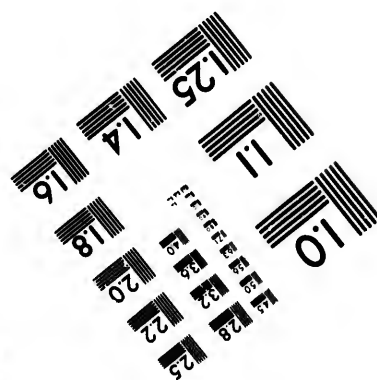
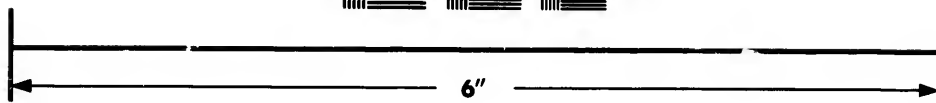
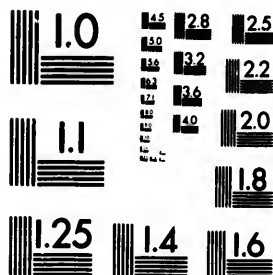


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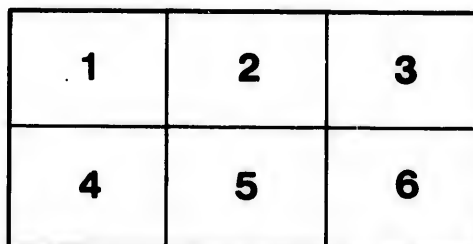
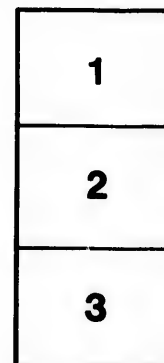
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A
PASTORAL LETTER
TO
THE CLERGY AND LAY MEMBERS
OF
THE ESTABLISHED CHURCH
IN
WESTERN CANADA,
FROM
THE LORD BISHOP OF TORONTO.

COBOURG:
PRINTED AT THE DIOCESAN PRESS.

1845.

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PASTORAL LETTER.

DEARLY BELOVED IN THE LORD:

At the first Meeting of the Church Society under its new Constitution, on the 23rd day of October last, it was resolved, that henceforth there should be four annual collections made for the purpose of the Institution and benefit of the Church. The objects of the first three are particularly mentioned in the account of the proceedings; but the fourth is purposely left open to meet any unexpected or extraordinary contingency.

Such a contingency has unfortunately arrived much sooner than could have been anticipated, in the astonishing fact, which can no longer be concealed, that five of my Clergy, who are labouring in their several stations, are falling into the most destitute circumstances, in consequence of having been left by the Government nearly two years and a half without support from that fund which is guaranteed by the express provisions of a British Act of Parliament.

This melancholy occurrence is attributed to the discordant interpretation given by the Imperial and Colonial Governments to the 3rd and 4th Victoria, chap. 78, entitled "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof."

It is on all sides admitted that this Statute secures permanently, and under all circumstances, the sum of £7,700 Sterling, annually, towards the support of the Church of England in Canada West; a sum predicated on the return of Salaries and Pensions paid to the Missionaries of the Church of England in the Diocese of Toronto and their Widows for the years 1839 and 1840,—it being manifestly the desire and object of the Imperial Government to preserve the Church in the same state of efficiency as she was at the passing of the Act, and till the Clergy Reserve Fund could meet the full charge.

Nevertheless the Government of this Province, by a minute of the Executive Council bearing date the 22nd December 1842, held that although the sum of £7,700 Sterling annually is at all events secured to the Church of England, yet that

such Clergymen as have been appointed to fill vacancies occasioned by the death or removal of Incumbents who were in possession at the time of the passing of the Act, are to be paid from the Imperial Fund.

Trusting in the correctness of this construction of the Act, reference was had to the Imperial Government; certificates of the deficiency as required by its provisions were forwarded by the Receiver General, and no doubt was entertained but that the balance between the amount of the Warrant here and £7,700 Sterling guaranteed by the Statute, would immediately be paid over to the Society for the Propagation of the Gospel by the Treasury in England.

But so far was this from being the case, that Her Majesty's Attorney and Solicitor Generals declared in a Report made by them on the 29th of December, 1843,—“That having attentively examined the provisions of the two Acts of Parliament, 3 and 4 Victoria, chap. 35, and 3 and 4 Victoria, chap. 78, which relate to the subject, it is their opinion, that the proper construction of the law throws upon the Revenues of Canada the burthen of making up any deficiency in the Clergy Reserve Fund in paying the usual and accustomed allowances and stipends to the Ministers, whatever the deficiency may be; and while that deficiency lasts, the Imperial Treasury cannot be called on to make any payments to the two Churches:”—in which, although they admit the soundness of the Chancellor of the Exchequer's suggestion, (which is clearly based on the true spirit of the Act,) that the intention of its framers was to make the guarantee of the Imperial Treasury at once applicable in case of difficulty, yet the Crown Officers in effect nullify this obvious construction by asserting that in order to carry it out further legislation is necessary.

Since the passing of the 3 and 4 Victoria, chap. 78, six cases have occurred of new appointments of Clergymen,—rendered necessary by the death or removal of the Incumbents who held livings at the passing of the Act. Of these one has returned to England, and five remain, without support; for the Government of the Province, notwithstanding the opinion of the Crown Officers in England, still adhere to the minute of the 22nd Dec. 1842, and refuse to pay their Stipends.

It might, as I am constrained to remark, have been expected that the Provincial Government, on finding that the course which it had determined to pursue was producing so much distress to deserving individuals and their families, would have

been scrupulously careful in improving the management of the Clergy Reserve Fund, in order that such distress might, as soon as possible, be arrested in its progress, because, with arrangements ordinarily judicious, this Fund would have more than met its annual liabilities, and thus prevented the miseries and evils of which we complain.

But alas the mismanagement has increased, pending these difficulties; and while my Clergy are left in a state of destitution, large sums continue to be wasted in remunerating services which are really worse than useless, and this to such an extent as to render hopeless the expectation that the Clergy Reserve Fund will ever answer the wise and holy purpose for which it was established.

Expecting some little delay in settling the meaning of the Statute, I applied to the venerable Society for the Propagation of the Gospel in Foreign Parts to advance, in the mean time, the salaries (only £100 per annum each) of my five suffering Clergy;—assuring the Society that I had the fullest conviction that such advance would be repaid as soon as it was decided which Government was liable; for it could not be the desire of either Government (as I then believed) to allow the Church or any of her Clergy to suffer, pending a dispute on the meaning of a law over which they could have no control. The Society, with its usual benevolence and consideration, paid the stipends for the year ending the 30th of June, 1843, but have declined since that time to continue such advance, because they saw no disposition, on the part of the Government, to settle this unseemly dispute, or to pay back the advance they had already made. In consequence, my five Clergymen have been left without their stipends since June, 1843.

What aggravates this evil is, that it is rapidly increasing. New vacancies are from time to time happening which I cannot in prudence fill up, while the stipends are held in suspense; and thus a law, which we naturally supposed was intended for the just support of the Church, is, by conflicting interpretations for which I was not prepared, and by an apathy and a reluctance to act on its spirit, made the instrument of her gradual disorganization; and this large and increasing Diocese, already so destitute of the means of public worship, if the Statute be allowed to operate as it has done for the last four years, will in a spiritual sense become, through half its extent, a wilderness. Not only are five Clergymen in a state of want, but two parishes are left vacant, and the process is

unhappily going on from deaths occurring and removals being at times found necessary.

I have brought this disheartening and deplorable state of things repeatedly under the notice of the Provincial Government. I have urged it upon them as their duty to look to the spirit and intention of the 3rd and 4th Victoria, and preserve the Church entire and unimpaired in her efficiency as she was at the passing of the Act. I have pressed this course upon his Excellency the Governor General as of more than sufficient importance to warrant his paternal interference, since the distress which had arisen from the difficulties I have described had been represented to me in such terms as to shew that it actually threatened the very existence of some of those who were affected by it. But all that it was in my power to do has been without avail.

I represented to his Excellency, in May last, that "on a review of this unfortunate subject, and more especially as regards the distress of my five Clergymen and the desolation with which it menaces the Church, it involves consequences so calamitous and imminent as to justify the Representative of the Sovereign in assuming more than ordinary responsibility in arresting their progress, and, I added, happily the responsibility thus to be assumed is not of an alarming character, since it only requires your Excellency to give orders to pay the salaries now in abeyance from any proceeds in the hands of the proper officer arising from the sales and rents of the Clergy Reserves, which might otherwise be forwarded to England to be placed in the Funds. The sum thus supplied would be replaced as soon as the Governments agreed in their construction of the Act, and the utmost loss that could accrue from the transaction would be a mere trifle of interest, while great suffering and misery would be prevented.

"Moreover in my humble opinion, so long as your Excellency does not exceed £7,700 annually toward the support of the Church of England, and our present Establishment is within that sum, you run no risk whatever."

The reply simply stated that my application had been brought under the consideration of the Governor General in Council, and the result would hereafter be communicated to me.

On the 31st of October, I again brought this painful subject at great length before the Provincial Government, and stated that, having failed to receive relief, I could see only one way left of mitigating the evil, "and that is by an appeal

to my people on the present critical situation of the Church, and in behalf of my destitute Clergymen. It is indeed a step which I shall take with extreme reluctance, and which were it possible I would most willingly avoid, because the statement which it will be my duty to set forth cannot fail to make a deep impression on all Churchmen, both here and in England. But I see no alternative; for independent of many weighty considerations, the five meritorious Clergymen whom it becomes my duty to protect as much as possible, can no longer be left to suffer. I shall nevertheless write with as much forbearance as the facts will permit; not forgetting that, however unjustly we may be treated, the principles of our Church and profession are submission, gentleness, and peace."

I must confess, that harassed as His Excellency has been by the troubles and vexations which seem almost inseparable from a Colonial Government, it is not perhaps surprising that he should feel disinclined to increase his responsibility; but I am persuaded that if he had been at peace and had leisure to examine the subject, he would have discovered neither objection nor difficulty,—since to assume the responsibility that I suggested, while it would be in perfect accordance with the Chancellor of the Exchequer's suggestion, would touch no great principle nor interfere with any public interest. I do conscientiously believe that any former Governor of Upper Canada, and I have known them all save the first, would, under the like circumstances, have assumed such responsibility without the slightest hesitation; and I am convinced that his conduct, in those times of justice and principle, would have been sustained and commended by the Government at home.

But although the Governor General did not see fit to act in this affair as I could have wished, I have no reason to think that he is indifferent to the situation of my suffering Clergy; but, right or wrong, he believes that the remedy is not in his power. I have, therefore, no other resource left than to appeal in favour of my distressed Clergy to their Brethren, Lay and Clerical, throughout the Diocese, to come forward in their behalf.

I therefore request you, my brethren of the Clergy, to read this Pastoral Letter, or recite the substance thereof, from the altar after morning prayer, and immediately before the Sermon, on Sunday the 12th day of January next, being the Sunday after Epiphany, and on the 19th of January, being Septuagesima Sunday, take order that a collection be taken up

for their immediate relief. And may God in his mercy enlarge our hearts to give willingly and without grudging, and enable us to accompany our benevolence with earnest prayers that in His wise Providence He will remove whatever difficulties impede or threaten His holy Church in this Diocese.

JOHN TORONTO.

Toronto, December 10th, 1844.

