

As the claim made by the city clergy upon the income heretofore available for the support of the assistant clergy of this Church has seriously effected the position of the Vestry, the Churchwardens have felt it their duty to resist such claim.

For the information of such members of our Vestry as are not acquainted with the facts, it is perhaps fitting that we should state the issue which has been raised:—

In 1820, the block of land on which our Cathedral Church stands, was granted by the Crown to Trustees, "for the sole use and benefit of the parishioners and inhabitants of the town of York for ever as a churchyard and burying ground, for the inhabitants of the said town of York, and as appurtenant to the Church now built thereon."

St. James' Church was the Church then built thereon, and to it the said lands were declared appurtenant. In the letters patent granting the said land, it was provided that such part of the said land as was not required for the said purposes should be held by the Trustees "for the sole use and benefit of the Clergyman of the Church of England, then resident in the said town of York, and his successors being Clergymen of the Church of England, and having the cure of souls in the said town appointed, or to be appointed Rector of the Episcopal Church therein to which the said land is appurtenant." Under this provision the lands adjoining the Cathedral on King street were leased. This Vestry contends that the Rector of St. James' alone is the successor of the Clergyman then residing in the town of York: that our Rector is the only successor appointed to the Episcopal Church to which the land is appurtenant.

St. James' Church was entitled from the Crown to other lands in the town of York, adjoining the above parcel of land, but by an error in the grant from the Crown, such lands were lost to the Church. A claim was thereupon prepared to the Government, which claim was admitted, and the Crown