



1st Session, 2nd Parliament, 8 Victoria, 1845.

**REPORT**  
**OF**  
**Special Committee on Petitions relative**  
**to Clergy Reserves.**

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# REPORT

OF

## SPECIAL COMMITTEE ON PETITIONS RELATIVE TO CLERGY RESERVES.

THE Committee to whom were referred the Petition of JOHN WETENHALL, and others, praying that the Clergy Reserves may not be divided, but sold according to the present law; and also, the Petitions of other parties on the same subject;

Beg leave to Report :—

That after many years of discussion and political excitement, from the consequences of which this Province has not yet recovered, the question relating to the disposal of the Clergy Reserves, was set at rest by the Imperial Statute 3 and 4 Vict. ch. 78. This Act provides for the sale of the Reserves and distribution of the proceeds in a manner which was intended by the Imperial Legislature to be the final settlement of the matter, and which has been accepted by the inhabitants of this Province as such. Notwithstanding this final disposition of the lands in question, numerous Petitions have been presented by the Church Societies of Toronto and Quebec, and others, in favour of giving to the Church of England its share of the Lands, according to the proportion of the funds assigned by the said Act, for the support of that Church.

Petitions nearly as numerous, against this proposition, have been referred to your Committee, and they have great reason to fear, that if this scheme should be adopted, the Country will again be agitated by a renewed discussion on the subject.

The assignment to the Church of England of its proportion of the Lands, involves, as a matter of course, the conveyance to the Church of Scotland of its share also: and doubtless, the other religious denominations will feel themselves entitled to the control and management of their several proportions.

After a careful consideration of the subject, your Committee have come to the conclusion, that while the advantages of dividing the Clergy Reserves, as prayed for, are very doubtful, the disadvantages are certain and obvious.

In the first place, it will be difficult, if not impracticable, to make a satisfactory division. In order to approximate to a fair division, an enormous expense must be incurred in valuing each lot separately, and even then there will be a rivalry as to choice and location, and suspicions will (with or without reason) be created of favoritism towards some particular sect or sects. According to the present law, the management and disposal of the Lands, are in the hands of a Government responsible for the same, and over which the Legislature can exercise an active supervision. Should the proposed distribution take place, they would be placed beyond the control of Parliament, and vested in Ecclesiastical Corporations, responsible to no one, and which will dispose of them to their own advantage, and without reference to the general good.

The progress of improvement in Canada, has, it is generally believed, been greatly impeded by the accumulation of its uncultivated land in the hands of owners, who will not bring their property to sale, but retain it as a matter of speculation, and in expectation of a future increase in value, not from any expenditure of capital, but from the industry and skill of the neighbouring agriculturists. The conveyance of such a large quantity of land to corporations, not desirous of disposing of them at their present prices, and which intend, not to sell, but to

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lease, would in your Committee's opinion, greatly increase this evil, and would have a tendency to substitute an inferior order of tenantry, for an independent body of yeomen.

Great apprehension is expressed by the Petitioners, lest the interests of those occupants of Clergy Reserves, who hold by lease or otherwise, should suffer by the proposed transfer of their lands. The Government very properly gives such occupants every opportunity of earning the purchase money from the cultivation of the land itself, and thus enable many an industrious man to become a freeholder and owner of property, which he could not in any other way hope to acquire. This is not likely to be the case when the lands are vested in private parties, whose object is to sell at the highest prices and receive the highest rents; your Committee, therefore, earnestly recommend that the interests of all parties now occupying these lands, should be fully protected and provided for, in any arrangement that may be made.

While your Committee are of opinion that any transfer of the control of the Clergy Reserves from the Government is inadvisable, they, at the same time, must express their regret, that the Crown Lands Department have hitherto conducted the management so expensively, and with so little advantage to the fund.

Should the present system be persisted in, the whole endowment will be wasted and swallowed up, by the expense of management, and the benefits intended to be conferred on this Province, will be lost.

On enquiry, your Committee are convinced that the whole management of the lands could be profitably undertaken by competent persons who would agree to defray every attendant expense, for the moderate remuneration of seven and a half per cent on the proceeds of the actual sales. And they sincerely hope that the Government will lose no time in making so desirable an arrangement.

All which is nevertheless respectfully submitted.

G. CHALMERS,  
*Chairman.*

COMMITTEE ROOM,  
28th March, 1845.

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