

## -- 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.

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.

Sir G. Arthur to  
Lord Glenelg,  
11 July 1838.

## — 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, &amp;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.