

## Papers relative to the Clergy Reserves in Canada.

(No. 198.)

No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of ELGIN and  
KINCARDINE to the Right Hon. the Earl GREY.

Government House, Toronto, July 19, 1850.

Received August 5, 1850.)

(Answered January 27, 1851. No. 551, page 6.)

MY LORD,

I HAVE the honour to transmit herewith, in compliance with the request of the Legislative Assembly, to be laid at the foot of the Throne, an Address from that House to Her Majesty, on the subject of the Clergy Reserves. After recapitulating the proceedings of the House of Assembly of Upper Canada before the union of the provinces in connexion with this question, it concludes with the prayer, that Her Majesty will be graciously pleased to recommend to Parliament a measure for the repeal of the Imperial Act 3 & 4 Vict., chap. 78, and for enabling the Canadian Parliament to dispose of the Clergy Reserves, subject to the condition of securing the stipends or allowances assigned from this fund to the clergy of the Church of England or Scotland, or to any other religious bodies or denominations of Christians, to the parties now receiving them during their natural lives or incumbencies. It was finally carried by a majority of 46 votes to 23; some of the minority voting against it in consequence of this reservation.

2. It may be proper, however, to observe, that a much closer division took place on the passage of the 29th, in the series of resolutions on which the Address was founded, and which was thus worded: "*Resolved*—That this House is of opinion, that when all the circumstances connected with this question are taken into consideration, no religious denomination can be held to have such vested interest in the revenue derived from the proceeds of the said Clergy Reserves as should prevent further legislation with reference to the disposal of them; but this House is nevertheless of opinion, that the claim of existing incumbents should be treated in the most liberal manner." This resolution was opposed by three classes of persons: First, by those who desire the existing settlement to be maintained. Second, by those who, though they object to the Imperial Act of 1840, and seek its repeal, admit nevertheless certain claims on the part of the Protestant clergy under the Constitutional Act of 1791. And lastly, by those who are unwilling to recognize even the claims of existing incumbents. It was carried on a division by a majority of 2 only; the numbers being 36 for, and 34 against it.

3. I deeply regret the revival of agitation on this subject, of which Lord Sydenham truly observed, that it had been in Upper Canada the one all-absorbing and engrossing topic of interest, and for years the principal cause of the discontent and disturbance which had arisen, and under which the province had laboured. The intervention of the Imperial Parliament in 1840 was doubtless prompted by a desire to settle on terms which should be equitable and generally satisfactory, a question which had for so many years disturbed the peace of the colony. While the principle, however, of an establishment was abandoned by the Imperial Act 3 & 4 Vict., chap. 78, which admitted all denominations to share in the proceeds of the Clergy Reserves, advantages