

a higher order in the districts of Three Rivers and Quebec; and the still richer Seminary of St Sulpice worth more than half a million, and believed by many to be worth double that sum, to do the same for the district of Montreal.

2nd.—Contrast all this, my Lord Duke, with the United Church of England and Ireland in Canada. We have three Bishops and about 250 Clergymen; the latter having very scanty support, and yet scanty as it is, they are much more indebted for it to the unwearied benevolence of the Society for the Propagation of the Gospel in Foreign Parts, (the generous protector of the Colonial Church) than to Government. For although it was the intention of the British Parliament in 1791, to make ample provision for the maintenance of a Protestant Clergy in Canada, and to place the National Church on an equal footing in temporalities with that of Rome, that intention has been frustrated by neglect and mismanagement, and at last by the active interference of the Government.

In 1840, the lands set apart for this purpose, including the one-fourth under sale, may be assumed at three millions of acres. Of this quantity seven-twelfths were at once swept away by the 3 and 4 Victoria cap. 78, leaving only five-twelfths for the support of Protestant Clergy.

The Church requested that she might have the management of this small remainder of her property, either to lease or endow Parishes and so ensure a permanent provision at least to a limited extent. This was denied her, and the lands were ordered to be sold without reserve under the direction of the Provincial authorities.

Now it is believed that under this unscrupulous management the share of the Church or 1,250,000, acres, will not realize one-third of their value, but, assuming that they may on the average realize 6s. 8d. per acre, or for the whole £420,000, which at the present rate of interest may produce £25,200 per annum,—what is this for the support of all the Protestant Clergy who will ever be in this vast Province?

Besides the Clergy Reserves, Lord Seaton, towards the close of 1835 and beginning of 1836, while Governor of Upper Canada, established 57 Rectories for the benefit of the Church, but of these only 44 were completed before his departure. They were endowed with lands amounting in all to 17,368 acres, giving an average of about 400 acres to each Rectory. Thirteen, which from some accidental cause were found without Lord Seaton's signature after his resignation of the Government, and which the proper authorities both here and in England have refused to complete, are held void; that the legal Rectories are only 44 instead of 57.

So much has been said about these Rectories in an unfriendly spirit, and so little in their defence, that few possess any correct knowledge respecting them, while the enemies of the Church think them a monstrous evil which ought as soon as possible to be abated.—that a few remarks on their origin and present value may not be unreasonable. For were it generally known that lands equal in quantity and quality to the whole endowment attached to these Rectories, might have been purchased for a very trifling sum even so late as 1818, and that they confer on their Incumbents no power beyond what a lease for life confers on its holder, we may reasonably hope that the prejudices and hostility against them will soon pass away, or become too feeble to produce any renewed agitation.

A considerable portion of the land which forms the endowment of the Rectories was set aside at the first settlement of Upper Canada. At that early period the waste lands of the Crown had acquired no money value, and while bestowed gratis on all applicants, they continued at a mere nominal price. In 1798 only ninepence per acre was offered for school lands, and so recently as 1818, lands might have been purchased at about one shilling per acre; thus a quantity of land equal to the whole endowment of the Rectories might have been obtained for less than one thousand pounds, and although the Colony has greatly prospered since that period, and lands are much enhanced in price, this sum exceeds in value all that the Rectories can with any plea of justice be said to have cost the public.

These Rectories are scattered over the whole diocese, an area of 60,000 square miles. Some have been more than half a century in possession of the Church, are much improved, and have Churches and houses built upon them; a few still remain a wilderness, but the greater number have been partially cleared at the expense of the Incumbents and their congregations. By the last returns, the total annual income amounted to £1,721, giving an average of £39 2s. 3d. for each Rectory per annum.

If it be asked why a matter of so little value and importance could excite so much virulence and obloquy, the answer is,—that to pull down the true Church of God, the Church of the Sovereign and of the English nation, appears to be the favorite object of the greater number of Protestant denominations around us; and while blind to the increasing power of Romanism, they seem to delight in vilifying and destroying the only Church capable of withstanding that of Rome. No matter how pitiful the case may be, if it can in any manner be cherished and worked up into a grievance to damage the Church of England, the acknowledged bulwark of the Protestant Faith, they rejoice in its application. And it is to these very persons who have been for years in possession of the Government of the Province, that it is now proposed to surrender the Clergy Reserves.

To speak of their forbearance is a cruel mockery, for although the Rectories have been declared in all respects legal by the Crown Officers in England, and the House of Assembly in 1837 resolved by 38 to 20—"that this House regards as inviolable the rights acquired under the Patent by which the Rectories have been endowed, and cannot therefore invite or sanction any interference with the rights thus established"—yet a session of the Provincial Parliament never passes without efforts being made to confiscate them.

In the summer Session of 1837 a Bill was introduced to repeal the clauses of the Constitutional Act which authorized the creation and endowment of Rectories, and during its progress an insidious attempt was made by dropping the power of presentation, to destroy those already existing, as they became vacant by the death of the Incumbents; this mean trick was discovered, and corrected, but the right of presentation was taken from the Crown and given to the Church Society, which body conferred it on the Bishop of the Diocese.

The Bill in this shape was reserved for the signification of Her Majesty's pleasure on the 30th August 1851, and the Royal assent having been given on the 15th of May, it became law, and was proclaimed in Canada on the 9th June 1852.

This Statute has become painfully interesting from the notice taken of it by one of the first statesmen of the age, now Chancellor of the Exchequer, whom the writer has long loved and admired for his masterly work on the relation of Church and State, in which he maintains that it is the first duty of Government to advance the

interests of true religion. In his speech on the Colonial Bishop's Bill on Wednesday the 28th April, 1852, to my grief and astonishment, Mr. Gladstone says:

"I hold in my hand an Act of the Parliament of Canada, passed for the purpose of disendowing certain Rectories, which states in the Preamble, 'Whereas the recognition of legal equality among all religious persuasions is an admitted principle of Colonial Legislation, and whereas in the state and condition of this Province such a principle is peculiarly applicable, it is desirable that the same should receive the sanction of direct Legislative authority, recognizing and declaring the same as a fundamental principle of our civil polity.'"

"Now if it be meant that more is intended in this preamble, than to repeat the truism that all religious persuasions in the Colony are equal in the eye of the law, a principle which has been long understood and admitted, the framer of this Act was unconscious of it,—for all that he had in view was to destroy the Rectories by dropping the power of presentation, a fraud which was discovered and prevented, so that the Act leaves the Rectories as they were, and merely transfers the patronage from the Crown to the Church Society of the Diocese, and this body empowered their Bishop to exercise it."

Now the first thing which strikes me on reading Mr. Gladstone's speech alluded to, is, that he mentions such a monstrous act of insympathy or indignation, for though they were not suppressed he believed that they were. Surely the extinction of 44 Parishes, even in England would be deemed a very serious calamity from whatever cause; how much more in Canada, still so destitute of religious ministrations as scarcely to number one Clergyman for every two hundred square miles. But theory seems to blunt our best natural feelings; and perhaps no theories are so dangerous in this respect, as those of a religious character.

The speech goes on to infer, that because this Act passed through both houses, and was sanctioned by the Queen, religious equality is fully recognized by the Imperial Government in the Colonies. But it would appear that what is good for the Colonies is not good for England, and we are advised to judge Colonial questions upon their own grounds, and English questions upon their own grounds. But it so happens that the questions here mentioned are religious questions, which are unchangeable in their moral and spiritual aspect, and therefore, the same at home and abroad.

Now as we are already in the colonies all equal in respect to religion before the law, this equality must include religious advantages of a physical character, that is, endowments, which in Colonies must, it seems, be destroyed, though guaranteed by the most solemn pledges and engagements. But, if religious endowments be wrong in Colonies, they must be wrong in the three kingdoms, and thus, all Church Establishments must disappear:—the inference is irresistible.

Now in all this I entirely differ; but I stop not to enter upon the general question of religious establishments, it is sufficient for my purpose on the present occasion to shew that were the French religious endowments in Lower Canada, and those of the Church of England in Upper Canada, to be swept away, incalculable evils must immediately follow.

How such a doctrine as that the teaching of pure Christianity ought to receive no assistance from Government in a Christian country, can be reconciled to the Holy Scriptures, is to me incomprehensible. I must therefore, in my simplicity adhere to my old belief that it is the first duty of Government to advance the interests of true religion, and that the religious equality so put forward is a dream which can never be realized; because truth being from its nature aggressive, is stronger than falsehood, and though it may be compelled to succumb for a season, is sure to rise superior at the last.

Having thus shewn the state of religion in Canada, and the means by which it is at present supported, I feel encouraged to submit, that so far from being merely local and domestic, the Clergy Reserves involve a national question of the gravest importance.

At the peace of 1763, the Crown of France ceded all its rights in Canada, not to Canada itself, but to the Crown of England, the title to which is two fold. First—The right of conquest. 2nd—The right of cession. The validity of the latter is acknowledged by France at this very day.

The Crown and Parliament of Great Britain, by virtue of his indisputable right, set apart certain of the lands of the conquered Province, yet ungranted, for the use and support of the Protestant Church of the Colony. This was sanctioned by an Act of the Imperial Parliament in the 31st year of the reign of King George the 3rd of glorious memory. Subsequently (1840) the Crown and Parliament made and fixed a final distribution of this property, to which the Colony fully assented. In this second Act, as well as in the first, it was most distinctly enacted that the property was for the sole use of the Protestant denominations therein designated, and for no other purpose.

From all this, two conclusions are obvious:—First, that the title to those lands rested with England, and that the Colony could have no claim whatever to them for gift or distribution. The Colony would indeed be defeated in a claim of this sort by a Court of Common Law.—Second:—That the Crown and Parliament having legally and constitutionally granted these lands for religious purposes, cannot, even if disposed, grant them for secular purposes, which the advocates of spoliation avow as their aim and design. And here it may be asked whether the Coronation Oath of Her Majesty as the Head of the Protestant Church be consonant with the abandonment of the interests of that church.

We should never forget that Mr. Pitt's great object in 1811, was to preserve in the Colony, if not a Protestant ascendancy, at least an equality; and as the Roman Catholics were already richly endowed in Lower Canada, he desired that the National Church should have the prospect of a full equivalent in Upper Canada. He was not legislating for the day, but for future ages.

That eminent statesman had become deeply sensible of the unwise policy which up to that time Great Britain had exercised towards her Colonies in regard to religion, and he resolved to attach the tried loyalists of Upper Canada and their descendants to the mother Country, by spiritual as well as temporal advantages, and to give them, as had been promised, and as they had right to expect, the full enjoyment of her noble constitution, who had rendered her as she still continues to be,—the great bulwark of the Protestant Faith. Hence the appropriation for the support of a Protestant Clergy.

It was guarded by every conceivable security; that it might never be diverted to any other purpose; and it was highly becoming in the Legislature of Great Britain, thus to dedicate God's

holy worship and service, a portion of that vast domain which had been acquired through His blessing by the nation in resisting aggression.

What was not thus appropriated remained in the Crown for the benefit of the British people, and every individual who might see an asylum in the Province of Canada from any part of the United Kingdom and Dependencies, had by his birthright an interest in the conquered lands, and an acknowledged title to such a portion he might be able to cultivate.

In time many persons, not subjects of the Crown, found their way into the Province, and although not received on the same terms as the Loyalists they gradually acquired the rights and privileges of British subjects. Thus a mixed population gradually grew up. And can anything be more ludicrous or absurd, than that this population, which had come into the Colony individually, either from invitation, inclination, or sufferance, now somewhat numerous should turn round upon the Imperial Government, and seize the national domain and dispose of it at their pleasure:—nay, assume the power to confiscate grants already made, and divert them from their original purpose: thus trampling upon the rights of their fellow subjects and ignoring the title of the British nation to her own possessions? Yet, this is exactly what the ruling party in Canada is urging in no measured language. It seeks to confiscate the Clergy Reserves, which were devoted to a special and sacred object more than 60 years ago, and to apply them to other purposes. It may indeed be said that the Imperial Government some years ago transferred the remainder of the National domain within the Province to the Colonial Legislature; but although her indiscreet generosity went thus far, it did not extend to the bestowing of any right or authority to subvert grants already made, as the Legislature is attempting.

In all former discussions on the Clergy Reserves, certain rights were acknowledged and respected as belonging to the members of the Church of England as the descendants of the U. E. Loyalists whose claims the Government of the time considered irresistible and for whose benefit they were set apart. But now these are set aside as having no title whatever. Power and violence are to determine the question. Vested rights and the claims of justice are impediments to be swept away. Hence the spoliation sought to be perpetrated by the Legislature of Canada, has no parallel in Colonial history. Even in the midst of the American Revolution the old Colonists, during the heart-burnings and ravages of civil war, respected the Ecclesiastical endowments made by the Crown against which they were contending:—and therefore one of their writers observes that the people of the United States "look with indignation upon the course pursued by the liberalists of Canada. The control of the Clergy Reserves is now claimed as an absolute right. England, it seems, has nothing to do with this property, or the slightest interest in its management. But it is demanded by the Colonial Government, in language bordering on rebellion, to be surrendered to the tender mercies of the enemies of the Church of England. It has always appeared to us, a piece of matchless presumption to call these Reserves the property of the Colony. They were purchased by the blood of Wolfe and his noble companions, and at the expense of the British Nation before Canada became part of the British Empire. It is therefore to the British people that this property belongs, for they paid dearly for it, by their best blood and treasure."

The settlement of the Reserve question was, and is, an essential part of the union of Lower and Upper Canada.

The Government in England on determining upon the union of Upper and Lower Canada, selected Lord Sydenham, a nobleman of great ability and political sagacity to carry it into effect. On his arrival in Canada, he found the projected measure unpopular and distasteful to both Provinces, and not to be accomplished without great discretion and the patient and delicate application of the unlimited powers with which he was invested.

The greatest impediment in the way was the Clergy Reserves or Church property in Upper Canada, which had already been the cause of much agitation, and had for a long time divided the population into two parties. But while the Provinces remained separate, the destructives, though sometimes successful in the House of Assembly were unable to prevail. At the mention of the Union, however, serious apprehensions began to be entertained by all the true friends of peace and order, that after its accomplishment the Legislature would certainly fall under the combined influence of Roman Catholic and Dissenting votes, and thus the property of the Church of England would be virtually at the disposal of her religious opponents. Lord Sydenham partook largely in this well founded apprehension, and determined that the complete settlement of the Reserves question should precede the commencement of the Union.

For this purpose he procured an Act to be passed by the Legislature of Upper Canada for the sale of the Clergy Reserves, and the distribution of the proceeds thereof. This Act was sent to England, rather to serve as an outline of the measure to be passed by the Imperial Government, than from any desire or expectation that it should be wholly adopted.

What Lord Sydenham really wanted was the final settlement of the question. Of his earnestness in this matter there can be no doubt, for in his despatch to Lord John Russell of the 22nd Jan. 1840, inclosing this Bill, he states; "That there is no subject of such vital importance to the peace and tranquillity of the Province, as the question of the Clergy Reserves. That there is none with reference to the future Union of the two Provinces, which it is more necessary to determine without delay. That to leave this question undetermined, would be to put an end to all hope of re-establishing tranquillity within the Province, but to establish the Union without the settlement of it, and to transfer the decision to the United Legislature, would be to add to the sources of discord which then prevailed in Canada, an entirely new element of strife. For among the various evils by which Lower Canada had been visited, one, and one only, perhaps the greatest of all, has been wanting,—religious dissension. That he was satisfied that the value of arriving at a settlement could not be over estimated; and that, strong as these feelings might have been, the immense advantage of having the question finally withdrawn from the sources of popular discussion and disputes, would reconcile all parties to it. That he most fervently prayed that the settlement agreed on might be final, and that no obstacle might be opposed to its confirmation by Her Majesty. That should it be otherwise, and the question be again thrown back, he could not foresee the consequences; but at least he knew that peace and tranquillity must in that event long remain strangers to the Province."

Such were Lord Sydenham's anxious endeavors for the final