

subjects, and your concern for their religious well-being, to prevent the completion of a measure which, in the face of another Church, quietly possessing the most ample endowments, and enjoying in this province the most magnificent resources, through the large and generous indulgence of your Majesty's Government, would, in all human calculation, go far to crush the hopes and neutralize the efforts of a poor and laborious clergy, and cause severe damage through future generations to the spiritual interests of the people of these dioceses professing the religion of the British empire.

Wherefore, your Majesty's petitioners most humbly pray, that your Majesty will be graciously pleased to withhold your Royal sanction from any measure for reversing or altering the provisions of the Act of the Imperial Parliament, 3 & 4 Vict. c. 78; and your Majesty's petitioners, as in duty bound, will ever pray.

Dated this 19th day of February 1851.

(Signed) G. J. QUEBEC.
JOHN TORONTO.
F. MONTREAL.

To Her Most Gracious Majesty QUEEN VICTORIA.

The humble Petition of the Bishop of Montreal, and the Clergy and Congregations of the Diocese of Montreal, in the Province of Canada.

Showeth,

That by an Act of the British Parliament, passed in the year 1774, 14 Geo. III. c. 83, it was provided, that the rights, privileges, lands, or seigniories held by the Church of Rome previous to the conquest of Canada, and which had been secured by the articles of capitulation, should be guaranteed to that body:

That in the same Act it was expressly provided, that it should be lawful for his Majesty, his heirs or successors, to make such provision out of the dues or rights belonging to the Crown in Canada, for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant clergy within the said province, as should from time to time be thought necessary and expedient:

That, in the year 1791, an Act was passed by the British Parliament, 31 Geo. III. c. 31, in which certain lands within the province, called the Clergy Reserves, were appropriated; and it was declared that "the rents, profits, or emoluments of such lands shall be applicable solely to the maintenance and support of a Protestant clergy within the province, and to no other purpose whatever:"

That in the year 1823, in an Act passed by the Colonial Legislature, after referring to this grant of lands which his Majesty had been graciously pleased to reserve for the support of a Protestant clergy, it was declared, in order to resolve certain doubts that had arisen, "that no tithes shall be claimed, demanded, or received by any ecclesiastical parson, rector, or vicar of the Protestant Church within this province:"

That, by these different Acts of the Legislature, the Church of Rome was continued in possession of large endowments and privileges, and does so hold them unto this day, amongst which is the right of taking tithe on all lands possessed by members of that communion throughout a very large portion of the province; whilst the only prospect of any permanent endowment for a Protestant clergy was from the profits and emoluments of these Clergy Reserves, which had been specially appropriated for that purpose, and in consideration of which their right to demand tithes seems more expressly to have been denied:

That for a period of thirty years after the first appropriation of these Clergy Reserves they were considered to have been intended for the exclusive benefit of the clergy of the Church of England within this province, certain subsequent clauses in the Act 31 Geo. III. c. 31, as well as other measures of the Crown and Parliament, having caused such a construction to be put on the more general term used of "a Protestant clergy:"

That in progress of time first the Church of Scotland, and afterwards other religious communities within the province, asserted their right to a share in the benefit arising from these Reserves:

That for many years considerable ferment and agitation prevailed in the country on this subject, and an investigation took place in England, before a Committee of the House of Commons, in the year 1827, which Committee, after entering largely into the question of the management of these lands, in their Report distinctly stated "that their value, whatever it may be, must be applied to the maintenance of a Protestant clergy, there can be no doubt;" but the Committee declined giving any definition respecting the meaning of that term:

That in the year 1840, the House of Lords, having put certain questions to the Judges, and they having declared in answer that they were all of opinion that the words "a Protestant clergy," in the 31 Geo. III. c. 31, were large enough to include, and that they do include, other clergy than the clergy of the Church of England," an Act was passed by the Imperial Legislature, 3 & 4 Vict. c. 78, intituled "An Act to provide for the sale of the