and the agitation that I expected seems confined to the columns of some of the newspapers.

I have, &c.
(signed) *George Arthur.*

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

No. 110.

STATEMENT (A.)

GENERAL NUMERICAL RETURN of the several RELIGIOUS BODIES in Upper Canada, founded on the Returns of the Clerks of the Peace, so far as they have been made, for the Year 1839.

| DISTRICTS. | METHODISTS. | | | | | | PRESBYTERIANS. | | | | | | BAPTISTS. | | | | Lutherans. | Dutch Reformed Church. | Menonists. | Tunkers. | Moravians. | Quakers. | Society of Peace. | Universalists. | Restorationists. | Unitarians. | Latitudinarians. | Deists. | Free Thinkers. | Irvingites. | Reformers. | Christians. | Bible Christians. | Disciples. | Mormons. | Other Denominations. | No Profession. | |
|---------------|--------------------|--------------------|------------|--------------------|------------|--|---------------------|---------------------------------------|---------------|---------------------|-----------------|--|------------------|---|-----------------|------------------|------------|------------------------|------------|----------|------------|----------|-------------------|----------------|------------------|-------------|------------------|---------|----------------|-------------|------------|-------------|-------------------|------------|----------|----------------------|----------------|------------|
| | Church of England. | British Connexion. | Episcopal. | Canadian Wesleyan. | Primitive. | Under the general term of Methodists, without distinction. | Church of Scotland. | Seceders from the Church of Scotland. | Independents. | Congregationalists. | Nonconformists. | Under the general term of Presbyterians, without reference to Sects. | Roman Catholics. | Returned under the general term of Baptists, without reference to distinctions. | Open Communion. | Close Communion. | | | | | | | | | | | | | | | | | | | | | | Free Will. |
| LONDON - | 8,768 | 3,375 | 2,102 | 1,504 | - | - | 3,351 | 618 | 117 | 263 | - | 2,814 | 1,850 | - | 1,001 | 2,638 | 611 | 9 | - | 166 | 57 | - | 1,109 | - | 90 | 7 | - | - | - | - | - | - | 27 | - | - | 4 | - | 6,727 |
| TALBOT - | 353 | 166 | 425 | 355 | - | - | 43 | 4 | 2 | 21 | 18 | 238 | 52 | - | 87 | 941 | 10 | 37 | - | 36 | 7 | - | 22 | - | 28 | - | - | - | - | - | - | - | - | - | - | - | - | - |
| GORE - | 6,141 | 4,975 | 2,175 | - | - | - | 6,246 | - | - | - | - | 4,007 | 2,301 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 6,243 | 4,475 | |
| NIAGARA - | 4,120 | 641 | 444 | 8 | 6 | 4,073 | - | - | 8 | - | - | 3,780 | 981 | 947 | - | - | - | 422 | 44 | 1,615 | 316 | - | 480 | 5 | 45 | - | 4 | - | 4 | 24 | - | 4 | 76 | - | 95 | - | - | 10,902 |
| HOME - | 16,717 | 1,040 | 64 | - | 100 | 7,279 | 1,087 | 885 | 469 | 289 | - | 10,884 | 4,095 | 1,299 | - | - | - | 456 | - | 857 | 545 | 7 | 864 | - | 28 | - | 10 | - | - | 146 | - | 557 | - | 66 | - | - | 2,950 | |
| NEWCASTLE - | 10,815 | - | - | - | - | 6,643 | 9,045 | - | 91 | - | - | 4,572 | 1,471 | - | - | - | - | - | - | - | - | - | 595 | 9 | 190 | 1 | - | 6 | - | 49 | - | 9 | 564 | 270 | 21 | 76 | - | 1,918 |
| PRINCE EDWARD | 2,354 | 3,806 | 1,862 | 343 | - | - | 383 | - | 71 | 98 | - | 925 | 1,097 | 220 | - | - | - | 21 | - | - | - | - | 1,060 | - | - | 10 | - | - | - | 2 | - | - | 67 | - | 220 | - | - | - |
| EASTERN - | 4,281 | 1,792 | 74 | - | - | - | 11,293 | - | 19 | 30 | - | 9,200 | 434 | - | - | - | - | 1,338 | - | - | - | - | 14 | - | 25 | - | - | - | - | - | - | - | - | - | 29 | - | 329 | |
| BATHURST - | 8,239 | - | - | - | - | 1,745 | - | - | - | - | - | 8,660 | 5,414 | 255 | - | - | - | - | - | - | - | - | 22 | - | 10 | - | 45 | - | - | 42 | - | - | - | 65 | - | - | | |
| | 61,788 | 15,795 | 7,146 | 2,210 | 106 | 19,740 | 31,448 | 1,507 | 777 | 701 | 18 | 31,308 | 29,562 | 4,626 | 1,088 | 3,579 | 621 | 2,283 | 44 | 2,674 | 925 | 7 | 4,166 | 14 | 416 | 18 | 59 | 6 | 4 | 75 | 188 | 13 | 1,291 | 270 | 336 | 240 | 6,243 | 27,301 |

REMARKS on the foregoing STATEMENT, applied to each DISTRICT separately.

LONDON.—There are six townships not returned, viz. Aldborough, Dorchester, North and South Dunwich, Blandford and Zorra, together containing a population of 5,000 souls; Zorra, containing 2,461 inhabitants, is chiefly settled by Scotch emigrants. In other respects the Returns are complete. Population, 38,539.

TALBOT.—This Return is stated by the Clerk of the Peace to be erroneous. The total population of the district is returned as amounting to 9,046, but the religious census gives only 2,845, and probably comprises but the heads of families, which, averaging four persons for each family, would nearly agree with the general statement of the population.

GORE.—The Returns for this district have not been received. Its total population last year was 50,319. In Nelson 259 persons are returned generally as of "other denominations," who are understood to be principally Canadian Wesleyan Methodists. In Waterloo there are 2,382, and in Wilnot 854 persons returned in the column of "other denominations," who are understood to be principally Menonists and Tunkers. The Return for Ancaster, which contains, according to a former census, 2,460 souls, is exceedingly defective. The assessors for Barton, containing 1,401 souls, and the town of Hamilton, containing 3,116, have not yet made their Returns; and those for Brantford, containing 4,445, and for Esquesing (a Scotch settlement), containing 2,635 souls, have returned the ordinary census, without any information whatever respecting religious denominations.

Remarks on the foregoing Statement—continued.

NIAGARA.—The Returns for this district are complete, with the exception of the township of Cayuga, which has been heretofore stated to contain 672 souls. The total population of the district is 30,522; but some inaccuracy must assuredly exist in the Return of not less than 10,140 souls in the county of Lincoln, as belonging to no religious community.

HOME.—The Returns for this district are not complete. Its population last year amounted to 57,314 souls. The Returns for the following townships are deficient; viz. Caledon, 1,422; Etobicoke, 1,727; W. Gwilliambury, 2,145; Sunnidale, 146; Orillia, 139; Tiny, 293; Tay, 81. The St. Lawrence Ward of the city of Toronto:—The religious Returns of this district are very unsatisfactorily made, in some cases they have been totally omitted, and in others the heads of families only have been returned.

NEWCASTLE.—The total population of this district is 35,755. Returns are deficient for Verulem, 205; Harvey, 68; part of Emily, (about) 200.

PRINCE EDWARD.—This district contains 13,212 souls. The Clerk of the Peace reports that the Methodists are over-rated in these Returns. The assessors for Hallowell and Ameliasburgh are represented as having included within that denomination all persons who did not positively belong to some other.

EASTERN.—The Return for this district is complete. Population, 28,827.

BATHURST.—No regular Returns have been received from this district. Its total population is 23,436.

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

Statement (B.)

STATEMENT (B.)

ANNUAL PAYMENTS to RELIGIOUS BODIES in *Upper Canada*, to which the Faith of Her Majesty's Government is pledged.

| | STERLING. | | | CURRENCY. | | |
|--|-----------|----|----|-----------|----|----|
| | £. | s. | d. | £. | s. | d. |
| Clergy of the Church of England - - - | 7,711 | 4 | 1 | 8,568 | - | 2 |
| Presbyterian Clergy in connexion with the Church of Scotland - - - - - | 1,582 | - | - | 1,757 | 15 | 6 |
| Presbyterian Ministers of the United Synod of Upper Canada, not in connexion with the Church of Scotland - - - - - | 700 | - | - | 777 | 15 | 6 |
| British Wesleyan Methodists - - - - | 700 | - | - | 777 | 15 | 6 |
| Roman Catholic Bishop and Priests - - - | 1,500 | - | - | 1,666 | 13 | 4 |
| £. | 12,193 | 4 | 1 | 13,548 | - | - |

STATEMENT (C.)

STATEMENT showing the Amount of CLERGY RESERVES sold in *Upper Canada* in each Year since 1828, the Number of Acres sold in each Year, the Total Amount for which sold, the Total Amount of Money received in each upon such Sales, distinguishing Principal from Interest, the Disposal of Sums received on account of Principal and Interest, the Total Amount invested or paid over, the Annual Amount of Interest accruing upon Sales not yet realized, and the Amount of Principal remaining unpaid upon such Sales, to the 30th day of April 1839 inclusive.

| Year. | Number of Acres sold in each Year. | 1. Total Amount for which sold (Provincial Currency). | 2. Total Amount of Money received in each Year (Principal). | 3. Total Amount of Money received in each Year (Interest). | 4. Amount paid in each Year into Military Chest (Principal). | 5. Amount paid in each Year to Receiver-general (Interest). | 6. Amount of contingent Account for Salary and Disbursements. | 7. Annual Amount of Interest on Sales not yet realized. | 8. Amount of Principal on Sales not yet realized. | REMARKS. |
|--|------------------------------------|---|---|--|--|---|---|---|---|--|
| | | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | |
| 1828 | None | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | <p>This department has no knowledge of the investment of the different sums of principal paid into the Military Chest, under the authority of a Despatch from Lord Goderich of 2 April 1831, or of the annual amounts of dividends accruing thereon.</p> <p>Honourable Peter Robiusion, agent for the sale of clergy reserves during this period.</p> <p>The disproportion between the amounts charged in each year for contingent expenses arise from charges for surveys, inspection and valuation made at uncertain periods when necessary, as well as from the salary of agents, printing, accounts, &c., for services rendered in one year not being presented for payment until after the commencement of the next, as will appear upon reference to the accounts current rendered to the Government, from which this column is filled up.</p> |
| 1829 | 18,014 | 13,229 - - | 2,466 1 3 | - - - | - - - | - - - | 1,162 19 6 | 645 15 6 | 10,762 18 9 | |
| 1830 | 34,705 ½ | 23,452 4 - | 6,216 1 11 | - - - | - - - | - - - | 829 13 2 | 1,034 3 4 | 17,236 2 1 | |
| 1831 | 28,563 ¼ | 17,362 12 1½ | 8,010 2 11 | 259 14 9½ | 11,000 - - | - - - | 1,207 13 - | 561 2 11½ | 9,352 9 2½ | |
| 1832 | 48,484 ¾ | 32,287 19 - | 10,239 9 7½ | 473 17 2 | 8,000 - - | 797 15 3 | 1,010 15 - | 1,322 18 2 | 22,048 9 4½ | |
| 1833 | 62,282 ½ | 44,747 19 9 | 14,080 16 8½ | 854 4 3½ | 9,500 - - | 708 7 9 | 1,285 11 9½ | 1,840 - 7 | 30,667 3 -½ | |
| 1834 | 59,526 | 41,376 18 7 | 14,467 9 5½ | 1,182 11 4 | 10,000 - - | 1,062 11 4 | 1,886 13 7½ | 1,614 11 4 | 26,909 9 1½ | |
| 1835 | 59,003 ½ | 40,973 15 8 | 17,000 3 5½ | 1,841 6 3½ | 23,000 - - | 2,107 9 1½ | 2,308 16 2½ | 1,438 8 4 | 23,973 12 2½ | |
| To 13 July 1836 inclusive - | 19,076 | 13,229 4 5 | 9,396 19 9 | 1,395 18 6 | 3,500 - - | 1,317 17 9½ | 1,259 11 5 | 1,350 13 10 | 22,511 10 10 | |
| From 14 July 1836 to 31 December inclusive - | 44,364 ½ | 27,755 10 -½ | 9,076 3 10½ | 1,084 1 6½ | - - - | - - - | 1,023 4 3¼ | | | |
| 1837 | 81,549 | 52,253 7 4 | 18,318 6 8 | 2,637 8 8 | 22,475 6 11 | 3,888 - 1½ | 1,266 5 4½ | 2,036 2 - | 33,935 - 8 | |
| 1838 | 21,475 ¾ | 14,324 2 7 | 10,910 19 1 | 2,114 11 9 | 11,000 - - | 1,949 1 10 | 2,160 16 - | 204 15 - | 3,413 3 6 | |
| 1839, to 30 April inclusive. | 9,823 | 5,919 5 7 | *6,738 15 - | 1,803 4 8 | 10,000 - - | - - - | 336 18 4 | - - - | 200,809 18 9½ 819 9 5 | |
| TOTAL | 486,867 ½ | 326,911 19 1 | 126,921 9 8½ | 13,646 19 - | 108,475 6 11 | 11,831 3 2½ | 15,738 17 8½ | 12,048 11 -½ | 199,990 9 4½ | |

Honourable R. B. Sullivan, agent for the sale of clergy reserves during this period.

* This sum is deducted, being the amount by which the receipts exceed the sales this year, such surplus receipts being on account of former sales.

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

Statement (F.)

STATEMENT (F.)

ACCOUNT (E.) CLERGY.

| | | | | STERLING. |
|---|----------|----|-----------------|-------------------------|
| | £. | s. | d. | £. s. d. |
| Balance in advance, after defraying the service of 1833 | - | - | - | 6,461 8 10 |
| Revenue of the year 1834 | 6,642 | 15 | 11 | |
| Expenditure - ditto | 6,280 | 2 | $-\frac{1}{4}$ | 362 13 10 $\frac{3}{4}$ |
| Blue Book | £. 5,979 | 16 | 9 | 6,098 14 11 |
| Revenue of the year 1835 | 6,888 | 10 | $-\frac{1}{2}$ | |
| Expenditure - ditto | 5,736 | 1 | 1 $\frac{1}{2}$ | 1,152 8 11 |
| Blue Book | £. 4,676 | 4 | 2 | 4,946 6 $-\frac{1}{4}$ |
| Revenue of the year 1836 | 3,982 | 14 | 3 $\frac{1}{2}$ | |
| Expenditure - ditto | 5,560 | 4 | 3 $\frac{1}{2}$ | 1,577 10 - |
| Blue Book | £. 5,547 | 1 | 10 | 6,523 16 $-\frac{1}{4}$ |
| Revenue of the year 1837 | 6,403 | - | 6 $\frac{3}{4}$ | |
| Expenditure - ditto | 5,525 | 11 | 10 | 877 8 8 $\frac{3}{4}$ |
| Blue Book | £. 4,619 | 12 | 4 | 5,646 7 3 $\frac{1}{2}$ |
| Revenue of the year 1838 | 5,857 | 2 | 4 | |
| Expenditure - ditto | 5,418 | 15 | 3 | 438 7 1 |
| Blue Book | £. 4,230 | 4 | 3 | 5,208 - 2 $\frac{1}{2}$ |

Inspector-general's Office,
22 May 1839.

(signed) *James Nation,*
Acting Inspector-general.

STATEMENT (G.)

STATEMENT showing AMOUNT of SEMI-ANNUAL SALES of CLERGY RESERVES from the Year 1829 to 1838 inclusive, including Estimate of Amount remaining unpaid and overdue on each Semi-annual Sale, Interest annually accruing, and Amount of Principal and Interest overdue.

| 1. Year. | 2. Period embraced. | 3. Amount of Sales during the Six Months. | | | 4. Estimated Amount remaining unpaid 25 May 1839. | | | 5. Principal Estimated Amount remaining unpaid 30 June 1839. | | | 6. Interest on Amount unpaid, accruing annually. | | | 7. Amount of Interest overdue, accruing annually. | | | 8. Principal and Interest due and overdue, 30 June 1839. | | | REMARKS. |
|-------------|------------------------|--|----|----|--|----|----|---|----|----|---|----|----|--|----|----|---|----|----|---|
| | Six Months ending | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | |
| 1829 | 30 June - - | 10,136 | - | - | 853 | 13 | 9 | 853 | 13 | 9 | 51 | 4 | 5 | 51 | 4 | 5 | 1,365 | 17 | 11 | Note.—The 8th Column includes the sums entered in the 5th, together with the annual interest in Column 7, multiplied by the number of years for which interest is charged by the conditions of sale. |
| — | 31 December - - | 3,093 | - | - | 734 | 14 | 9 | 734 | 14 | 9 | 44 | 1 | 8 | 44 | 1 | 8 | 1,153 | 10 | 7 | |
| 1830 | 30 June - - | 13,713 | 14 | - | 1,830 | 19 | 9 | 1,830 | 19 | 9 | 109 | 17 | 2 | 109 | 17 | 2 | 2,819 | 14 | 3 | Memorandum.—Statement of clergy reserves surveyed in the different districts in this province, unsurveyed ditto, number of acres sold, and the number of acres unsold. |
| — | 31 December - - | 9,738 | 10 | - | 2,696 | 8 | 9 | 2,396 | 16 | 8 | 161 | 15 | 9 | 143 | 16 | 3 | 3,619 | 4 | 9 | |
| 1831 | 30 June - - | 13,944 | 11 | 6½ | 4,559 | 10 | 4 | 4,052 | 18 | 1 | 273 | 11 | 5 | 243 | 3 | 6 | 5,998 | 6 | 1 | Acres. Eastern - - - - - 104,791 Ottawa - - - - - 97,327 Johnstown - - - - - 141,646 Bathurst - - - - - 157,283 Prince Edward - - - - - 26,200 Midland - - - - - 248,856 Newcastle - - - - - 273,660 Home - - - - - 418,333 Gore - - - - - 146,940 Niagara - - - - - 25,450 Talbot - - - - - 52,400 London - - - - - 238,019 Western - - - - - 211,240 |
| — | 31 December - - | 3,418 | - | 7 | 1,811 | 1 | 9 | 1,408 | 12 | 7 | 108 | 13 | 4 | 84 | 10 | 4 | 2,042 | 8 | 2 | |
| 1832 | 30 June - - | 15,132 | 17 | 9 | 4,777 | 19 | 4 | 3,716 | 4 | - | 286 | 13 | 7 | 222 | 19 | 5 | 5,276 | 19 | 11 | Total surveyed - - - 2,142,145 Add Clergy Reservation for the Six Nation } Indians in the Gore District - - - } 96,400 Also Clergy Reserves taken for the Huron Tract 157,142 |
| — | 31 December - - | 17,155 | 1 | 3 | 9,376 | 8 | - | 6,250 | 18 | 8 | 562 | 11 | 6 | 375 | 1 | - | 8,688 | 14 | 8 | |
| 1833 | 30 June - - | 20,567 | 2 | 3 | 10,417 | 15 | 10 | 6,945 | 3 | 11 | 625 | 1 | 3 | 416 | 14 | 2 | 9,443 | 8 | 11 | TOTAL - - - 2,395,687 Number of Acres sold - - - 489,867½ |
| — | 31 December - - | 24,180 | 17 | 6 | 14,997 | 16 | 11 | 8,332 | 2 | 9 | 899 | 17 | 5 | 499 | 18 | 7 | 11,081 | 15 | - | |
| 1834 | 30 June - - | 20,169 | 14 | 10 | 11,948 | 15 | 9 | 6,638 | 4 | 3 | 716 | 18 | 6 | 398 | 5 | 10 | 8,629 | 13 | 5 | BALANCE - - - 1,905,819½ |
| — | 31 December - - | 21,207 | 3 | 9 | 14,766 | 8 | 4 | 6,562 | 17 | 1 | 885 | 19 | 8 | 393 | 15 | 5 | 8,334 | 16 | 5 | |
| 1835 | 30 June - - | 17,624 | 8 | 4 | 10,650 | 18 | 7 | 4,733 | 15 | - | 639 | 1 | 1 | 284 | - | 6 | 5,869 | 17 | - | |
| — | 31 December - - | 23,349 | 7 | 4 | 18,415 | 17 | 8 | 6,138 | 12 | 7 | 1,104 | 19 | - | 368 | 6 | 4 | 7,427 | 14 | 9 | |
| 1836 | 30 June - - | 10,136 | 9 | 5 | 6,997 | 5 | 8 | 2,332 | 8 | 7 | 419 | 16 | 9 | 139 | 18 | 11 | 2,752 | 5 | 4 | |
| — | 31 December - - | 30,848 | 5 | ½ | 24,883 | 12 | 3 | 5,529 | 13 | 11 | 1,493 | - | 3 | 331 | 15 | 7 | 6,359 | 2 | 11 | |
| 1837 | 30 June - - | 25,867 | 19 | 7 | 20,382 | 9 | 3 | 4,529 | 8 | 9 | 1,222 | 18 | 11 | 271 | 15 | 3 | 5,072 | 19 | 3 | |
| — | 31 December - - | 26,385 | 7 | 9 | 21,949 | 2 | 6 | 2,438 | 15 | 10 | 1,316 | 18 | 11 | 146 | 6 | 6 | 2,658 | 5 | 7 | |
| 1838 | 30 June - - | 7,473 | 19 | 3 | 6,253 | 2 | - | 694 | 15 | 9 | 375 | 3 | 9 | 41 | 13 | 8 | 736 | 9 | 5 | |
| — | 31 December - - | 6,850 | 3 | 4 | 4,770 | 9 | 8 | Not due. | | | | | | | | | | | | |
| | | 320,992 | 13 | 6 | 193,074 | 10 | 10 | 76,120 | 16 | 8 | 11,298 | 4 | 4 | 4,567 | 4 | 6 | 99,331 | 4 | 4 | |

Crown Lands Office, Toronto, 25 May 1839.

(signed)

R. B. Sullivan.

THE CLERGY RESERVES IN UPPER CANADA.

CORRESPONDENCE RELATIVE TO

No. 7.
Sir G. Arthur to
the Marquis of
Normanby,
8 June 1839.

STATEMENT (H.)

Commissioner for Crown Lands Office,
Toronto, 18

Statement (H.)

£. Currency.

RECEIVED from the sum of pounds instalment
shillings and pence, currency, being the in the in
on lot, No. in the district, a Clergy Reserve,
the township of acres, more or less, sold to him at the rate of
containing currency, per acre, amounting to pounds shillings and pence,
currency, upon condition of actual settlement, and of paying ten per cent. down, and the
remainder in nine years, by annual instalments of ten per cent., with interest on each
instalment as it becomes due.

Commissioner of Crown Lands.

No.

MEMORANDUM OF SALE.

| Acres, at | per acre, amounting to £. | currency. |
|---|---------------------------|-----------|
| Instalments due, and payable as follows; viz. | | |
| 2d Instalment, £. | currency, due | 18 |
| 3d ditto £. | ditto | 18 |
| 4th ditto £. | ditto | 18 |
| 5th ditto £. | ditto | 18 |
| 6th ditto £. | ditto | 18 |
| 7th ditto £. | ditto | 18 |
| 8th ditto £. | ditto | 18 |
| 9th ditto £. | ditto | 18 |
| 10th ditto £. | ditto | 18 |

—No. 8.—

(Separate.)

COPY of a DESPATCH from the Marquis of *Normanby* to Lieutenant-Governor
Sir *G. Arthur*, K. C. H., dated Downing-street, 26 June 1839.

Sir,

As you inform me in your Despatch of the 14th May, No. 108, that you propose to address to me a separate communication on each of the Bills passed by the Legislative Council and Assembly of Upper Canada, and reserved by you for the signification of Her Majesty's pleasure, I shall of course postpone, until I receive these communications, the advice which I may feel called on to tender to Her Majesty in respect to these Bills. But with reference to the Bill for disposing of the clergy reserves, I wish to call your attention to one point on which it is necessary that I should receive information.

By the 42d section of the Statute 31 Geo. 3, c. 31, it is provided, that no Act passed, in conformity with the preceding sections, for altering or repealing any part of that Statute, or affecting in any way the King's prerogative, shall be valid or effectual " unless the Legislative Council and Assembly of such province shall, in the session in which the same shall have been passed by them, have presented to the Governor, Lieutenant-governor or person administering the government of such province, an address or addresses specifying that such Act contains provisions for some of the purposes hereinbefore specified, and desiring that, in order to give effect to the same, such Acts should be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of Her Majesty's assent thereto."

It

No. 8.
The Marquis of
Normanby to
Sir G. Arthur,
26 June 1839.

It is evident that the Bill now before me comes within the scope of this provision, but I do not find in your Despatches any allusion to this point, although in your speech at the close of the session you advert to an address on the subject presented to you by the Legislature. I would request you to furnish me with the necessary information on this point; but you will of course distinctly understand, that in specially calling your attention to this question of form, I do not pronounce any opinion on the essential principles of the Bill, nor in any way indicate the advice which, on a more mature consideration of its provisions, I may feel it my duty to tender to Her Majesty.

I have, &c.
(signed) *Normanby.*

No. 8.
The Marquis of
Normanby to
Sir G. Arthur,
26 June 1839.

— No. 9. —

(Separate.)

COPY of a DESPATCH from Lieutenant-Governor Sir *G. Arthur*, K. C. H., to the Marquis of *Normanby*, dated Toronto, 27 July 1839.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, marked "Separate," of the 26th ultimo, wherein, with reference to the reserved Bill for the disposal of the clergy reserves, your Lordship directs my attention to the 42d section of the statute 31 Geo. 3, c. 31, and observes that the address from the Legislative Council and House of Assembly, as required by the provisions of the aforesaid section to be furnished, had not accompanied my Despatch respecting the reserved Bill in question.

In my speech on the prorogation of the Parliament of which I had the honour to transmit your Lordship a copy, I stated that I would transmit the Bill in question, "with your address thereon."

How, therefore, it escaped me to transmit the address which I have now the honour to forward, I am at a loss to conceive, and I beg your Lordship will believe that I regret the omission deeply.

I have, &c.
(signed) *Geo. Arthur.*

No. 9.
Sir G. Arthur to
the Marquis of
Normanby,
27 July 1839.

Enclosure in No. 9.

To his Excellency Sir George Arthur, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor of the Province of Upper Canada, and Major-General commanding Her Majesty's Forces therein, &c. &c. &c.

May it please your Excellency,

WE, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly in Provincial Parliament assembled, have passed a Bill for the Sale of the Clergy Reserves, and for placing the proceeds of such sales in the hands of the Receiver-general of this province, subject to the disposition of the Imperial Parliament, for religious purposes; and we humbly request, that, in order to give effect to the same, the Bill may be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of Her Majesty's assent thereto.

Legislative Council Chamber, }
11 May 1839. }

Commons House of Assembly, }
11 May 1839. }

Jonas Jones,
Speaker.

Allan N. Mac Nab,
Speaker.

Enclosure.

No. 2.

ACCOUNT of the CLERGY RESERVES sold in *Upper* and *Lower*
Canada from the Year 1827, and the Application thereof.

UPPER CANADA.

—No. 10.—

(No. 63.)

COPY of a DESPATCH from Lieutenant-Governor Sir *George Arthur*, K. C. H.,
to Lord *Glenelg*.

My Lord, Government House, Toronto, 21 September 1838.

No. 10.
Sir G. Arthur to
Lord Glenelg,
21 Sept. 1838.

IN compliance with your Lordship's Despatch of the 30th March (No. 48), communicating the copy of an Address agreed to by the House of Lords on the 20th March 1838, requesting certain Returns relative to the clergy reserves and rectories in Upper and Lower Canada respectively, and desiring me to furnish you with information, so far as the province of Upper Canada is concerned, I have now the honour to transmit to your Lordship herewith the following Returns:—

No. 1.

1st. The Return from the Crown Lands Office, showing the amount of clergy reserves sold in Upper Canada in each year since 1827, and the number of acres sold in each year; the total amount for which they were sold; the total amount of money received in each year upon such sales, distinguishing principal from interest; the disposal of sums received on account of principal and interest, and the total amount invested or paid over.

No. 2.

2d. The Receiver-general's account of monies received by him from various sources, and of payments made therefrom for the support of the Protestant clergy within Upper Canada, in each year from 1827 to 1837 inclusive, respectively.

No. 3.

3d. The Surveyor-general's statement of the rectories created in Upper Canada, with an account of the lands assigned to each.

No. 4.

4th. Statement of the salary paid to each of the incumbents of rectories in Upper Canada by warrant on the Receiver-general.

From these Returns your Lordship will gather all the information which this Government can afford in answer to the requisition of the House of Lords.

Vide No. 12.

Upon one of the heads of inquiry, the information can only be officially furnished by the proper department in London, where the amount of the proceeds of successive sales of clergy lands is from time to time understood to be vested in the public funds.

Vide No. 13.

The officer receiving such proceeds in this province pays the amount each year into the military chest, under the authority of a Despatch from the Secretary of State, dated 2d April 1831.

I have, &c.
(signed) *Geo. Arthur*.

AN ACCOUNT of CLERGY RESERVES sold in *Upper Canada* in each Year since 1827, stating the Number of Acres sold in each Year, the Total Amount for which they were sold, the Total Amount of Money received in each Year upon such Sales, distinguishing Principal from Interest, the disposal of Sums received on account of Principal and Interest, and the Total Amount invested or paid over.

| YEAR. | Total Number of Acres sold in each Year. | Total Amount for which sold, Provincial Currency. | Total Amount of Money received in each Year. | Total Amount of Money received in each Year. | Application of Monies received. | | | Balances in hands of the Agent for the Sale of Clergy Reserves. | REMARKS. |
|--|--|---|--|--|--|--|---|---|--|
| | | | | | Amount of contingent Account for Salary and Disbursements. | Amount paid each Year into the Military Chest. | Amount paid over to the Receiver-general. | | |
| | | £. s. d. | Principal. £. s. d. | Interest. £. s. d. | £. s. d. | Principal. £. s. d. | Interest. £. s. d. | £. s. d. | |
| 1827 (a) | — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | (a) The agent for the sale of clergy reserves did not enter upon the duties of his office until the 1st April 1828. |
| 1828 | None. | - - - | - - - | - - - | (b) 996 6 10 | — — — | — — — | — — — | (b) Amount of contingent account due to the agent. |
| 1829 | 18,014 | 13,229 - - | 2,466 1 3 | None. | 1,162 19 6 | (c) 996 6 10 | - - - | 306 14 11 | (c) Credit taken by the agent for advance of last year. |
| 1830 | 34,705 ½ | 23,452 4 - | 6,216 1 11 | None. | 829 13 2 | None. | None. | 5,693 3 8 | (d) This balance is the amount for which the late Commissioner for the sale of the clergy reserves was apparently responsible upon the face of the Accounts rendered by him on his retirement from office; but his public accounts are in a course of investigation, undertaken at his request, in order to ascertain whether this balance is correctly stated, and in the meantime the representatives of his estate are making payments provisionally into the Bank of Upper Canada, and upon the balance being finally ascertained there will be no delay (as the Government are assured) in closing the account. The Honourable Peter Robinson retired from office 13 July 1836. |
| 1831 | 28,563 ¼ | 17,362 12 1 ½ | 8,010 2 11 | 259 14 9 ½ | 1,207 13 - | 11,000 - - | None. | 1,755 8 4 ½ | |
| 1832 | 48,484 ¾ | 32,287 19 - | 10,239 9 7 ½ | 473 17 2 | 1,010 15 - | 8,000 - - | 797 15 3 | 2,660 4 11 | |
| 1833 | 62,282 ¼ | 44,747 19 9 | 14,080 16 8 ½ | 854 4 3 ½ | 1,285 11 9 ½ | 9,500 - - | 708 7 9 | 6,101 6 4 ¼ | (e) Honourable R. B. Sullivan commences as agent for the sale of clergy reserves. |
| 1834 | 59,526 | 41,376 18 7 | 14,467 9 5 ½ | 1,182 11 4 | 1,886 13 7 ½ | 10,000 - - | 1,062 11 4 | 8,802 9 6 | (f) The different sums of principal appearing in the seventh column as having been paid into the military chest were so paid under authority of a Despatch from Lord Goderich of 2d April 1831, and this department has no knowledge of the investment or application of such sums in England. |
| 1835 | 59,003 ½ | 40,973 15 8 | 17,000 3 5 ½ | 1,841 6 3 ½ | 2,308 16 2 ½ | 23,000 - - | 2,107 9 1 ½ | 227 12 11 | |
| 1836 to 13 July inclusive. | 19,076 | 13,229 4 5 | 9,396 19 9 | 1,395 18 6 | 1,259 11 5 | 3,500 - - | 1,317 17 9 ½ | (d) 4,943 2 11 ½ | |
| From (e) 14 July to 31 December inclusive, 1836. | 44,364 ½ | 27,755 10 - ½ | 9,076 3 10 ½ | 1,084 1 6 ½ | 1,023 4 3 ¼ | None. | None. | 9,137 1 1 ¾ | These sums to be added together to show total amount. |
| 1837 | 81,549 | 52,253 7 4 | 18,318 6 8 | 2,637 8 8 | 1,266 5 4 ½ | 22,475 6 11 | 1,302 18 7 | 2,463 4 1 | £. 8,560. 8 s. 5 ½ d. paid over within a few days of the close of 1836, and brought into first semi-annual account current of 1837. |
| 1838 to 30 June | 11,173 ¾ | 7,481 9 3 | 5,346 19 3 | 1,120 - 7 | 1,444 16 - | 6,000 - - | 954 10 8 | 530 17 3 | First half year of 1838 only. |
| TOTAL - - | 466,742 ½ | 314,150 - 2 | 114,618 14 10 ½ | 10,849 3 2 | 15,689 6 2 ¼ | (f) 94,471 13 9 | 8,251 10 6 | Inclusive, from year to year. | |

Crown Lands Office, Toronto, }
25 August 1838.

R. B. Sullivan.

No. 2.

AN ACCOUNT of MONIES received from various Sources by HER MAJESTY'S RECEIVER-GENERAL of *Upper Canada*, and of PAYMENTS made therefrom for the Support of a PROTESTANT CLERGY within the said Province, in each Year, from 1827 to 1837 inclusive, respectively.

| Year. | RECEIPTS. | Sterling, Dollars at 4s. 6d. | Year. | PAYMENTS. | Sterling, Dollars at 4s. 6d. |
|-------|---|---------------------------------|-------|--|---------------------------------|
| | | £. s. d. | | | £. s. d. |
| 1827 | By balance remaining on the 1st January in the fund applicable to the support of a Protestant clergy - | 574 13 10½ | 1827 | To paid the additional stipend to the rector of York for the present year - - - - - | 225 - - |
| | By received from the Casual and Territorial Fund under warrants - | 600 - - | | To paid salaries to two archdeacons for the same period - - - | 600 - - |
| | | | | To paid for patents constituting the two archdeaconries of York and Kingston - - - - - | 132 6 11 |
| 1828 | By received from the Casual and Territorial Fund under warrants - | 600 - - | 1828 | To paid salaries to two archdeacons for the year 1828 - - - | 600 - - |
| | | | | To paid additional stipend to the rector of York for the same period - | 225 - - |
| | | | | To paid the Hon. Dr. John Strachan his travelling expenses on account of the clergy, on his mission to England - - - - - | 610 10 - |
| 1829 | By received from the officers collecting the rents of clergy reserves under lease - - - - - | 326 18 11½ | 1829 | To paid the salaries of two archdeacons for the year 1829 - - - | 600 - - |
| | By received from the Casual and Territorial Fund under warrants - | 600 - - | | To paid additional stipend to the rector of York for the same period - | 225 - - |
| 1830 | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 585 - - | 1830 | To paid the salaries of two archdeacons for the year 1830 - - - | 600 - - |
| | By received from the Casual and Territorial Revenue Fund under warrants - - - - - | 600 - - | | To paid additional stipend to the rector of York for the same period - | 225 - - |
| | | | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen of this province, for the same period - - - | 100 - - |
| 1831 | By received from the sureties of the late Stephen Steward, esq., on account of a defalcation in his accounts as secretary to the Clergy Corporation - - - - - | 360 - - | 1831 | To paid the salaries of two archdeacons for the year 1831 - - - | 600 - - |
| | By received from the officers for collecting the rents of clergy reserves under lease - - - - - | 630 - - | | To paid additional stipend to the rector of York, in full satisfaction of all further claims on this head - | 90 - - |
| | By received from the Casual and Territorial Revenue Fund under warrants - - - - - | 600 - - | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen of this province, for the year 1831 - - - | 100 - - |
| | By received from the Crown Fund, 14 Geo. 3. - - - - - | 100 - - | | | |
| 1832 | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 450 - - | 1832 | To paid two archdeacons for the year 1832 - - - - - | 787 10 - |
| | By received from the officer collecting the interest on clergy lands sold - - - - - | 717 19 8¾ | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen of this province, for the same period - - - | 100 - - |
| | By received from the Casual and Territorial Revenue Fund under warrants - - - - - | none. | | To paid salaries to the following missionaries, for the six months from 1st July to 31st December 1832 inclusive; viz. | |
| | | | | 28 missionaries - £. 100 - each | |
| | | | | 3 ditto - 75 - " | |
| | | | | 5 ditto - 50 - " | |
| | | | | 2 ditto - 43 15 - " | |
| | | | | | 2,362 10 - |

THE CLERGY RESERVES IN UPPER CANADA.

No. 2.—ACCOUNT of Monies received and Payments made for Support of a Protestant Clergy in *Upper Canada, &c.*—continued.

| Year. | RECEIPTS. | Sterling, Dollars at 4 s. 6 d. | Year. | PAYMENTS. | Sterling, Dollars at 4 s. 6 d. |
|-------|--|-----------------------------------|-------|---|-----------------------------------|
| | | £. s. d. | | | £. s. d. |
| 1833 | By received from the officer collecting the interest on clergy lands sold - - - - - | 637 10 11½ | 1833 | To paid two archdeacons for the year 1833 - - - - - | 920 6 8 |
| | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 1,689 6 - | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen of the province, for the same period - - - - - | 100 - - |
| | By received from the officer in London for receiving the dividends on monies funded in England arising from the sale of clergy lands, and remitted by the proper officer - - - - - | 864 18 7½ | | To paid salaries to the following missionaries, for the half year from 1st January to 30th June 1833 inclusive; viz.— | |
| | | | | 26 missionaries - £.100 each | |
| | | | | 2 ditto - - 75 " | |
| | | | | 2 ditto - - 65 " | |
| | | | | 3 ditto - - 25 " | |
| | | | | 7 ditto - - 50 " | 3,305 - - |
| | | | | To paid salaries for the half year ending the 31st December 1833:— | |
| | | | | 1 missionary £.70 - - - | |
| | | | | 19 ditto - 46 13 4 each | |
| | | | | 4 ditto - 25 - - " | |
| | | | | 1 ditto - 35 - - " | |
| | | | | 1 ditto - 15 - - " | |
| | | | | 5 ditto - 33 6 8 each | 1,272 6 8 |
| | | | | To paid for the erection of a house, and preparing a glebe at Adelaide, on account - - - - - | 45 - - |
| | | | | To paid on account of a parsonage house at the Mohawk Settlement - - - - - | 90 - - |
| 1834 | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 3,685 11 3¼ | 1834 | To paid two archdeacons for the year 1834 - - - - - | 1,003 15 - |
| | By received from the officer collecting the interest on clergy leases sold - - - - - | 956 6 3½ | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen, &c. same period - - - - - | 100 - - |
| | By received from the officer in London for receiving the dividends on monies funded arising from the sale of clergy lands, and remitted by the proper officer - - - - - | 486 10 - | | To paid salary to the secretary of the Clergy Corporation, for the period from the 1st March 1833 to 31st December 1834, inclusive - - - - - | 349 8 6½ |
| | By received from the Casual and Territorial Revenue Fund, under warrant to enable the Receiver-general to pay 85 per cent. on the salaries of the missionaries of the Church of England in this province, and pensions to retired missionaries and widows, formerly paid by the Society for the Propagation of the Gospel, in part - - - - - | 2,301 5 - | | To paid salaries to the following missionaries, for the half year from 1st January to 30th June 1834, inclusive; viz.— | |
| | | | | 32 missionaries - £.70 each | |
| | | | | 13 ditto - - 50 " | |
| | | | | 2 ditto - - 25 " | 2,870 - - |
| | | | | To paid 85 per cent. on the missionaries' salaries, and pensions to retired missionaries and widows, formerly paid by the Society for the Propagation of the Gospel, for the half year ending the 31st December 1834; viz.— | |
| | | | | 1 missionary £.120 - - - | |
| | | | | 24 ditto - 100 - - each | |
| | | | | 3 ditto - 57 10 - - " | |
| | | | | 11 ditto - 50 - - " | |
| | | | | 1 ditto - 33 6 8 | |
| | | | | 4 ditto - 30 - - each | |
| | | | | 2 retired miss. 50 - - " | |
| | | | | 1 ditto - 15 - - " | |
| | | | | 2 widows - 25 - - each | 3,560 16 8 |
| | | | | To paid for the ordinary and incidental expenses of the office of the Clergy Corporation during 1834 - - - - - | 155 7 11½ |
| | | | | To paid expenses incurred in the inspection of clergy reserves, same period - - - - - | 559 12 10½ |

No. 2.—ACCOUNT of Monies received and Payments made for Support of a Protestant Clergy in *Upper Canada, &c.*—*continued.*

| Year. | RECEIPTS. | Sterling, Dollars at 4s. 6d. | Year. | PAYMENTS. | Sterling, Dollars at 4s. 6d. |
|-------|---|---------------------------------|-------|---|---------------------------------|
| | | £. s. d. | | | £. s. d. |
| 1835 | By received from the officer collecting the rents of clergy reserves under lease - - - - | 3,801 19 6½ | 1835 | To paid two archdeacons for the year 1835 - - - - - | 1,003 15 - |
| | By received from the officer collecting interest on clergy lands sold - | 1,896 15 1¼ | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen of this province, for the same period - - - - | 100 - - |
| | By received from the officer in London for receiving the dividends on monies funded arising from the sale of clergy lands and remitted by the proper officer - - - | 1,089 15 4¾ | | To paid salary to the secretary of the Clergy Corporation, for the same period - - - - - | 270 - - |
| | By received from the Casual and Territorial Fund under warrants - | 2,529 11 8 | | To paid salaries to the under-mentioned missionaries, and pensions to retired missionaries and widows, for the half year from the 1st January to the 30th June 1835, inclusive; viz.— | |
| | | | | 1 missionary £. 127 10 - (including arrears.) | |
| | | | | 24 missionaries - 85 - - each | |
| | | | | 1 ditto - 70 - - | |
| | | | | 2 ditto - 63 15 - each | |
| | | | | 15 ditto - 50 - - " | |
| | | | | 2 retired miss. 50 - - " | |
| | | | | 1 ditto - 15 - - | |
| | | | | 2 widows - 25 - - each | |
| | | | | 1 ditto - 33 6 8 (including arrears.) | |
| | | | | 1 widow ditto - 50 - - | 3,363 6 8 |
| | | | | To paid ditto for the half year ending 31st December 1835; viz.— | |
| | | | | 1 missionary - £. 70 - (including arrears.) | |
| | | | | 24 missionaries - 85 - each | |
| | | | | 2 ditto - 63 15 " | |
| | | | | 14 ditto - 50 - " | |
| | | | | 3 retired miss. - 50 - " | |
| | | | | 1 ditto - 15 - - | |
| | | | | 4 widows - 25 - each | 3,202 10 - |
| | | | | To paid on account of the glebe houses in Carradoc and Adelaide | 118 18 1¾ |
| | | | | To paid ordinary and incidental expenses of the Clergy Corporation Office, for the year 1835 - - - | 65 18 10 |
| 1836 | By received from the officer in London for receiving the dividends on monies funded arising from the sale of clergy lands, and remitted by the proper officer - - - | 655 7 1¾ | 1836 | To paid two archdeacons for the year 1836 - - - - - | 1,003 14 6 |
| | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 2,141 5 1¼ | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergymen, for the same period - - - - - | 100 - - |
| | By received from the officer collecting the interest on clergy lands sold - - - - - | 1,186 2 3¾ | | To paid salary to the secretary of the Clergy Corporation, same period - | 270 - - |
| | From the Casual and Territorial Revenue Funds under warrants - | 2,565 12 6 | | To paid salaries to the under-mentioned missionaries, and pensions to retired missionaries and widows, for the half year from 1st January to 30th June 1836, inclusive; viz.— | |
| | | | | 22 missionaries £. 85 - each | |
| | | | | 1 ditto - 76 - - | |
| | | | | 1 ditto - 70 - - | |
| | | | | 2 ditto - 63 15 each | |
| | | | | 16 ditto - 50 - - " | |
| | | | | 2 retired miss. - 50 - - " | |
| | | | | 1 ditto - 15 - - | |
| | | | | 7 widows - 25 - each | 2,233 10 - |

THE CLERGY RESERVES IN UPPER CANADA.

No. 2.—ACCOUNT of Monies received and Payments made for Support of a Protestant Clergy in *Upper Canada, &c.*—continued.

| Year. | RECEIPTS. | Sterling, Dollars at 4s. 6d. | | | Year. | PAYMENTS. | Sterling, Dollars at 4s. 6d. | | |
|-------|---|---------------------------------|----|----|-------|---|---------------------------------|----|-----|
| | | £. | s. | d. | | | £. | s. | d. |
| 1836 | | | | | 1836 | To paid salaries to the under-mentioned missionaries, and pensions to retired missionaries and widows, for the half year ending 31st December 1836; viz.— 23 missionaries £. 85 — each 1 ditto - 70 — 1 ditto - 63 15 19 ditto - 50 — each 2 retired miss. - 50 — „ 1 ditto - 15 — 7 widows - 25 — each | | | |
| | | | | | | To paid expenses for the inspection of clergy reserves - - - | 3,328 | 15 | - |
| | | | | | | To paid ordinary and incidental expenses of the Clergy Corporation Office, for the year 1836 - - - | 23 | 2 | - |
| | | | | | | To paid on account of the parsonage house for the Rev. Saltern Givins, Mohawk Indians, Bay of Quinté - | 92 | 13 | 10½ |
| | | | | | | To paid on account of the parsonage house at Adelaide - - - | 270 | - | - |
| | | | | | | | 97 | 2 | 5½ |
| 1837 | By received from the officer in London for receiving the dividends on monies funded arising from the sale of clergy lands, and remitted by the proper officer - - - | 1,105 | - | - | 1837 | To paid two archdeacons for the year 1837 - - - - - | 1,003 | 14 | 6 |
| | By received from the officer collecting the rents of clergy reserves under lease - - - - - | 1,798 | 16 | 5 | | To paid salary to the Rev. George O'Kill Stuart, as one of the established clergy, for the same period | 100 | - | - |
| | By received from the officer collecting the interest on clergy lands sold - - - - - | 3,499 | 4 | 14 | | To paid salary to the secretary of the Clergy Corporation, for the year 1837 - - - - - | 270 | - | - |
| | By received from the Casual and Territorial Revenue Fund under warrants - - - - - | 2,588 | 6 | 8 | | To paid salaries to the under-mentioned missionaries, and pensions to retired missionaries and widows, for the half year ending the 30th June 1837; viz.— 22 missionaries £. 85 — each 1 ditto - 75 — (including arrears.) 2 missionaries - 70 — each 2 ditto - 63 15 „ 17 ditto - 50 — „ 2 retired miss. - 50 — „ 1 ditto - 15 — 7 widows - 25 — each | 3,353 | 10 | - |
| | | | | | | To paid ditto, for the half year ending the 31st December 1837; viz.— 22 missionaries £. 85 — — each 1 ditto - 70 — — 1 ditto - 63 15 — 18 ditto - 50 — — each 1 ditto - 38 6 8 2 retired miss. - 50 — — each 1 ditto - 15 — — 7 widows - 25 — — each | 3,232 | 1 | 8 |
| | | | | | | To paid contingencies of the Clergy Corporation Office, for the year 1837 - - - - - | 55 | 10 | 10½ |

Receiver-general's Office, Toronto, Upper Canada, }
11 June 1838.

John H. Dunn,
Her Majesty's Receiver-general.

No. 3.

STATEMENT of LANDS recommended by an Order in Council, dated 15 January 1836, to be set apart for the ENDOWMENT of the CHURCHES in the Townships under-mentioned.

| No. | Name of Incumbent. | Rectory. | Land assigned. | | | | Remarks. |
|-----|--|--|---|----------------------------------|--|--------------|---|
| | | | Lot. | Con. | Township. | Acres. | |
| 1 | Hon. and Venerable Archdeacon Strachan | Toronto - - | { 6, 9, 22 17 } | { 2d Con. from Bay 3 do. } | York - - - | 800 | |
| 2 | Rev. R. F. Grout - | Grimsby - - | 11, 12, 13, 14 | 6 | Grimsby - - - | 400 | |
| 3 | Rev. John Miller - | Ancaster - - | 39, 40 | 5 | Ancaster - - - | 400 | |
| 4 | Rev. George Mortimer | Thornhill - - | N. ½ 27 | 1 | Vaughan - - - | 105 | |
| 5 | Rev. John Gamble Geddes. | { Hamilton, Dis- trict of Gore - | { 6 2 } | { 13 14 } | Flamborough East - | 400 | { Patent not completed. |
| 6 | Rev. Francis Evans - | Woodhouse - - | { S. W. ¼ 1 S. ½ of N. ½ 1 S. W. ¼ 2 N. p ^t 6 P ^t of 10 } | { 3 3 3 1 4 } | Woodhouse - - - | 402 | |
| 7 | Rev. John Grier - | Ameliasburgh - | 96, 102 | 2 | Ameliasburgh - | 400 | { Patent not completed. |
| 8 | Rev. F. Mack - - | Wellington-square | { 2 10 } | { 2 4 } | Flamborough East - | 400 | |
| 9 | Rev. R. Blakey - | Augusta - - - | { 18, 19, and Commons between. } | 4 | Augusta - - - | 450 | |
| 10 | Rev. Samuel Armour - | Cavan - - - | { 17 10 } | { 4 10 } | Cavan - - - | 400 | |
| 11 | Rev. William Macaulay | Hallowell - - | { N. E. p ^t Block D. } | - - | Sophiasburgh - | About 400 | |
| 12 | Rev. Michael Harris - | Perth - - - | { 17 4 } | { 7 1 } | Bathurst - - - Drummond - - - | 200 200 | |
| 13 | Rev. W. H. Gunning | Elizabethtown - | 19, 20 | 5 | Elizabethtown - | 400 | |
| 14 | Rev. H. Patton - | Oxford, J. D. - | { E. ½ 15 16 16 } | { 1 1 6 } | Oxford, J. D. - | 450 | |
| 15 | Rev. John Anderson - | Bertie - - - | { 6, 7 6, 7 } | { 5 6 } | Bertie - - - | 400 | |
| 16 | Rev. R. H. D'Olier - | Peterborough - | { 17 40 Park Lots 15 and 16 in 13 Town Lots 1, 2, 3, 4, on Hunter Water and Brock Streets - - - } | { 2 13 13 Con. } | Smith - - - Monaghan - - - Town of Peterbo- rough - - - | About 420 | |
| 17 | Rev. William Betteridge | Woodstock - - | { 2 16 } | { 1 5 } | Oxford West Oxford East - - | 400 | |
| 18 | Rev. Charles Matthews | { St. John's Church, Yonge-street - } | 14 | 2d E. Y. S. | York - - - | 200 | |
| 19 | Rev. A. N. Bethune - | Cobourg - - - | { P ^t of 15 Bro. F ^t B. W. ¼ 15 Bro. F ^t A. 27 E. ½ 2 } | { 6 Con. 7 } | Hamilton - - - | About 400 | |
| 20 | Rev. George Archbold | Cornwall - - - | { 19 and W ^y 150 ac. of 38. } | 8 | Cornwall, 350 ac. } | 410 | { Also a strip of land between rear boundary of town of Cornwall and front of 2d Con. of Cornwall, as reckoned by eastern boun- dary, 64 ac. - - - } |

No. 3.—STATEMENT of Lands recommended to be set apart for the Endowment of Churches, &c.—*continued.*

| No. | Name of Incumbent. | Rectory. | Land assigned. | | | | Remarks. |
|-----|---|--|---|---|---|-------------|-------------------------|
| | | | Lot. | Con. | Township. | Acres. | |
| 21 | Rev. J. G. Beck Lindsay | Williamsburgh | Part of Centre Commons. Centre Commons between Lots 18 & 19 | 1st and 2d Con. | Williamsburgh, 37½ acres - | 400½ | { Patent not completed. |
| | | | 19 | 1st, 3d, and 4th Con. | Of Matilda, 163 acres - | | |
| 22 | Rev. Dominick E. Blake | Adelaide | 12, 25, 8 and 9 | 1st N.E.R. 1st S.E.R. Front A. | Matilda - - - Adelaide - - - Town of Adelaide | 401 | |
| 23 | Rev. T. Phillips, D.D. | Etobicoke | 3 and 4 W. p ^t 3, 4 | 1 st range 2 ^d range 2 ^d , 3 ^d , and 4 th ranges | Etobicoke - - - | 205 | |
| 24 | Rev. Edward J. Boswell | Carleton Place | 26, 2 | 2 Con. 7 | Ramsay - - - | 400 | { Patent not completed. |
| 25 | Rev. Mark Burnham | St. Thomas | 5, 17 | 7, 4 | Yarmouth - - - Southwold - - - | 400 | ditto. |
| 26 | Rev. John Ratcliffe | Warwick | 15 and 25 | 1 st S. E. R. | Warwick - - - | 400 | |
| 27 | Rev. V. P. Meyhoffer | Markham | 9, 19 | 5, 9 | Markham - - - Vaughan - - - | 400 | |
| 28 | Rev. A. H. Burwell | Bytown | 17 and 18 | 1 st Con. on Ottawa | Gloucester - - - | { about 400 | { Patent not completed. |
| 29 | Rev. James Magrath | Toronto | 23, 29, 9 | 2 4 th E.H.S. Indian reserve | Chinguacoury - - - on credit, part of | about 400 | { ditto. |
| 30 | Rev. John Cochrane | Belleville | 16 and 17 R ^t p ^t 4 | 3 Con. 1 | Thurlow - - - | 418 | |
| 31 | Parish Church | Bath | { Ft 50 ac. 12 13 W. ¾ 14 } | 4 | Ernestown - - - | 400 | |
| 32 | Rev. Saltern Givins | Napanee | 15 and 16 | 4 | Richmond - - - | 400 | |
| 33 | Parish Church | Williamsburgh | 18 and 19 | 4 | Williamsburgh - - - | 400 | |
| 34 | Rev. James Padfield | March | 2 and 32 | 4 on Rideau | Nepean - - - | 400 | { Patent not completed. |
| 35 | Parish Church | { Town of Richmond Dist. of Bathurst } | 24, 17 | 5, 9 | Goulburn - - - Fitzroy - - - | 400 | |
| 36 | Rev. R. Lugg | Brantford | 3, 9 | 2, 3 | Burford - - - | 400 | { Patent not completed. |
| 37 | Rev. Benjamin Cronyn, 2d church in township of London | London | 12, 15, N.E. corner of 16, being 4½ acres deeded by Rev. Benjamin Cronyn to the Crown | Con. C. 7, 3 | London - - - | 404½ | |
| 38 | Rev. Romain Rolph | Amherstburg | 80 and 81 | 7 | Malden - - - | 400 | |
| 39 | Rev. James Clarke | St. Catharine's | 3, 3 | 5, 6 | Grantham - - - | 400 | |
| 40 | Rev. James Clarke | Louth | 11, 12, 12 | 4, 5 | Louth - - - | 300 | |
| 41 | Rev. James Clarke | Thorold | { 98, 99, 10, and 121 } | - - | Thorold - - - | 400 | |
| 42 | Rev. William Leeming | Chippewa | { 72, 88, 89, and 106 } | - - | Stamford - - - | 400 | |
| 43 | Rev. Richard Flood | Delaware | 22, 16 | 1 st range, N. of S. W. R ^d 1 Con. | Carradoc - - - | 435 | { Patent not completed. |
| 44 | Rev. Job Deacon | Adolphustown | 24, 25, 6, 7, 8, 7, 7, 8 | 1 Con. N. of 3 ^d S ^t S. of 4 th S ^t | Adolphustown - - - Town of Adolphus- town - - - | 164 | |

No. 3.—STATEMENT of Lands recommended to be set apart for the Endowment of Churches, &c.—*continued.*

| No. | Name of Incumbent. | Rectory. | Land assigned. | | | | Remarks. |
|-----------------------------|----------------------------------|-----------------|---|---|---|--------------|--|
| | | | Lot. | Con. | Township. | Acres. | |
| 45 | Rev. Job Deacon - | Fredericksburgh | 9, 10, 11 | 2 ^d Con. | Fredericksburgh - | 250 | |
| 46 | Rev. William Johnson | Sandwich - | 3 Ft in N. $\frac{1}{2}$, 1 Peche 8 | E. of River aux Puce bet. River aux Puce and River aux Bro. front | Maidstone - Tilbury West - | about 400 | Patent not completed. |
| 47 | Parish Church of St. George - | Clarke - | 20, 27 15 ac. on lot 34. | 2 ^d Con. N. of road 2 ^d Con. | Clarke - | 400 15 | { given by S. S. Wilmot, Esq. |
| 48 | Parish Church of St. John - | Darlington - | 25, 31 | 1 Con. | Darlington - | 400 | |
| 49 | Rev. Jonathan Shortt | Beckwith - | N.E. $\frac{1}{2}$ 21 W. $\frac{1}{2}$ 26 17 | 2 2 1 | Beckwith - | 400 | |
| 50 | Parish Church - | Chatham - | 8, 15 2, bet. Belle River and River Ruscum - | 1 Con. | Tilbury West - Rochester - | about 400 | Patent not completed. |
| 51 | Rev. Thomas Creen - | Niagara - | { 126, 127, 128, 130 } | - | Niagara - | 400 | |
| 52 | Rev. Arthur Palmer - | - | { - - Lot C. division A., re- serve lot bet. C. and River Speed, lots 14 and 15, di- vision A. - - Centre Pt of St. George's- square - - Rt $\frac{1}{2}$ 3 and 4 Bro. 3 and 4 | { 2 10 Con. 11 | Guelph, 86 acres - Town of Guelph, 54 $\frac{1}{2}$ perches - Puslinch - | 326 | |
| 53 | The Archdeacon - | Kingston - | { Block C. adjoining town of Kingston, 18 acres - E. $\frac{3}{4}$ 12 13, W. $\frac{3}{4}$ 14 42 | { 4 Con. 3 | Kingston - Ernestown - | 700 | |
| 54 | Parish Church - | Barrie - | { 28 10 10 131, 132, 133, N. of Marks-street - 114, 115, N. of Wors- ley-street - 116, S. of M'Donald- street - | { 13 14 8 | Innisfil - Town of Barrie - | 420 | |
| 55 | Rev. J. Coghlan - | Port Hope - | { Pt of 9 27 6 | { 1 Con. 4 8 | Hope - Hope - Hope - | 36 400 | { Being land surrendered by Mr. Cogh- lan. |
| 56 | Rev. Benjamin Cronyn | London - | { 13 Pt of 15 | { Con. C. 3 Con. | London - | 375 | |
| 57 | Rev. Wm. Betteridge | Woodstock - | { - Lots Nos 1 to 15, bounded on west by Bexley-street and River Thames, and on east by Givins-street - } | | Town of Woodstock | 29 | { Assigned by Order in Council, 27 Nov. 1834. |
| TOTAL Number of Acres - - - | | | | | | 22,116 | |

Surveyor-general's Office, Toronto, U.C.,
7 September 1838.

R. B. Sullivan.

No. 4.

LIST of SALARIES and PENSIONS paid to the CLERGY and MISSIONARIES of the CHURCH OF ENGLAND in Upper Canada, and their WIDOWS, for the Half-year ending the 30th June 1838.

| | £. | s. | d. | |
|-----------------------------------|-----|-------|------|---|
| Archibald, George - - - | 85 | - | - | Cornwall, Eastern District. |
| Anderson, John - - - | 85 | - | - | Fort Erie, Niagara District. |
| Atkinson, A. F. - - - | 50 | - | - | Bath, Midland District. |
| Armour, Samuel - - - | 85 | - | - | Cavan, New Castle District. |
| Bethune, A. N. - - - | 85 | - | - | Coburg, New Castle District. |
| Betteridge, William - - - | 50 | - | - | Woodstock, London District. |
| Blake, D. - - - | 50 | - | - | Adelaide, London District. |
| Blakey, Robert - - - | 85 | - | - | Prescott, Johnstown District. |
| Boswell, E. J. - - - | 85 | - | - | Carlton-place, Bathurst District. |
| Burnham, — - - - | 85 | - | - | St. Thomas, London District. |
| Clarke, James - - - | 85 | - | - | St. Catharine's, Niagara District. |
| Cochrane, John - - - | 50 | - | - | Belleville, Hastings District. |
| Creen, Thomas - - - | 85 | - | - | Niagara, Niagara District. |
| Crenyer, Benjamin - - - | 50 | - | - | London, London District. |
| Deacon, Jacob - - - | 85 | - | - | Adolphustown, Midland District. |
| Denroche, Edward - - - | 50 | - | - | Brockville, Johnstown District. |
| Evans, Francis - - - | 85 | - | - | Simcoe, Talbot District. |
| Flood, Richard - - - | 50 | - | - | Delaware, London District. |
| Fuller, F. B. - - - | 50 | - | - | Chatham, Western District. |
| Geddes, S. G. - - - | 50 | - | - | Hamilton, Gore District. |
| Givins, Saltern - - - | 85 | - | - | Bay of Quinto, Midland District. |
| Grier, J. - - - | 85 | - | - | Carrying-place, Prince Edward District. |
| Grant, G. H. F. - - - | 85 | - | - | Grimsby, Niagara District. |
| Gunning, W. H. - - - | 85 | - | - | Elizabethtown, Johnstown District. |
| Harris, M. - - - | 85 | - | - | Perth, Bathurst District. |
| Johnson, W. - - - | 50 | - | - | Sandwich, Western District. |
| Leeming, W. - - - | 85 | - | - | Chippawa, Niagara District. |
| Lindsay, J. G. B. - - - | 85 | - | - | Williamsburgh, Eastern District. |
| Macaulay, W. - - - | 85 | - | - | Picton, Prince Edward District. |
| Mach, Frederick - - - | 50 | - | - | Amherstburgh, Western District. |
| Magrath, James - - - | 63 | 15 | - | Toronto Township, Home District. |
| Mayerhoffer, V. - - - | 50 | - | - | Markham, Home District. |
| Miller, John - - - | 85 | - | - | Ancaster, Gore District. |
| Mortimer, George - - - | 50 | - | - | Thornhill, Home District. |
| Padfield, James - - - | 50 | - | - | Beckwith, Bathurst District. |
| Palmer, Arthur - - - | 50 | - | - | Guelph, Gore District. |
| Patta, Henry - - - | 85 | - | - | Kempville, Bathurst District. |
| Phillips, Thomas - - - | 70 | - | 3 | Etobicoke, Home District. |
| Radcliff, John - - - | 50 | - | - | Warwick, London District. |
| Rogers, R. - - - | 50 | - | - | Richmond, Bathurst District. |
| Rolph, Romaine - - - | 85 | - | - | Osnabruck, Eastern District. |
| Short, Jonathan - - - | 50 | - | - | Port Hope, New Castle District. |
| Stuart, George O'Kill - - - | 85 | - | - | Kingston, Midland District. |
| Strachan, John - - - | 116 | 17 | 6 | Toronto, Home District. |
| Wade, W. F. L. - - - | 50 | - | - | Peterborough, New Castle District. |
| | £. | 3,155 | 12 6 | |
| RETIRED MISSIONARIES: | | | | |
| Leming, Ralph - - - | 50 | - | - | Ancaster, Gore District. |
| Patterson, John - - - | 15 | - | - | Markham, Home District. |
| Thompson, Joseph - - - | 50 | - | - | Cavan, New Castle District. |
| | £. | 115 | - - | |
| WIDOWS RECEIVING PENSIONS: | | | | |
| Mrs. Mountain - - - | 25 | - | - | Cornwall, Eastern District. |
| Mrs. Sampson - - - | 25 | - | - | Grimsby, Niagara District. |
| Mrs. Addison - - - | 25 | - | - | Niagara, Niagara District. |
| Mrs. Moseley - - - | 25 | - | - | Bay of Quinto, Prince Edward District. |
| Mrs. Campbell - - - | 25 | - | - | Bath, Midland District. |
| Mrs. Weogant - - - | 25 | - | - | Williamsburgh, Eastern District. |
| Mrs. Stoughton - - - | 25 | - | - | Bath, Midland District. |
| | £. | 175 | - - | |

RECAPITULATION OF THE FOREGOING ACCOUNT.

| | £. | s. | d. |
|-------------------------------------|----------|----|-------------|
| Salaries to Missionaries, &c. - - - | 3,155 | 12 | 6 |
| Pensions to retired ditto - - - | 115 | - | - |
| Pensions to Widows - - - | 175 | - | - |
| Amounting to - - - | £. 3,445 | 12 | 6 Sterling. |

Receiver-general's Office, Toronto, }
21 September 1838.

John H. Dunn, H. M. R. G.

LOWER CANADA.

—No. 11.—

RETURN to an Address of the House of Lords, of the 20th March 1838, calling for RETURNS showing the Amount of the CLERGY RESERVES sold in *Lower Canada* since 1827, &c., made by Order of his Excellency Sir *John Colborne*, Administrator of the Government, dated 7th May 1838, so far as it is in the power of this Department to furnish the same.

| Year. | Acres sold on Quit Rent. | Capital. | | Number of Acres sold absolutely. | Price. | | Quit Rent received. | | Instalments received. | | Amount paid to Commissary-general. | | Amount paid to Presbytery of Quebec. | |
|---|--------------------------|----------|---------|----------------------------------|---------|---------|---------------------|---------|-----------------------|---------|------------------------------------|---------|--------------------------------------|---------|
| | | £. | s. d. | | £. | s. d. | £. | s. d. | £. | s. d. | £. | s. d. | £. | s. d. |
| 1827 | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - | - nil - |
| 1828 | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| 1829 | 900 | 190 | - - | 200 | 40 | - - | 13 | 10 - | 10 | - - | — | — | — | |
| 1830 | 1,800 | 360 | - - | 8,156 | 1,250 | 3 - | 18 | - - | 543 | 17 - | — | — | — | |
| 1831 | 5,700 | 1,140 | - - | 5,632 | 1,525 | 9 3 | 57 | - - | 541 | 7 6 | 700 | - - | — | |
| 1832 | - - | - - | - - | 6,873 | 1,278 | 11 8 | - - | - - | 533 | 2 6 | 700 | - - | — | |
| 1833 | - - | - - | - - | 37,278 | 12,791 | 17 5 | - - | - - | 3,454 | 11 6½ | 3,500 | - - | — | |
| 1834 | - - | - - | - - | 77,265 | 17,875 | 19 1 | 15 | - - | 7,461 | 8 4½ | 6,437 | - - | — | |
| 1835 | - - | - - | - - | 111,275 | 23,415 | 16 11½ | - - | - - | 10,676 | 11 10¼ | 9,500 | - - | — | |
| 1836 | - - | - - | - - | 34,310 | 8,568 | 15 4 | - - | - - | 15,159 | 11 2½ | 11,000 | - - | — | |
| 1837 | - - | - - | - - | 18,822½ | 5,457 | 4 7½ | 25 | 5 - | 11,916 | 5 6½ | 10,146 | 5 3½ | 555 11 1 | |
| | | | | | | | | | 50,296 15 6½ | | | | | |
| Gross Expense of Collection and other contingent Expenses of Printing, Stationery, Postage, &c., during the above years | | | | | | | | | 4,929 1 8½ | | | | | |
| TOTAL | 8,400 | 1,690 | - - | 299,811½ | 72,203 | 17 4 | 128 | 15 - | 45,367 | 13 10 | 41,983 | 5 3½ | 555 11 1 | |

The Account of Collections and Disbursements from 1st of January to 6th of August 1836 has not been rendered by the late Mr. Felton.

No Rectories have been created in Lower Canada.

Office of Crown Lands, Quebec, }
21 May 1838.

(signed) *John Davidson.*
T. Bouthillier.

No. 3.

AN ACCOUNT of the TOTAL AMOUNT of the PROCEEDS of the CLERGY RESERVES sold in *Upper and Lower Canada*, and at present invested in the Three per Cent. Consolidated Annuities.

— No. 12. —

AN ACCOUNT of the TOTAL AMOUNT of the PROCEEDS of the CLERGY RESERVES sold in *Upper and Lower Canada*, and at present invested in the Three per Cent. Consolidated Annuities. No. 12.

UPPER CANADA.

£. 82,210 10 8 - Producing an annual interest of - £. 2,466 6 2

LOWER CANADA.

£. 31,398 1 3 - Producing an annual interest of - £. 941 18 10

Pay Office, Civil Services,
Treasury Chambers,
26 August 1839. }

Samuel Beltz,
For the Paymaster of Civil Services.

— No. 13. —

(No. 20.)

COPY of a DESPATCH from Viscount *Goderich* to Sir *John Colborne*.

Sir,

Downing-street, 2 April 1831.

THE Commissioner of Crown Lands in Lower Canada having experienced some difficulty as to the manner in which he was to carry into effect the provisions of the Act of Parliament 7 & 8 Geo. 4, cap. 62, by investing in the public funds the proceeds, as they accrue, of the sale of clergy reserves, Lord Aylmer referred the subject to the Executive Council, with a suggestion that the Commissary-general should be invited to receive the proceeds in future from the Commissioner, and to transmit the same to the Lords of the Treasury, to be disposed of as their Lordships might be pleased to direct; and the Executive Council having adopted this suggestion, it was accordingly carried into effect in Lower Canada.

You will perceive, by the enclosed copy of a letter, addressed to my Under Secretary, that their Lordships have approved of the arrangement proposed by Lord Aylmer for remitting to this country the proceeds of the sale of the clergy reserves in Lower Canada; and as it is desirable that a uniformity of system should prevail in this respect, I am to desire that you will convey the necessary directions to Mr. Peter Robinson to pay over to the Commissary-general in Upper Canada the amount of any sum in his hands arising by the sale of clergy reserves in Upper Canada up to the 31st December last, and to continue to do so half-yearly as soon after the termination of the half year as circumstances will permit.

I have, &c.
(signed) *Goderich*.

No. 13.
Viscount *Goderich*
to Sir *J. Colborne*,
2 April 1831.

26 March 1831.

Enclosure in No. 13.

Sir,

Treasury Chambers, 26 March 1831.

THE Lords Commissioners of his Majesty's Treasury having had under their consideration your letter of the 8th instant, transmitting the copy of a Despatch from the Governor-general of Lower Canada, representing that the Commissioner of Crown Lands will pay into the hands of the Commissary-general the proceeds of the sale of clergy reserves in that province, I am commanded to acquaint you, for the information of Viscount *Goderich*, that My Lords approve of the measures adopted by Governor Lord Aylmer for remitting to this country the proceeds of the sale of the clergy reserves in Canada; and My Lords request to be acquainted from time to time with the payments made on this account into the military chest, in order that My Lords may give directions for the investment of corresponding sums in the Public Funds, in pursuance of the provisions of the Act 7 & 8 Geo. 4, cap. 62.

Enclosure in No. 13.

R. W. Hay, Esq., &c. &c. &c.

I am, &c.
(signed) *J. Stewart*.

CANADA.
(CLERGY RESERVES).

- 1.—COPIES or EXTRACTS of DESPATCHES from the SECRETARY of STATE for the COLONIES and Sir GEORGE ARTHUR.
- 2.—ACCOUNT of the CLERGY RESERVES sold in *Upper* and *Lower Canada* from the Year 1827.
- 3.—ACCOUNT of the Total Amount of the PROCEEDS of the CLERGY RESERVES sold in *Upper* and *Lower Canada*.

(*Mr. Pakington.*)

Ordered, by The House of Commons, to be Printed,
15 August 1839.

[*Price 8d.*]