

authorized and required by that Act to be reserved for the support of a Protestant Clergy.

2d. Resolved, That the power thus vested in the person administering the Government and the Executive Council of this province not having been exercised for a period of nearly half a century, the inhabitants of the province had good reason to believe that no attempt would be made to carry it into effect, more especially when the Provincial Legislature had been invited to legislate by the Imperial Government, in relation to the Reserves, from which all endowments must necessarily be made.

3d. Resolved, That the late Lieutenant Governor, with the advice of the Executive Council, established certain Rectories under the power so long suffered, in deference to the public feeling, to remain dormant.

4th. Resolved, That while this House must unequivocally condemn such a proceeding, under the peculiar circumstances of the province, and pending the question as to the disposition of the Clergy Reserves, it regards as inviolable the rights acquired under the patents by which Rectories have been endowed, and cannot, therefore, either invite or sanction any interference with the rights thus established.

5th. Resolved, That in the opinion of this House, the Rectors who have been, or who may be established in this Province, cannot and ought not to exercise any Ecclesiastical or Spiritual power or authority whatever over any portion of the people of this province other than the members of their respective congregations.

6th. Resolved, That as an impression seems to prevail that Rectors so established are entitled to enjoy and exercise general and exclusive Spiritual and Ecclesiastical powers, and it is expedient to remove all grounds of apprehension on this head, a humble Address be presented to His Majesty, praying, in earnest and strong, but respectful terms, that His Majesty will be graciously pleased to convey to the Imperial Parliament the anxious desire of this House, in behalf of the great body of the people of the Province, that as the Provincial Parliament are restrained from legislating on the subject, except under peculiar and embarrassing circumstances, an Act of the Imperial Parliament may be passed to declare, in plain and explicit terms, that the establishment and endowment of Rectories in this Province shall not be construed to confer any right to exercise any ecclesiastical or spiritual power whatever except over the members of the Church of England.

This discussion, which lasted about ten hours, was conducted with great keenness, and every inch of ground was vigorously contested by the Friends of "Justice to all."

(B.)

(Copy.)

Executive Council Chamber at Toronto, Friday,
15th January 1836.

Present.

The Honourable Peter Robinson, Presiding
Councillor.

The Honourable George H. Markland.

The Honourable Joseph Wells.

To His Excellency Sir John Colborne, K. C. B.,
Lieutenant Governor of the Province of Upper
Canada, and Major General commanding His
Majesty's Forces therein, &c. &c. &c.
May it please your Excellency.

Pursuant to the views of Lord Goderich, shown by His Despatch of the 5th April, 1832, in which he concurs with your Excellency, and expresses his desire "that a moderate portion of land should be assigned in each Township or Parish for ensuring the future comfort, if not the complete maintenance of the Rectors," the Council caused the necessary steps to be taken for the purpose of setting apart Lots in each Township throughout the Province.

Much delay has been caused by their anxiety to avoid interfering with persons who might have acknowledged claims to any of the Reserves to be selected either for Lease or Purchase.

A difficulty in completing what his Lordship most appropriately calls "this salutary Work" was also caused by the Crown Officers not concurring in the form to be used in the instrument by which the Endowment is to be confirmed, which left the Council to decide as to the mode to be adopted for that purpose.

These obstacles have now been surmounted, and it is respectfully recommended that no time be lost in authorizing the Attorney General to prepare the necessary instruments to secure to the Incumbents named in the annexed Schedules, and their successors, the Lots of Land there enumerated as having been respectively set apart for Glebes.

All which is respectfully submitted.

(Signed) PETER ROBINSON, P. C.

(C.)

Return of Patents for Lands granted as Endowments to the Church of England in the Province of Upper Canada, under the authority of an order in Council dated the 15th day of January 1836; showing the Date of each Patent, the name of the Minister presented to each Rectory, and the Lot, Concession, number of Acres, and Township composing the respective Endowments, as taken from the Records in the Office of the Secretary and Registrar of the Province. [There are forty-four entries appended to this return.]

(D.)

In addition to the foregoing, Patents were engrossed at the same period in the Secretary's office for the following Rectories, under the like authority, but were stayed by His Majesty's Attorney General, and have not since been completed. [There are ten entries appended to this return.]

(E.)

A Schedule of patents completed in the office of the Secretary and Registrar of the province for land to certain Clergymen of the Church of England, in return for property ceded by them to the Crown for endowments to their respective Recto-