

COPY OF PETITION TO THE PROVINCIAL PARLIAMENT
TO ABOLISH THE RECTORIES, AND TO APPROPRIATE THE PROCEEDS OF THE CLERGY
RESERVES TO THE SUPPORT OF COMMON SCHOOLS.

To the Honourable the Legislative Assembly of the Province of Canada in Parliament assembled.

The Petition of the inhabitants of

HUMBLY SHEWETH,

That a very large majority of the people of this Province are now suffering, and for a long series of years have suffered, positive although indirect persecution on account of their religious opinions. That while as members of civil society they have been contributing equally with others to the maintenance of the civil government of the country, they have been deprived by partial and unjust legislation, of rights, privileges, and immunities freely accorded to others.

That your petitioners refer particularly to the act of the late Executive of Upper Canada in the establishment and endowment of 57 Episcopal Rectories with exclusive ecclesiastical rights and privileges, about the year 1834 or 1835; and to the act of the Imperial Parliament of Great Britain as to the disposal of the proceeds of interest arising from the sales of the Clergy Reserves, passed in the year 1840.

That the act establishing the Rectories is not only declared to have been illegal, but was committed in opposition to the well understood wishes of the people, and in violation of the pledged veracity and integrity of the Crown.

That this violent infraction of the rights of your petitioners, and of the Canadian people generally, was accompanied by circumstances of the deepest treachery, so derogatory to the character of a civilized government, and so calculated to alienate the minds of the people and annihilate all confidence in their rulers, that the parties implicated therein deserve yet to be impeached.

That from the year 1826 when Doctor Strachan published his Ecclesiastical Chart of U. C. in England, falsifying the religious statistics of the Province, the united testimony of the people, both in and out of Parliament, and of every political creed, was then loudly declared, and has ever been given against all Ecclesiastical ascendancy: that the evidence is written both upon the journals of the Provincial and Imperial Parliaments, that the people of Canada desire and claim as an indefeasible right, equal civil and religious privileges and immunities.

That the evidence of deliberate violence against public opinion and rights, and of the deepest official treachery on the part of the Executive, in the establishment of the Rectories, may be found in two remarkable despatches from Lord Goderich to Sir John Colborne; the one intended for the public eye, dated the 8th Nov. 1832, and the other intended for PRIVATE direction, dated the 6th April, 1833. The former fully recognizes the prevailing sentiments and rights of the people of Canada, and strongly repudiates the giving of an "undue preference to the Teachers of Religion belonging to the Established Church of England;" while the latter a SECRET Despatch, which accidentally came to light, advised the bestowment of a large amount of revenue to those very Teachers for the purpose of buildings, and about 25,000 acres of choice lands, besides a number of valuable town lots, for the endowment of 57 Church of England Rectories!

The gross violence thus committed against the sentiments, feelings, and rights of the people of Canada, is further manifested by the fact, that the country was kept in profound ignorance of the transaction until sometime after the retirement of Sir John Colborne from the government of Upper Canada, which took place on the 25th January, 1836. The deep treachery which marks this official outrage was also further aggravated by the fact that although His Excellency delivered a retiring address to the Parliament of Upper Canada, then in session, professedly reviewing the great questions before the country, he made no allusion to this the most important act of his administration.

Your petitioners have been informed that the act creating those Rectories was declared by the Crown Officers of England to be illegal because not warranted by any instructions from the Crown; and although the *particeps criminis* in this foul transaction managed to exhume from the archives of the Provincial Secretary, an old despatch said to have been written by Earl Bathurst to a former Lieut. Governor, which was tortured to afford a covering to this deed of official infamy, it is yet believed to be as illegal as it is unjust—as fraudulent as it is a monstrous violation of popular rights. Your petitioners believe that the right of the Crown to establish and endow Rectories was conferred (however unwisely) by the 31st Geo. III. Chap. 31st; but that right had been properly held in abeyance by the Sovereign for nearly fifty years; and so late as the publication of the Despatch of Lord Goderich dated 8th Nov. 1832, to which reference is made above, they find the following language which was widely published throughout the Province in order to calm the awakened apprehensions of the people upon this subject. "His Majesty has studiously abstained from the exercise of his undoubted prerogative of endowing literary or religious corporations UNTIL HE SHOULD OBTAIN THE ADVICE OF THE REPRESENTATIVES OF THE CANADIAN PEOPLE FOR HIS GUIDANCE IN THAT RESPECT"—Thus in 1832, the Colonial minister of the Crown, virtually gave to the Colonists the pledge of his Majesty William IVth, that no Ecclesiastical endowments should be made without THE ADVICE OF THE PEOPLE'S REPRESENTATIVES: yet in 1834 or 1835 did Sir John Colborne, after publishing that despatch, and WITHOUT ASKING FOR OR RECEIVING ANY SUCH ADVICE, and on the eve of his departure from Upper Canada, entail upon this section of the Province the intolerable wrong of which your petitioners now complain: an outrage which they believe was the principal cause of the unhappy political commotions of 1837, and which demands early and full redress, as well as the impeachment of all the parties implicated in its perpetration.

Your petitioners would also urge upon your Honourable House the grievance under which they labour in common with the great majority of the people of Canada by the late Imperial act relating to the disposal of the Clergy Reserves.—They are constrained to acknowledge that public opinion and rights were notoriously violated by the transfer of this question for settlement from the Local to the Imperial Parliament. The evidence of this stands out in bold relief upon the records of the Legislature.—It thence appears that the representatives of the people; of every shade of political character, desired the appropriation of those lands for the purpose of General Education, without respect to party or creed; and that in accordance with this desire, Bills had passed the Assembly in the years 1827, 1829, 1830, 1833, and 1835, but they were rendered nugatory, in every case, by the action of the Legislative Council—a body which then had no sympathy in common with the people of the province.

Your petitioners cannot too earnestly deprecate the committal of any question of local interest and concern to the adjudication of the Imperial Parliament, and they especially deplore the violence done to universal sentiment in this particular case. The injustice which marks this measure is such, that, by every one, except to minds inured to the slavery and degradation of a State Hierarchy, it must be regarded as an atrocious outrage against the feelings—the wishes—the rights and liberties of the country.

That this is evident will appear from the following considerations:

1st, It aims at the political elevation of two religious denomination, viz., the Church of England and the Residuary Church of Scotland to the virtual exclusion or political degradation of thirteen others—all Protestants—viz., the Free Church, the Canadian Wesleyans, the Baptists, the United Secession Presbyterians, the Episcopal Methodists, the Congregationalists, the Primitive Methodists, the New Connexion Methodists, the Bible Christians, the Lutherans, the Christians, the Menonists, and Quakers.—besides the Roman Catholics:—many of which denominations are respectively more numerous than either of the two favoured sects, and unitedly embrace perhaps nine-tenths of the whole population.

2nd, It secures absolutely £7700 annually to the Episcopalians, and £1580 to the Residuary Presbyterians; the surplus only, if any arise after the payment of those sums, to be divided among the excluded denominations on application to the Provincial Executive.

3rd, It has bestowed upon the two favoured Sects, since the passing of the act, about £75,000 while not one iota of benefit has accrued therefrom to the fourteen excluded denominations!

The attention of your petitioners has been specially called to the re-consideration of this question, so fraught with danger to the peace and prosperity of the Colony, by observing a notice in the official Gazette, under date the 13th January last, announcing that a sum of £1800 had at length (after seven years) accrued from the Clergy Reserve Fund, to be divided among the fourteen denominations not named in the Act, upon a formal application to the Governor in Council!!

The attention of your petitioners has been more especially called to the contemplation of this mighty wrong, by the astounding fact that within the last two or three years, besides the large Sectarian appropriation of £7700 per annum to the Episcopalian body under the statute as above referred to, a farther sum of £1500 per annum is said also to have been appropriated from the same fund, under the authority of the Imperial Government, to endow the Episcopalian Bishoprick of Toronto, without any reference whatever to the Local Legislature, and in open defiance of public opinion.

Your petitioners can find no language adequate to convey to your Honourable House the feelings of abhorrence and indignation with which they view this contemptuous disregard of all that the subjects of Her Majesty in this colony hold most sacred and dear: the day they believe is past when such extraordinary crimes against society can be committed with impunity on this Continent, especially within this Province. The era of the reign of an irresponsible and desperate oligarchy has passed away; and your petitioners now look with hope and confidence to their representatives in Parliament, that cooperating with a constitutional Executive, they will secure the entire removal of those alarming grievances which have so long depressed and agitated and afflicted this rising Colony.

Your petitioners respectfully urge upon your Honourable body, that the grievances of which they complain are every year increasing in magnitude, and are presenting increasing difficulties in the way of their removal. The number of acres of Clergy Reserves sold up to Dec. 1846 was only 609,000 acres, yielding an annual revenue of about £12,000; but 2,500,000 acres remained then to be sold, and doubtless will yield in the ultimate more than £50,000 per annum—a sum equal to the annual appropriation for the whole Common Schools of the Province.

Your petitioners desire that their position with respect to this and all other public revenues should be clearly understood by the Legislature and Executive. They desire that no Sectarian Grants, for any purpose whatever should be made by the Civil Government of the Country; but that every individual, irrespective of his religious opinions or Creed, should enjoy equally and impartially, as members of Civil Society, all the benefits arising from Governmental appropriations:—equal privileges,—equal immunities.—More they do not desire; with less, as freemen and British Subjects, they will never be satisfied.

Your petitioners therefore earnestly implore your Honourable House, to employ every legal and constitutional means to secure the early and entire abolition of the Rectories, and the appropriation of their valuable endowments so fraudulently obtained, to general and useful purposes: to pass a law appropriating the whole interest arising from the sale of the Clergy Reserves to purposes of Elementary Education; and to appropriate the balance which has now accrued from that fund for religious purposes, to be distributed among our Common Schools under the direction of the various District Councils.

And Your Petitioners, as in duty bound, will ever pray, &c. &c.

P.S. This copy may be adapted to either branch of the Legislature by employing the words "Council" or "Assembly", and it may be proper, in all cases, to present petitions to both.—Altho' the printed forms may be of service in obtaining signatures, the Petitions for presentation to Parliament must be written, and upon the same sheet at least from four to six names must be subscribed.