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

**R E P O R T**

OF

**Select Committee on the Petition of the  
Church Society of the Diocese of  
Toronto, and other petitions from said  
Diocese and the Diocese of Quebec.**

Printed by order of the Legislative Assembly.

(1000 Copies.)

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# LEGISLATIVE ASSEMBLY.

COMMITTEE ROOM,

19th February, 1845.

The Committee to whom was referred the Petition of the Church Society of the Diocese of Toronto, and other Petitions signed by many thousand persons, members of the United Church of England and Ireland, resident in the said Diocese of Toronto and the Diocese of Quebec, praying to have the controul over, and the disposition and arrangement of, their respective shares of the Clergy Reserves, as is equivalent to the proportion of the funds assigned by the provisions of an Act of the Imperial Parliament, passed in the fourth year of Her Majesty's reign, for the support of the Church of England, beg leave respectfully to Report:

That by the said Act, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof," the Government of this Province is empowered to sell all or any of the Clergy Reserves, under regulations to be approved by Her Majesty in Council, and that the proceeds in money to be derived from the sale and leasing of the Clergy Reserves, after the deduction of certain allowances which are specified in the said Act, are directed to be divided into two equal parts; one of which is to be distributed in certain proportions between the Churches of England and Scotland, and the other part to be applied by the Governor of this Province, with the advice of His Executive Council, for purposes of Public Worship and religious instruction in Canada.

From the foregoing provisions it appears to your Committee, that it was not the policy of the Imperial Parliament, at the time of the passing of the said Act, to apportion the said lands among the denominations of Christians whose claims were therein recognised, but rather to place the Clergy Reserves at the disposal of the Government, to be sold, and the proceeds to be divided in the proportions mentioned in the said Act.

Your Committee, however, have given the subject, and the matters set forth in the various Petitions referred to them, their best consideration, and they are led to doubt the utility or expediency of such a policy, and particularly when they cannot but consider that at the time these lands were originally set apart for the support of religion and the maintenance of Public Worship, it was thereby intended to create an adequate fund to form a permanent endowment for those important objects.

And when it is further borne in mind, that the members of the Church of England inhabiting the State of New York, are at this day enabled to erect their churches and station their missionaries in every section of that extensive country, by the aid of funds provided by the pious care of a British Monarch, when that country was a British Colony;—

That the numerous Dutch population of the same State are supplied with Pastors from ample funds provided also at an early day by the care of the Government, and that in both these cases the foundation of the endowment was a grant of

land, insignificant in extent and value, at the time it was made, compared with the Clergy Reserves set apart in this Colony, by His late Majesty King George the Third, but which grants, being scrupulously preserved and respected by succeeding Governments, now yield most munificent resources for the support of religion.

When your Committee also take into consideration, that our Roman Catholic fellow subjects in Lower Canada are enjoying at this day the most ample endowments for their Church and Colleges, arising from early grants of land, which, if alienated at the value they once bore, would have afforded but a nominal provision, wholly inadequate to the wants of the passing hour, they feel strongly the impolicy of the provisions of the Act to which they have referred, and the justice of the claims set forth by the Petitioners. Besides, it is stated in the Petition of the Church Society, "that the Petitioners have observed with great regret, that under the system which has been adopted for the sale of the Clergy Reserves, and from the great deduction from the proceeds for the expense of inspection and management, their share of the fund, which has been appropriated by the Legislature to the religious instruction of the people, is likely to be in a great measure consumed in charges which to them appear unnecessary, and to so great an extent that they are apprehensive that it will yield little more than a nominal provision for the support of the Church." To this portion of the Petition your Committee have devoted a good deal of attention, and it appears to them that a very large and unnecessary degree of expense has been incurred in the manner pointed out by the Petitioners.

By certain public Returns made by the Commissioner of Crown Lands, and by the Surveyor General, and laid before the Legislature, in compliance with an Address of the 9th October, 1843, it appears that the sums which are realised from the sales of the Reserves are in a great measure sunk in the expense of management, and in defraying the general charges of the Land Granting Department.

Your Committee find that, in addition to a deduction of five per cent. out of all monies received by the District Agents, and besides the charge of remunerating a large number of Inspectors of Clergy Reserves, who have been appointed to be paid by the day, at a rate not specified in the Returns, the proceeds of these lands are also charged, by an order of the Government made in August, 1841, with forty per cent. for the expense of the Crown Land Department. Up to the time of that return, it appears that in Lower Canada there had been no sales of Clergy Reserves since the 1st of January, 1838, and that since the Union of the Provinces not more than about £1,150 had been received on account of the funds, while £609, or more than one half of the whole amount received, had been charged against it as disbursed for expenses.

In the first half of the year 1843, the whole moneys collected in Lower Canada seem not to have exceeded £75 16s. 6d., while the disbursements charged against the fund are £431 9s. 2d.

In Upper Canada, it appears by the same documents that the sales of Reserves had been few for some time previously, though large sums had been received on account of previous sales.

In the year 1842, the collections amounted to £18,000, and the disbursements to £5,196.

For the year 1843, the amount collected up to the 1st July is stated at about £7,000, and the charges at £1,763 11s. 3d., and while so large a sum as that

above mentioned has been charged against the fund for disbursements, there appears to have been only a sale of two hundred acres effected during that period, at the price of £90.

From the information above stated, it appears to your Committee that there is really no proportion or connexion whatever between the service rendered to the fund and the charges which are imposed upon it.

Your Committee, therefore, for the considerations stated, beg leave respectfully to suggest to Your Honourable House to adopt an Address to Her Most Gracious Majesty, beseeching Her Majesty to recommend to the Imperial Parliament to amend the said Act, passed in the fourth year of Her Majesty's reign, so as to place at the disposal of the Church of England their share of the said Reserves in Upper and Lower Canada, to be controlled and managed by the respective Incorporated Church Societies of the Dioceses of Toronto and Quebec, and to entrust to other denominations entitled to a share of the Clergy Reserves Fund, the same advantages should they so desire.

All which is respectfully submitted.

HENRY SHERWOOD,  
*Chairman.*