

was in the course of making Grants in fee simple, many of them gratuitously, and others on the payment of a moderate fee, to almost every one who applied for them, it was not to be expected that a considerable revenue could be obtained from rents of uncleared lands.

The fact is, that although a considerable number of lots were leased, the rents were very trifling, and were irregularly paid; and the few Clergy of the Church of England who were stationed in the Province, were indebted to the Society for Propagating the Gospel in Foreign Parts, for their support.

Things were in this state until some time between the years 1819 and 1821, or nearly thirty years after the passing of the Statute, when, for the first time, as your Committee believe, a question was raised respecting the proper legal construction of the Act, and the intention of the Parliament in passing it; and it was in this manner that the question arose. The 39th section of that Statute, it will be perceived, is very explicit and comprehensive in regard to the rights which an incumbent shall possess upon being inducted into a Rectory or Parish in Upper Canada, when any shall be erected. The Legislature of the Province seemed clearly to apprehend that it could not have been intended that tithes should be demandable, considering the provision which Parliament had made for supporting a Protestant Clergy, by an appropriation of lands, and conceiving that an explicit declaration to this effect ought to precede any mea-