

PART II.

Extracts from
the Journals.Legislative
Council,
1839.

Ordered, That the said Petition be entered at length upon the Journal of this Day.*

On Motion made and seconded, it was

Ordered, That the several Petitions presented to this House during the present Session, on the Subject of the Clergy Reserves, be entered at full Length upon the Journal of this Day; and

The said Petitions are accordingly entered as follows.*

To the Honourable the Legislative Council of Upper Canada, in Provincial Parliament assembled.

The humble Memorial of the Right Reverend Alexander M'Donell, Bishop of Kingston, of his Coadjutor the Right Reverend Remegius Gaulin of the Very Reverend William P. Macdonald, of the Very Reverend Angus Macdonell, Vicars General; and of Thirty-two Catholic Priests, and Eighty-six thousand five hundred Catholics of the Province of Upper Canada,

Respectfully sheweth,

That while their Fellow Colonists of other religious Denominations are urging with Vigour and Perseverance their respective Claims to a Share of the Clergy Reserves, your Memorialists beg leave to lay before your Honourable House their own Claims to a Provision from Government for the Support of their Religion, upon Grounds equally just and constitutional with any others of their Fellow Colonists:

First.—Because, on the Cession of the Province of Quebec to the British Crown, the Catholics were secured in the full Possession of all the Rights and Privileges of their Religion, as is clearly expressed in the Twenty-seventh Article of the Capitulation, which says, “the People shall be obliged by the British Government to pay to the Priests the Tithes, and all the Taxes they were used to pay under His most Christian Majesty” (not indeed, however, the Tenth Part of their Produce, as in England and Ireland, but the Six-and-twentieth Part of their Grain).

Second.—Because, on the Division of the Province of Quebec into the Provinces of Upper and Lower Canada, the Right to Tithes and other Privileges was preserved entire and undiminished to the Catholic Clergy of Upper Canada; which Right still exists, although the Poverty of the Inhabitants generally, and the utter Abhorrence of the Irish Emigrants to the obnoxious and oppressive Tribute of Tithes, induced the Catholic Clergy of Upper Canada to refrain from exacting them.

Third.—Because this Forbearance of their Clergy from exacting what is their just and lawful Due, for Fear of exciting Discontent and Disaffection in the Province, ought to be a strong additional Motive to your Honourable House to substitute a decent and adequate Provision out of the Clergy Reserves, the unconceded Lands of the Crown, or some other Funds, for the Support of their Religion, in lieu of Tithes, which your Memorialists are willing to relinquish for ever, provided such adequate Provision be secured to them.

Fourth.—Because Members of your Honourable House, of the first legal Knowledge and intimate Acquaintance with the Constitution, consider the Catholic Religion to be the Established Religion of the Province, which having been endowed and provided for on the Faith of a solemn Treaty, and your Memorialists having never done any thing to forfeit their Rights and Privileges, and relying on the Justice and Rectitude of your Honourable House, feel confident that a competent and liberal Provision shall be granted to them for the Support of their Religion.

* Similar to the Petition in the Journals of the House of Assembly, 19th March 1839.