

If I am asked to what this extraordinary change of sentiment is to be attributed, the answer is ready—that in new countries, if not in all countries, the Parliamentary aspirant cannot afford to be without some grave or interesting topic upon which to build up the political excitement which may serve his turn where his abstract merits would not be discerned. The question of the clergy reserves—with which there could be associated threats of a religious despotism on the one hand, and the charms of religious equality on the other—was just the one for the political-adventurer to seize upon with avidity. And it is important here to state that during the period of our temporary quiet from the stir and strife of the reserves question, that disruption took place in the church of Scotland which ended in the formation of a separate communion styled the Free Church; and that however unnecessarily or unaccountably this controversy in the established church of the neighbouring country extended to the colonies. When the same disruption took place in Canada, and when the larger body of seceders came to regard the smaller body of adherents to the Scottish national church as invested with a share of a public endowment, from which, by their separation, they voluntarily excluded themselves, jealousy, combined with the heat of religious animosity, led the members of the free church to seek the overthrow of the act of 1840. When no modification could be entertained by a party who professedly abjured at the contest all State endowments and aid, it was not unnatural that they should attempt the entire destruction of that provision for religion by which their rivals were so much benefited.

This was a happy opportunity for the political trader, who must have a capital to work upon; and while the members of the free church of Scotland were engaged in hearty advocacy of the abolition of the reserves as a religious endowment, it was easy to enlist other allies from among those who were lately apathetic. The ranks of that party—from among the more impetuous and unthinking especially—were easily swelled, too, by propounding the catching theory, that the appropriation of these clergy lands to ordinary education would serve to relieve the people from a considerable burden of taxation for the support of their common schools. At the same time it was becoming usual to elect the preachers of various denominations as school trustees with a respectable salary; and so it was not unnatural that the alliance and hearty support of those should be secured in this agitation who could thus transfer the revenues of the religious endowment into stipends, under another name, for themselves.

These combined circumstances, however discreditable and wickedly accumulated strength and importance to the agitation. Political capital was made to abound on the one hand, and the lure of interest acted on the other; and this, connected with the alarm which can be thrown into simple minds by reawakening the ancient cry of danger to religious liberty, easily produced that amount of fierce discussion and turmoil which would warrant the Parliamentary aspirant in bringing it more formally before the public.

In correspondence with this feeling, created by means so unprincipled and on grounds so little to be respected, the address to Her Majesty to allow of renewed and local legislation upon the clergy reserves, was moved by Mr. Price in the Parliament of Canada in the summer of 1850, professing an intention to respect the interests of present incumbents, but abstaining from any declared opinion as to what should be the ultimate disposition of that property. As the question now was merely whether it was expedient or not to legislate anew upon these reserves in the colony, and as many—a large body of the French Roman Catholic members especially—felt themselves under no pledge, by supporting this view, to vote ultimately for their alienation to secular purposes, the address was carried.

What followed is a matter of history so recent that I need not dwell upon it further than to say that Karl Grey, the late Colonial Secretary, having been prevented by a change of Ministry, in February last, from bringing in a bill to comply with the prayer of the Legislative Assembly in Canada, the present Government have adopted what appears to an immense majority of sound-hearted men in the colony the constitutional and truly British course—the resolution of declining to recommend to Parliament here any action which would allow of unrestricted or unconditional legislation upon the church property in Canada.

Mr. Hincks, the Inspector-General of Canada, at the meeting of the Provincial Parliament at Quebec in August last, lost no time in proposing a series of resolutions condemning, in no mild or measured terms, the views entertained by Her Majesty's Government on this question, and demanding the right of unrestricted legislation upon the clergy reserves. Mr. Boulton, one of the members for the city of Toronto, moved an amendment to the effect that "it is not desirable to revive the agitation, or in anywise legislate upon this subject, which has heretofore produced such discord, strife, and hatred in this colony." This amendment was lost by a majority of 37 to 23; whereupon, and after sundry divisions, the resolutions of Mr. Hincks were carried by considerable majorities.

I must be permitted, Sir, to analyse the division on the first of Mr. Boulton's amendments, as this may justly be considered an index of the strength of the opposing parties. There were for this amendment 18 members from Upper Canada, and four from Lower Canada, including two Roman Catholic members. Against it there were 17 members from Upper Canada, and 20 from Lower Canada, including in the latter 18 of

the Roman Catholic persuasion. On this division, therefore, there was a majority of one from Upper Canada, and it is almost exclusively an Upper Canada question, in favour of the retention of this property to religious uses. Again, if on this division the Roman Catholic members on both sides had abstained from voting—which in a question of Protestant church property, it was their duty to have done—the vote would have been 20 to 19, or a majority of one in favour of Mr. Boulton's amendment, and against Mr. Hincks' resolutions.

Such being the case, it ought not to go before the public of Great Britain and Ireland as a fact that such of the people of Canada as are legitimately interested in the retention or non-retention of the clergy reserves to their original and sacred purpose, are desirous of the alienation of that property to secular objects. While the recent votes in the Canadian Parliament, duly analysed, attest the contrary, there are other facts which more forcibly prove it. The last elections in Upper Canada turned almost exclusively upon the reserve question. Prior to this being held, much strong feeling was expressed upon the subject; many public meetings were held by the opponents and the advocates of the retention of the reserves to religious uses. The most unscrupulous efforts were employed to create impressions upon this question hostile to the Church; all, in short, that could be done by agitation and misrepresentation was resorted to, to secure the election of members who would vote away this property to secular purposes. But what has been the result? Out of 42 members (the quota of Upper Canada) elected, 18 have declared themselves in favour of the retention of the reserves for religious instruction by their votes; two, Sir Allan Macnab and Mr. Murney, decided advocates of the same view, were absent; and one, Mr. Prince, can hardly be expected to persevere in voting against his long-avowed principles and his uniform actions in the previous Parliament. It must have been a question of detail rather than of principle which led a gentleman of such strong and independent mind into this apparent, but let us hope, temporary contradiction. So that, claiming him as our ancient and always sturdy ally, we have the representatives of Upper Canada equally divided on this question.

This is an important fact in our favour; but it grows in importance when we compare the present with the last Parliament upon this question. Now we have 21 (20 certainly) in favour of holding the clergy reserves for religious uses; then we had but 17 entertaining that view out of the representatives of Upper Canada; in other words, the Conservative religious party gained nine seats in Upper Canada at the last general election, and lost but five. And this was the result, let it be remembered, after the exercise of the most steady, strenuous, and unprincipled exertions on the part of our opponents.

In contemplating this result, there is a special feature, bearing upon the whole question, of which we ought not to lose sight. Mr. Price, the leading advocate in the last Parliament for the secularization of the clergy reserves, lost his seat in the second riding of York, and is superseded by Mr. Gamble, a conservative churchman. Mr. Nutman, among the foremost and most talented in opposition to the claims of the Church, is displaced from Middlesex by Mr. Willson, another conservative churchman. Mr. Morrison, one of the leading debaters against the reserves as a religious endowment, gives place to Mr. Wright, a churchman, in the first riding of York. Mr. Macfarlane, conspicuous for his animosity to the Church, is rejected in the County of Welland and Mr. Street, a zealous churchman, is elected in his room. So that four gentlemen who took the most prominent part in seeking to despoil the Church were beaten by their opponents; and what is, perhaps, more significant, Mr. Price, in taking leave of his constituents, distinctly declared that in rejecting him and electing Mr. Gamble, they had given their verdict against the secularization of the clergy reserves.

But permit me to adduce another test of this improved feeling on the question of the Clergy Reserves. The *Toronto Patriot*, one of the oldest and most respectable journals in Upper Canada, has furnished us with a tabular statement, from which it appears that the population of those places in which the Conservative religious party have gained seats amounts to 196,277; while the population of those which our opponents have gained amounts only to 55,182.

Again, the same journal shows that the whole number of votes given to the Conservative religious party at the last elections in Upper Canada was 24,018, while those given to their opponents were only 22,550.

Furthermore, on the showing of that paper, the whole population (adopting the census as then published) represented by the Conservative party amounts to 409,037, while that represented by their opponents is only 344,059.

The latest census published since the above computation was made makes the whole population of Upper Canada amount to 952,503. Let us deduct from this the ascertained number of Roman Catholics in that province—viz., 167,930, and the whole Protestant population stands at 784,573. Out of this we have positively in favour of the religious employment of the Clergy Reserves, the Church of England, 223,928, and the Church of Scotland, 57,713—in all 281,641; while we have good grounds for assuming as in favour of the same view, the Wesleyan Methodists, 96,679; the Lutherans, 12,085; and those of no religious preference, 70,471—in all, 179,235. Adding these, then, to the numbers of the Churches of England and Scotland, we have in favour of the clergy reserves to their original

object 460,876 out of the Protestant population of Upper Canada, or a majority of 68,590 out of that portion of the population. I assume these to be the sentiments of the Wesleyan Methodists, because their organ at Toronto, the *Christian Guardian*, has very lately declared that they were "not with those who rashly assume that all State support to Christian Churches is in itself unscriptural and wrong." The Lutherans may be reckoned on our side from their close affinity to the Church of England in polity and worship; and those who have not classed themselves with any denomination may be regarded as without prejudice upon this question, and at the least neutral. And though I do not bring forward any other of the religious denominations of the province as maintaining the Conservative view of the question, it is certain that they are by no means unanimous for the diversion of the clergy reserves to secular uses.

I have been particular, Sir, in adducing these statements in order to evince the fallacy of what has been reiterated by our opponents, that the sense of the people of Upper Canada is in favour of the alienation of the clergy reserves from the sacred object for which they were originally assigned. A strong argument has been attempted to be built upon this, and therefore it is wise to denude it of its presumed force. But we are far from resting our cause upon arithmetical computations or the varying results of popular elections. The Church of England has all along shown that she values not these auspicious tests of strength, but that she fixes her security upon the justice of her cause and the verdict of a great empire in behalf fair and honest dealing. A Sovereign of England, with the sanction of his Parliament, granted to the Colonial Church a boon, than which none can be more highly prized by immortal beings, the means of maintaining her pure faith and worship through all generations; and we naturally pray and believe that the present Sovereign and the present Parliament of England will not rashly recall the gift.

There is no justice, we contend, in cry and clamour for this power of local legislation upon the question. Its reasonableness is shut out by the Act of Settlement in 1840, under which the Church of England has virtually come into possession of her share, for she is employing her limited revenue to the support of her clergy in that province, while the very pretensions to such an interference is at variance with the spirit of the act which originally made the allotment of the property. For what is the meaning of the terms "vary or repeal," the power of which by the constitutional act of 1791 is given to the Provincial Legislature? Simply this—that the Provincial Parliament might "vary" or change the amount of appropriation—making it a tenth or twentieth, instead of a seventh of the public lands, and that they might "repeal" the power of making further appropriation; in other words stop the reservation of any further lands. Such must have been the implied meaning of those terms, because the act authorized the specific appropriation of those lands to rectories, parsonages &c.; and it is not credible that a power was meant to be conceded to the local Legislature of taking these away when once allotted and probably made use of. But I am enabled to adduce on this point an opinion of much more weight. On the 13th April, 1840, the Judges of England, in giving their opinion upon the interpretation of the Clergy Reserves Act, expressed themselves on the words "vary or repeal" as follows:—

"My Lords.—In answer to the question secondly put to us, we are all of opinion that the effect of the 41st section of the statute is prospective only, and that the powers given to the Legislative Council and Assembly of either of the provinces cannot be extended to affect lands which have been already allotted and appropriated under former grants; for the manifest import of the 41st section appears to us to be limited to this; viz.—the varying or repealing the provisions respecting the allotment and appropriation of lands; and not to comprehend the varying or repealing allotments or appropriations which have been already made under provisions of the act, while such provisions continued unrepealed and in full force." The provisions of the Statute of Wills might be varied or repealed without affecting the devises of land already made under it."

And let us ask, what possible grievance can arise to any body or party in permitting this ancient endowment to stand uninterrupted in its efficacy and working? The reserves do not, and cannot, as was once affirmed, obstruct the course of public improvement; because they are all being sold, and the lands themselves are rapidly falling into the hands of individuals for actual settlement.

The clergy reserves cannot elevate by their scanty revenue the Church of England to an ecclesiastical domination, for the Inspector-General, Mr. Hincks, himself has shown us that her share can never exceed £20,000 sterling per annum; and while she is debarred from the possession of any exorbitant wealth from these lands, every other religious denomination in the Province may share in them, if they please, according to their numbers.

They will, some argue, lighten the taxes of the people, if they should be appropriated to ordinary education. But not so, if the affirmation be neither hypocritical nor a mockery, that they are ready to give freely by voluntary contributions for the service of religion. What would be saved, in this last case, by the application in its stead of a public endowment, let them apply to secular education. It is only a shifting of the voluntary burden—the fixed income to religion, and the voluntary one to education; the fixed income for that which men have no natural taste for supporting, the voluntary one for that which worldly and personal considera-

tions would impel them to uphold. There would manifestly be kindness as well as wisdom in securing this transition for them.

But let me advert to another point, the importance of which, as touching this question, cannot be overrated. If public endowments for religion are swept away in Upper Canada, those of the Romish Church in Lower Canada, cannot long be preserved. It is needless to speak vaguely and abstractedly, as some choose to do, of the difference of the tenure by which they are respectively held. The gift of a British King is as binding in the eye of law and conscience as the bequest of a French Monarch; the endowment solemnly guaranteed by act of Parliament is as strongly guarded by right and equity as the bequest of individuals or the gift of corporations. And if the argument gain respect that Protestant endowments endanger the purity of religion, as securing too much independence on the part of the clergy, it must be even stronger to prove that Romish endowments—especially if there be no counterpoise from Protestant ecclesiastical property—involve a greater peril, not only to spiritual purity but to religious liberty.

The very principle upon which the advocates of the secularization of the clergy reserves proceed will, sooner or later, drive them into this view of the case. They will be compelled, by the strong clamour to which themselves have first given impulse, to be consistent in their plunder. They will be compelled to this, because the despoiled Protestants, already in the united Provinces qualling, if not exceeding, the whole amount of Roman Catholics, cannot be expected to look with complacency upon the large and untouched possessions of the Romish hierarchy. Nor will this feeling be slightly aggravated by the recollection that in the recent discussion of this question in the Canadian Parliament, almost the whole of the Roman Catholic members gave their votes for the measure which would despoil the Protestant Church of her property. Either then, we should say, sweep away every vestige of ecclesiastical property from every quarter of the united provinces, or leave the Protestant endowments to their original application; for if this equal justice be denied, the province will take the exacting of it—with all the sad results of a war of religious parties—into their own hands much sooner than the threat of collision will be realized should the Imperial Government not condescend to the mixed Canadian Legislature the right of sequestrating the Protestant clergy reserves.

I trust, Sir, I have said enough to show that Her Majesty's Government should be supported in the declaration which they have put forth through the Right Hon. the Secretary for the Colonies, that they are unwilling to "give their consent and support to an arrangement, the result of which would too probably be the diversion to other purposes of the only public fund, except that devoted to the endowment of the Roman Catholic Church, which now exists for the support of Divine worship and religious instruction in the colony."

This declaration, let me observe, has given great joy to many thousands of loyal subjects in Canada, while the reversal of it would bring about no other end than discouragement and dissatisfaction among those who are the truest friends of the Crown and of British connexion, and the gradual though certain introduction of a dominant infidelity in that large and fertile and fast peopling country.

I have the honor to be, Sir,  
Your obedient humble servant,

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Archdeacon of York, Canada.  
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October 28.

## Correspondence.

To the Editor of the Canadian Churchman:

SIR,—I observe that you consecrate to me about four columns of your paper of the 2nd inst. besides contributions in preceding numbers. To your pointless wit and vulgar rallery, I have nothing to say; on your vaporing declamation, I have no remark to make; some of your misrepresentations, I wish to correct.

1. You represent me as advocating a *Godless* system of education. All my official reports, including the very one from which you quote, as well as what I have otherwise written on the subject of education, are a standing contradiction and refutation of your statement. I am persuaded that what I have advocated is much more religious than what you clamour for—is, in fact, as promotive of the general interests of religion as it is of those of education.

2. You represent me as having asserted, "that the United Church of England and Ireland only sanctioned and provided for the inculcation of religious instruction upon Sundays and Holidays." I never asserted, nor thought of asserting, nor even believed what you have put into my mouth. My argument, and all that I asserted was, that each religious persuasion, including the Church of England, required the inculcation of its religious rudiments, by pastors, parents, and guardians; and that, therefore, to require by law that this duty should be performed by another party, was not only to interfere with the disciplinary order of religious persuasions, but to legalize the neglect of pastoral and parental duty. In support of this argument, I adduced the 29th Canon of the Church of England. My argument you could neither refute nor deny; but you could do what you have done, misrepresent it, and assail me for using it.

3. You have quoted two other Canons as to