

deration; we have almost funds enough and should soon make up the deficiency.

R. B. DENISON, Esq., seconded the resolution. He was happy to hear from the report that we were coming nearer and nearer to having our School-house. Our debt being paid, the next duty that would devolve upon us would be the erection of such a building. According as it is worked with spirit, so will be the measure of our success, and the sooner will we be able to carry out our point. Let any one but see the number of children attending this school, and they must agree with him in saying, that we must have a school-house, and have means for endowing it also. (Hear, hear.) This might easily be effected, if those who were now making large profits by the purchase of land in the western part of the city, were to set apart a few feet even, for the use of the school, and hand it over to the Church Society. This, however trifling it might seem would do much: though a lot be now worth but a few pounds, it might in time prove very valuable. If this were done we could have a fine school-house built—indeed he thought it was useless to have any but a fine one, considering the number of the children we had to put in it. (Hear, hear.)—With these observations he would conclude, stating the pleasure it gave him to second the resolution, which was put and carried.

F. W. BARRON, Esq., Principal of Upper Canada College, proposed the next resolution—

He referred with pleasure to the statements contained in the report which had been adopted, by which, owing mainly to the exertions of the churchwardens, a large debt might be said to be all but paid (Hear, hear). But the manner in which this was done was not understood. It was desirous it should be, as it might have the effect of inducing similar exertions in others. There were twelve individuals who took shares in a Building Society which had been accumulating, and by the small payment of £6 7s. 6d. each, per annum, as will be seen, a sum sufficient to satisfy the principal sum due to the Bank in full had been provided, such being the case it would be a disgrace to this large congregation, if they did not liberally respond to the call which would be made upon them, to provide the means of paying the interest upon this sum, while the shares were maturing and which will be but a few years, at the end of which time the principal of this debt will have been paid by the contributions of those few individuals. It would indeed be a shame if their contributions next Sunday did not make up this £75 for the years interest.—Another reason why we should exert ourselves is, that thereby this building would be permanently secured for the Worship of God, whilst if the debt were not liquidated, we could not tell to what purpose the building might be converted. For every reason therefore, it was incumbent upon them to relieve the church from debt, and so for ever set it apart for the service for which it was originally intended. (Hear, hear.)

Dr. BOVELL seconded the resolution, and drew attention to the fact that there was now but the small sum of £300, to prevent the consecration of this building to God, and if he looked around he could not think it possible that this trifle would long be an impediment. This was an age for action, we were called on to act so as to produce fruits, but works without fruits were dead (hear, hear). He would press this upon them, for he saw the more they gave the more they were inclined to give, and if we go on in the same ratio increasing in our gifts from year to year, we should soon be free from debt, and in a position to accomplish other objects, not the least of which would be the ensuring a daily service in their Church. (Hear, hear.)

The Rev. the Provost of Trinity College moved the next resolution—

The Rev. Provost spoke in so low a tone of voice, and there was so much noise caused by some officious persons poking at the outer stoves while he spoke, that we regret to say we lost his observations altogether. We understood him to advocate the giving of three-fourths, not one-fourth to the Church Society, and the motives with which we should give; and that when the condition of the country was observed we could not dwell too much on the importance of the ground being fully occupied by the Church.

The Rev. W. S. DARLING seconded the resolution, and gave some interesting details of the difficulties of the settler, proving the necessity to them, of aid for missionary purposes. When going to the woods for the purpose of settling it was often difficult for them to take with them sufficient provisions to meet their wants for even a few months, when these were expended they were driven to go to the older settlers for employment, returning in the spring to secure their labour with the axe, and thus working hard by day and watching by night, it was generally the end of the second year before the return from the crop enabled them to meet their wants, and per-

haps purchase a cow when they are comparatively comfortable. To men situated thus the labour of the missionary was peculiarly needed. What would be our condition if we were, as many of these men are, 10, 15, or 20 years without hearing the word of God. The Church calls on us day by day—Sunday after Sunday to attend her services, and it would not be denied that our downward tendencies were such that if not reminded of the value of the services of our church, we were apt to forego them. He thought it was incumbent on those who were rich to assist those in spiritual destitution, and concluded by seconding this resolution.

HENRY ROWSELL, Esq., moved and T. P. ROBERTS, Esq., seconded the next resolution.

The Rev. CHAIRMAN then said, he could not allow the proceedings to close without saying how exceedingly gratified he was at the large attendance on this occasion. Though generally well attended the numbers now present were three times more numerous, and he trusted this increase of interest in their proceedings would progress from year to year. (Hear, hear.) It was also a subject of congratulation on the part of the congregation, that their proceedings were shared in by their Bishop. He believed he might say that this was the first Parochial Branch meeting his Lordship had ever attended, though numerous they were about him, and with the many calls of duty both with the pen as well as otherwise, which the labours of his extensive Diocese imposed upon him, we should be doubly thankful to him for his presence on this occasion. (Hear, hear.)

### English Files.

#### HOUSE OF COMMONS.

Wednesday, February 16, 1853.

##### CLERGY RESERVES (CANADA) BILL.

MR. FREDERICK PEEL: Sir, I rise to ask for leave to introduce a bill which shall empower the legislature of Canada to exercise a control over the provisions at present regulating the arrangement of the clergy reserves in that province. As far back as the year 1791 the province of Canada was divided into two parts; and in the Act known as the Constitutional Act, it was provided that whenever the Crown disposed of its waste lands, one-seventh in value of the lands which were disposed of should be reserved for the benefit of a Protestant clergy. In the course of years a very great quantity of land had been reserved. A great portion of it had been sold, and at the present time the clergy reserves consist in part of land and in part of money, of investments in the funds of this country and of Canada, which have arisen from the sale and disposition of lands which originally were reserved for this purpose.—The manner in which this fund is appropriated is this. The revenue is applied to the payment of stipends to ministers of different religious denominations. It is not the case that these denominations participate in that fund in proportion to their relative numbers, or to the strength of each, because it will be found that, notwithstanding the change which took place in the year 1840, the Established Churches of England and Scotland derived by far the advantage from this fund. I find that in the year 1851, the clergy of the Church of England in the two Provinces received a sum of about £12,000. The population professing that religion amounted altogether to just about a quarter of a million. The Church of Scotland received a sum of £6,500, having a population of 61,000 souls. The other churches which received money from this fund were the United Synod of Presbyterians in Upper Canada, £464; the Roman Catholic Church, £1,369; and the Wesleyan Methodists of Upper Canada, £639. Now, upon what authority is this distribution made? I find that the two houses did succeed in agreeing to a measure, and passed a bill, which was carried by the Legislative Council by a narrow majority in the House of Assembly. That bill came home to this country, and according to the constitutional provision, was laid on the table of this and the other house of Parliament, for thirty days prior to her Majesty's pleasure being signified with respect to it. An objection was taken by the Bishop of Exeter, that the Legislature of Upper Canada had exceeded its powers in dealing with this question—that the Constitutional Act of 1791 gave it no power at all, except such as was prospective only. That question was referred to the judges, and they reported upon it in these words (as we understood them):—"We are all of opinion that the effect of the 41st section of the act of 1791 is prospective, and that the powers thereby vested in the Legislative Council and the House of Assembly and their provisions cannot extend to the waste lands already appropriated." Nothing, therefore remained but to introduce a bill into Parliament, embodying the principles and details of the bill which had passed through the House of Assembly

and Legislative Council of Canada, at the invitation of the Government of this country. That bill was accordingly brought in. In order to conciliate opposition in the House of Lords it underwent very considerable modification; and as it was finally passed it certainly differed very materially from that bill to which the legislature of Upper Canada had given its assent, and made a provision very much more favourable to the Church of England and Scotland than even that legislature had sanctioned.—Since 1840, twelve years have now passed by. Events have been crowded in that period in a new country which might have occupied an age in any old one. I find that the population has more than doubled since the year 1840. You find the religious denominations shifting about—now this one getting ahead, now another falling into the rear, just as emigration brought an accession to this or that particular creed. Therefore nothing could be more natural than that a desire should be entertained for a re-adjustment of the arrangement made so far back as the year 1840 [hear, hear]. There is nothing unreasonable I think in the people of Canada desiring that some particular denomination should have a share of the fund more in accordance with its numbers. I instance the Presbyterians in connection with the Church of Scotland, who I believe have lost more than one-half of their adherents since 1840. Soon after that year a schism took place in that Church and extended, however unaccountably, to our North American Colonies, and I find that the Free Church of Scotland has now more followers than the body in connection with the national Church of Scotland. It is very natural too, we think that other bodies, the Wesleyans for instance, with 100,000 persons belonging to their communion, should desire to participate to a greater extent than they now appear to do in the advantages of this fund [hear, hear]. There has also been a desire expressed for the secularisation of these reserves; but it does not matter what is the view entertained—be the force or form of public opinion in that country what it may—there are not any means of giving a legal and constitutional expression to their sentiments—there is an insuperable obstacle in the way. That obstacle is the act of 1840, and the object of this bill will be to remove that bar [hear, hear]. Now I am anxious, sir, to explain precisely the object of this bill. We do not intend by it in any way to alter the present condition of things. We leave the different denominations in that colony, not certainly on the same footing as that on which they have hitherto stood, but in the same relation which they have hitherto borne to each other. All we propose to do is to vest in the legislature of Canada the power, if they think fit to exercise it, of altering that arrangement. I think it precipitate to anticipate that these clergy reserves will, in consequence of this concession, be of necessity alienated from religious purposes, and secularised by the legislature of Canada. There are in that colony people who think, as I do, that in a new country, perhaps even more than in an old one, it is of the greatest importance to have a public provision applicable to the payment of stipends to ministers of religion. It is only when you have provision of that kind that you can secure that presence of clergymen and the ministrations of public worship in every community, however poor, however remote they may be from the seat of government. And, sir, we ought not to forget that the clergy and the laity of the Church of England, and the other denominations in that colony who are interested in the maintenance of this fund as applicable to religious purposes, constitute by no means an inconsiderable minority in that country. There is a very just remark made by Lord Elgin, in one of his dispatches, where he says that there is this evil attendant on the present arrangement, that "those in communion with the churches peculiarly benefited by this fund, instead of trying to influence the public mind of the colony are continually looking to the opinion of the mother country, and contend to take shelter under the shadow of an act of Parliament, while, if left to themselves, there may be very good ground to anticipate that they will be able to make their opinions shared in by others." Why, I see it stated that at the last general election in the colony, in the month of December, 1851, they put forth their strength, and succeeded in carrying no less than nine elections, displacing from the legislature some of those who took a most prominent and active part in advocating the secularisation of these reserves; and, therefore, I am not altogether without hope that the party which is at present interested in the existing appropriation of this fund may possibly be able to bend the colonial legislature into taking that direction which they consider that the well being of the country requires. But, be that as it may, I contend that the subject is solely and exclusively one for the consideration of the colonial legislature [cheers]. It is not an imperial, but a local concern. That is the ground that we occupy in bringing forward and advocating the adoption of this bill. (Hear, hear.) Now how stands the question. I need not go to an earlier period than the month of June, 1850. At that time the House of Assembly passed several resolutions, and an address to her Majesty, praying that the power which we now propose to confer on them might be granted. Lord Grey, in answer to that address and those resolutions said, that he regretted that the agitation had been revived on this question—that he had hoped that the act of 1840 had permanently disposed of it; but as it was the wish of the legislature of Upper Canada to deal with this question, that he, regarding it entirely as one of local concern, was prepared to recommend the introduction into the Imperial Parliament of the requisite measure. When that dispatch was received in Canada I find that both houses, not only the House of Assembly which had voted the

address, but the Legislative Council as well, passed addresses of thanks to her Majesty for the communication they had received from her minister. Later in the same year Lord Grey announced to Lord Elgin that, in consequence of the extreme pressure of business in that session (1851), he had found it impossible to introduce the measure; but he undertook to bring it forward early in the session of 1852. Lord Grey was succeeded in the colonial department by the right honourable gentleman whom I see opposite (Sir J. Packington). That right honourable gentleman came to the conclusion that he would not advise the introduction of the measures which Lord Grey had undertaken to bring in in the course of that session. I now come to the resolutions which were passed by the legislature of Canada so late as the month of November, on the receipt of the intelligence sent by the right honourable gentleman opposite. In December, 1851, there was a new Parliament, and the right hon. gentleman stated among other reasons for postponing the measure, that since the addresses were passed by the Canadian legislature there had been an appeal to the country, and he understood that there had been a change in the opinions of the House of Assembly, and he would wait to hear the result of a reference being made to them. Now, sir, there cannot now be any doubt as to what the views of the present Assembly are. They have passed a resolution in strong terms remonstrating against the decision of the Colonial Minister; and the material point to observe is, that this resolution was brought forward upon the motion of Mr. Hincks, the head of the Government in that country. Therefore you have in the year 1850 the House of Assembly, in 1851 the Legislative Council, and in 1852 the Administration of the country all concurring in pressing this motion on the adoption of Parliament. I know that the right honourable gentleman has said, "that the divisions which carried the resolutions do not express fairly the opinion of the country, because you must bear in mind that this is not a Canadian question—that the great bulk of this property is in Upper Canada, and that the divisions, which show a majority of thirty, or forty on the question, include the Roman Catholic members of Lower Canada; and it seems but fair, in a question which solely and exclusively concerns the upper province that they should refrain from taking part in those divisions." Now, I differ here entirely from the right hon. gentleman. I think that Roman Catholic members had a just claim to take part in these divisions, because you must remember this material point, that there has been no proposition for the secularisation of this fund since the year 1840, or if there has been it has received very inconsiderable support—three or four votes. Now, all that the Roman Catholic members do in supporting these resolutions is to say that they think these funds ought to be left to be dealt with by the local Parliament as it seems fit, and that they wish to put the Protestant endowment in Upper Canada on precisely the same footing as their own endowment in the lower province. Now that is all the Roman Catholics seek to do; and I will show the House that the endowment of the Roman Catholic clergy in Lower Canada may be dealt with by the local legislature if it thinks proper to do so. By the terms of the capitulation of Quebec the Roman Catholic clergy were secured in their accustomed tithes and dues from the members of their own communion. I believe that as a general rule the terms of the capitulation remain in force in a general peace, and that if these terms are to continue to be respected the usual course is to embody them in some legislative enactment. Now I find that an act was passed—the Quebec Act, as it is called—in which this provision was made, "For the more perfect security and ease of the minds of the inhabitants of this province; it is hereby declared that his Majesty's subjects professing the religion of the Church of Rome may have, hold, and enjoy the free exercise of the religion of that Church, subject to the King's supremacy; and that the clergy of the said Church may have, hold, and enjoy all their accustomed rights, tithes, and dues now payable by such persons only as profess the religion of the Church of Rome." If that was the only act affecting the endowments of the Roman Catholic Church, they would be placed in precisely the same position as the endowments of the Protestant Church now stood, and there would be no power in the colonial legislature to alter them; but in the very constitutional act of 1791 this very provision was made which we now wish to adopt for these Protestant endowments. The 35th clause after the declaration that I have referred to says, "Be it enacted that the said declaration shall remain and continue to be of full force and effect in each of the said two provinces of Upper Canada and Lower Canada respectively, except in so far as the said declaration, or any part thereof, shall be expressly varied or repealed by any acts which may be passed by the Legislative Council and the House of Assembly of the said provinces respectively, or which may be assented to by her Majesty or any of her successors, under the restrictions hereinafter provided." Therefore you see that the Roman Catholic endowment of tithes and dues, which those of the Roman Catholic persuasion are now bound to pay to the clergy of that church, may at any time be abrogated by an act of the colonial legislature; and inasmuch as all that we propose now to do is to place the Protestant endowment in Upper Canada on precisely the same footing, I cannot see why the Roman Catholic members of the local legislature should be objected to because they took part in a decision upon this subject [hear, hear]. Upon these grounds, then I beg leave to introduce this bill.

Sir John Packington, Mr. Vernon Smith, Sir Robert Inglis, and Lord John Russell subsequently addressed the House and leave was given to bring in the bill.