

Provision was made for the preservation of the Roman Catholic Church in all its integrity, with its rich endowments; but as since the conquest the Upper Province had become settled chiefly by Protestants, and as in Lower Canada also many Protestants were resident, provision was made for the support of "a Protestant clergy" in the Provinces. The King was authorized to empower the Governor-General to make out of the Crown lands situate within the Provinces such allotment of lands within the same, "for the support and maintenance of a Protestant clergy," as should bear a due proportion to the amount of such lands as were at any time granted by or under the authority of the Crown. It also enacted that whenever any grant of lands within either of the Provinces should thereafter be made, there should at the same time be made a proportionate allotment of lands "for the above mentioned purpose," and that no such grant should be valid unless the same should contain a specification of the land so allotted—the lands allotted for the support of a Protestant clergy to be, as nearly as the same could be estimated, of one-seventh the value of the land granted for other purposes. Lands thus allotted were called "Clergy Reserves." The King was by the same act empowered to authorize the Governor-General of each Province from time to time, with the advice of his Executive Council, to constitute and erect within every township and parish, parsonages and rectories, "according to the establishment of the Church of England;" and from time to time, by an instrument under the great seal of the Province, to endow every such parsonage or rectory with so much of the lands so allotted as the Governor and Council should deem expedient. The King was also empowered to authorize the Governor-General to present to every parsonage or rectory an incumbent or minister of the Church of England, who should be duly ordained according to the rites of that Church, and from time to time to supply such vacancies as might happen therein. And it was declared that every person so presented to any such parsonage or rectory, should hold and enjoy the same, and all rights, profits and emoluments thereunto belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties, as the incumbent of a parsonage or rectory in England.

Lands were afterwards set apart, both in Upper and Lower Canada, for the support of a Protestant clergy. So rectories were established and endowed. In process of time it was discovered that a large proportion of the land so set apart, without a power of sale, would be of little benefit to those for whose benefit it was intended. Power to sell, therefore, was invoked, and that power was given by Imperial statute 7 & 8 Geo. IV. cap. 62. The Governor-

General of each Province was authorized to alienate and convey in fee simple, or for any less estate or interest, a part of the Clergy Reserves not exceeding one-fourth of the Reserves within the Provinces. The quantity to be sold in one year in either Province was not to exceed in the whole 100,000 acres; the moneys to accrue therefrom to be paid over to such officer within the Provinces as the King should appoint, and by that officer to be invested in the public funds of Great Britain and Ireland, as the King should from time to time be pleased to direct; the dividends and interest accruing from the funds to be appropriated, applied and disposed of for the improvement of the remaining part of the Clergy Reserves, or otherwise, for the purposes for which the lands were reserved, and for no other purpose.

Under this act, large quantities of the clergy lands were from time to time sold, but still leaving a greater portion unsold and unproductive. The proceeds of the lands sold became a source of dispute between different religious denominations. The lands unsold were found to be stumbling-blocks in the way of improvement of the several townships in which situate. The result was a two-fold agitation—religious denominations contending for a division of the proceeds, and the people contending for the sale of the entire clergy lands. The religious denominations argued that the expression "Protestant clergy" was not by any means restricted to Church of England clergy. The people contended that whether so restricted or not was to them, in a temporal point of view, a matter of indifference, so long as the lands were sold and passed into the hands of men who would by industry improve them, and thus improve the localities in which situate. Both agitations to some extent prevailed. The Provinces of Upper and Lower Canada having been, by the Imperial act 3 & 4 Vic. cap. 35, reunited, the Imperial Legislature, during the same session, passed the 3 & 4 Vic. cap. 78, which authorized the Governor of Canada to alienate and convey all or any of the Clergy Reserves. The same act made provision for the distribution of a large portion of the proceeds, in certain proportions, among the Churches of England and Scotland, and the remainder for purposes of public worship and religious instruction in the Province.

The whole of the lands (excepting those set apart for glebes) were, under the operation of this act, rapidly brought into the market. The proceeds were considerable, and a feeling arose among the people that some portion of the money should be devoted to local improvements and other secular purposes. This feeling grew with such intensity that the Imperial Legislature passed the 16 & 17 Vic. cap. 21, authorizing the Legislature of Canada, from time to time, by any act or acts to be passed for that pur-