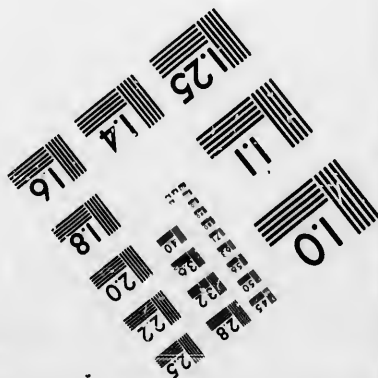
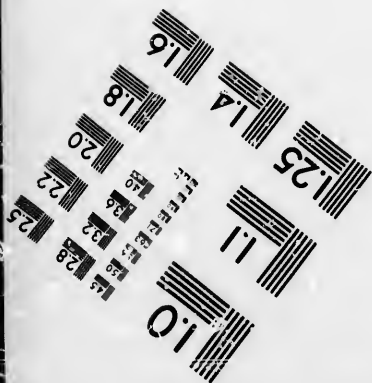
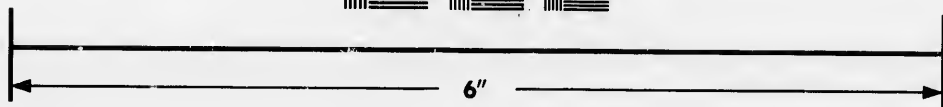
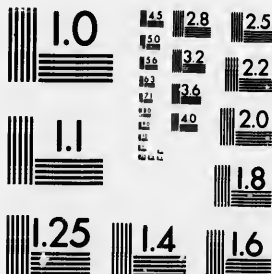


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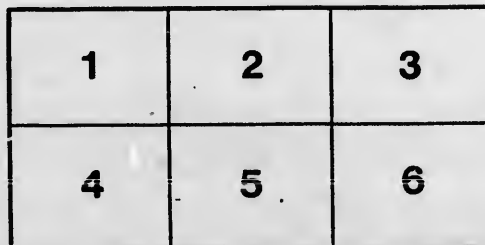
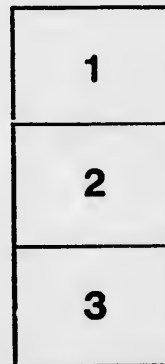
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**BRITISH FREEDOM.**

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By an English Farmer;

A MEMBER OF THE CHURCH OF ENGLAND;

AN ADVOCATE FOR

CIVIL AND RELIGIOUS LIBERTY;

AND A LOVER OF

**GOOD GOVERNMENT;**

WHOSE FATHER WAS A

**HIGH CHURCHMAN.**

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PRINTED FOR AND PUBLISHED BY THE AUTHOR.

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**COLONIAL ADVOCATE PRESS.**

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## BRITISH FREEDOM.

*Written by an English Farmer, a Member of the Church of England,  
whose Father was a High Churchman.*



### Introduction.

As gratitude is the happiest disposition which can possibly exist in the human mind; I design if possible to excite that principle in the minds of the inhabitants of the fine Province of Upper Canada for the privileges they enjoy, and get them wide awake to their own interest, that they may give them without encroachment to their children. You now possess land which the Bishop cannot tithe; be thankful and hold fast. The enormous load now pressing on the English farmers was not laid on them at once, but has been increased from generation to generation, until the burden is become intolerable; and such as the present generation are determined to get rid of.— Thank God for the prospect, thank God for such a King as William the Fourth, and for such ministers as Earl Grey, and Lord Brougham; may their names be had in lasting remembrance, and handed down to future generations with great honour.

My Countrymen, it is much easier to prevent a burthen being laid on you, than to get it removed after it is once laid on. Remember a wise proverb, "a prudent man foreseeth the evil, and hideth himself, but the simple pass on and are punished." I read an account some time since of an Englishman, who wanted to find out what weight he could sustain, for this purpose he procured a number of different weights, with which he exercised himself, one day after another, binding them to every part of his body, such as that part to which it was bound could bare up, increasing the weights by this means, he could carry a burthen much heavier than he could have done at once; have not the Bishops and Lords imitated that man's example?

It has been said by a certain Lord, that the present system has worked well; and, that reformation for the better was impossible. It has worked well for some who have worked ill; but how has it worked for the public, especially for the working class? let us examine how, first with the farmers; second the mechanics; thirdly the labourers. But what have we in Canada to do with the farmers, mechanics and labourers in England? Compare your situation with theirs and be thankful for your great privileges.

English Farmers in the last generation, held their Estates; some of them for a term of ninety-nine years, determined on the life of three persons specified in the lease; for those farms, a moderate price was paid, when purchased; and a small yearly rent. In those days land owners were glad to dispose of their lands in that way; they could thereby provide for the younger branches of their families: as their heirs, at the death of their fathers, claimed all of their fathers' estates, although their families were ever so numerous, or their lands extensive. The farmers were also glad to obtain farms, because they could, thereby, provide comfortably for them-



selves and families; but this kind of property can seldom be obtained, because the present system has worked so well for the land owners; who are the only voters for the county members; that they have been able to procure situations for their younger sons under the government; and it was stated in a petition presented to His Majesty, which was signed by one hundred thousand persons, that there were five Generals to every regiment of soldiers; and three Admirals to every ship of the Line; and taking the land and sea service together, there was a commissioned officer to every five privates; (for the truth of this, I refer you to Mr. Hunt, M. P.) At the time referred to, farmers who could not purchase leasehold farms, might rent them for twenty-one years, at a moderate rent, free of all rates and taxes, and have the buildings and gates kept by their lord in proper repair; and many were allowed to cut timber also to make husbandry implements: the land owners then were not too rich to speak to their tenants, and many of them did their own business, but now stewards are universally employed; and those stewards are generally lawyers. The farms are let for seven years instead of twenty-one, that the lawyer may be the oftener employed to make deeds, for which the tenant has to pay, I have known a tenant to pay eight guineas for a deed, made for fourteen years; when the rent did not exceed forty pounds per annum, with that in some parts of this Province you can purchase more than twenty acres of good land, fee-simple. When the land owners knew their tenants and conversed with them, there was mutual affection existing between them; they would sometimes assist their tenants by advice and otherwise, if the rent could not be paid immediately when due; but now the lawyer is employed and the rent must be paid; when the demand is as unmerciful as for the Israelites to make their daily tale of bricks without straw being given them. The more farmers are broken down the more work for the lawyers. I have said before that the farmers had nothing to pay formerly but a moderate rent, but at present they have every thing to pay. When the lords paid the poor rates it was very little, but now it is a great sum; I have known thirteen pounds per year paid as poor rates, out of forty-five acres of land, six pounds per year for repairing highways, seventeen shillings per year to provide wine and other things belonging to the established church, sixteen pounds per year for tithes, instead of setting in kind, the tenth part of all the produce of the farm; and the farmer who occupied the forty-five acres was expected to pay one hundred pounds yearly, also for rent. But the tithes are the greatest evil; it has been the cause of more animosity in families and parishes, than every other evil put together; and more money has been expended in law suits than about any one thing besides in the nation. And more farmers have been robbed of their property in consequence of the tithes than were ever converted from the error of their ways by all the tithe owners; they are looked on as a curse by the pious clergy of the establishment; they would gladly have something instituted more consistent with the Gospel of our Blessed Saviour. If a farmer will not tamely submit to pay all the tithe owner will have him to pay; if he offends a collector of tithes, he has nothing to expect but a suit at law in the archdeacon's court, and he may expect as much justice and mercy as from the court of Inquisition in Roman Catholic countries: there is this difference, in the one a person's property is confiscated at once and he is afterwards put to a lingering death by one torture after another, until he dies under it; in the other, money is all they want, and altogether it is very little more than a bug-bear, if a person

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knows how to proceed, but they generally contrive to carry on their work in the dark; a few only understand the court laws. A clergyman is Judge, there is a Register and a few privileged Attornies who are called Proctors of the court, and two others called Prætors whose business it is to cite persons to appear at the court when charged with an offence, these compose the court and every thing is done in secret and in writing; I am personally acquainted with a person who had a suit with a tithe farmer; this tithe suit commenced in the year one thousand eight hundred and thirty, and was ended in thirty-one, it lasted about seven months and cost the tithe farmer one hundred and ten pounds. Perhaps my readers think the tithes belong to the priest only, and do not understand what is meant by a tithe farmer. The tithes when first given, were given to the Priests for their own maintenance, and the Bishops, the poor and the entertainment of travellers, and to keep the fabric of the church in repair; they had no power to lay up money, nor bequeath any thing by will; but they are diverted from their original design and are become in some cases the property of laymen. A Parson as he is properly called, owns all the tithes of his parish, a Vicar is a clergyman who owns a part of the tithes, a Lay improprrietor owns the other part, and a tithe farmer is one who rents and collects tithes.

The tithes are sometimes compounded for at three shillings and sixpence in the pound according to the rent paid for the farm, and I have known many instances of the Parsons influencing the landlord to exact extortionate rent, for the purpose of obtaining the more three and sixpences. In the Parish where my friend resided, the tithes were divided between a Lay improprrietor and a Vicar, all tithes except that of grain are owned by the Vicar.→ The tithe of grain by a Lay improprrietor, who let them to rent: the Vicarial tithes advanced in that Parish between the year 1801 and 1819, more than four fold; and the tithe of grain alone in the year 1819, was compounded for at six shillings and three pence in the pound according to the rated value of farms, which is three fifths of its value to rackrent; this composition continued for eight years, although produce of farms diminished in value two thirds. The rent and tithes were equal to the highest price, and when the farmer was obliged to submit to the lowest price he could raise no more than sufficient to pay his tithes, poor rates, way rates, church rates, and land tax: his rent must remain unpaid, or be paid with borrowed money, which would increase his next year's expenditures, by having interest on the sum borrowed to pay, as well as his rent. But you will ask, would not the landowner have patience with his tenant under such circumstances?— No, but the lawyer would seize his goods for half years' rents, and in one instance a steward sent a lawyer's letter to demand six months' rent the second day after it become due, charging five shillings for the letter, and the man's wages for a day, by whom it was sent, and threatened further proceedings if it was not paid immediately: on another occasion, fifteen acres of grain and two horses harnessed and a waggon were taken in distress, for £20, being half a year's rent; five acres and a half of the said grain was wheat, and cost the farmer £44 in cultivation—this grain when so taken, was secured in mows close by the barn. As you in this country can buy your land, get it cleared off, sowed and dragged in with your harrow, and completely tilled; your rails split and your fence made to secure it, for £4 currency per acre, you will not easily believe that it costs £8 sterling per acre in England to rack rent farmers, to strip off a thin turf, dry and burn it, and spread the ashes over the land after it is burnt, and

draw 100 bushels of burnt lime, from one to ten miles, according to the distance from a lime kiln, at an expense in the place where the kiln is, of 7d per bushol, and this lime is first mixed with earth and afterwards spread over an acre of land. An acre of land is seldom plowed in one day for wheat. In England two bushels of wheat are sowed per acre, and they frequently drag their harrow six times over one place to bury the seed. I conceive you will clearly discern your superior privileges in Canada. What you raise is your own, you have no collector of tithes to vex you, nor Archdeacon's Court to fear. Of all the evils the English have to complain, the tithes and the archdeacon's court are the greatest. I know a tithe farmer who said he knew of no law for punishing collectors of tithes, if they took more than a tenth—but he knew of a law for punishing the grower, if he defrauded a handful: and this principle is sometimes acted on. A tithe farmer demanded £1 12s. per acre as tithe, which the grower refused to give; and the collector took it in kind; but he was not satisfied with seeing the tithe set forth, and therefore he took for himself such sheaves as would best suit his purpose, and if he had took two sheaves instead of one, the grower could appeal to no law for a redress of his grievance that I know of. But a Parson saw a farmer take six sheaves of wheat into his barn without tithing; he commenced a suit in the Archdeacon's Court against him for it, without once naming it to the farmer before he did it. A collector of tithes cited a farmer to appear at court, charging him with subtraction of tithes, the occasion of which, he sought to punish the farmer because he disliked him. The collector had not been in the habit of tithing rakings, but he told the farmer he intended to have it from one field, as there appeared to be more rakings than usual; the tithe was set forth accordingly, and the Collector's men were carrying it off; and while the Farmer's men went to the house to dinner, the Collector's men went off home with their teams; when the farmer's men came to the field again and found the collector's men gone, they supposed that all the tithe was taken away by them; therefore all that remained they carried to their master's barn; and although the farmer knew of nothing but what was perfectly right, he was obliged to neglect his business and go twelve miles to appear at the Court and pay two pounds for pretended trespass. A few years since a gentleman who farmed his own estate had a law suit with a Parson, it commenced in the temporal court, and was tried by a jury, where the cause was decided in the farmer's favour; but the Parson dissatisfied with that decision, had recourse to the Bishop's Court, and he there obtained judgment against the farmer; and although he had been worth thousands of pounds, previous to the suit, he was afterwards cast into prison for debt, where he must have remained if his friends had not raised by subscription, the money necessary to obtain his freedom.

The cases before mentioned have come within my own knowledge, but the following is of the latest date and of which I have the most perfect acquaintance, as I was consulted on the cases. The person against whom this suit was commenced is a lover of good government, and an advocate for civil and religious liberty; but I am sorry to inform you, that such men are no better beloved by a certain class in England, than they are in this country, but the enemies of civil and religious liberty must be very blind, not to discern the signs of the times.

The person who commenced the suit observed the old maxim; get money, get it honestly, if you can, and if not, get money; his landlord is one of

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the old stamp *i. e.* feels a pleasure in the prosperity of his tenants ; none of his tenants are distressed for half year's rents, and in consequence of his having a kind lord, and taking the advantage of every circumstance, he contrived to move on, although farmers in general were losing their property ; and being a burner of lime, of which the English farmers carry large quantities for manure at very great expence, and the collector of tithes also, he had acquired influence, and especially as the farmers were generally poor ; and one of the oldest and wealthiest farmers had lost his influence by giving himself to intemperance ; some of the farmers were indebted to him for lime, and others were afraid of him on account of the tithe and the Archdeacon's court, so he assumed a kind of monarchy ; and if any one ventured to oppose his despotic measures, he watched the first opportunity to punish him. There were but few who had courage to oppose him, and three of that few he entangled in law ; he would generally be in some parish office and would not be very sparing of the public money. Once when he was overseer of the poor he paid part of the wages of all the labourers in the parish out of the Poor Rate, for the purpose of compelling small farmers who could labor their own land themselves to pay for doing the larger farmers' work in part, as they all must pay the Poor Rate ; and once he had eleven labourers to work for him for many days following, and he paid all their wages out of the Poor Rate, as was publicly stated at the time by the labourers themselves, and hath since been affirmed by his colleague. He one time used his influence to be appointed overseer, that he might rate cottages and gardens that had not been previously rated to the poor, and he carried his plan into operation without calling a meeting to consult the other farmers, and this was done principally to punish a man who was left a widower with eight children, who offended him in this man's house, and half an acre of land which he occupied, was rated in eight pounds, and that rate if submitted to, would have compelled him to pay two pounds a year for to maintain the labourers as before mentioned, and the poor—but the widower opposed the rate, and that with success, for the collector of tithes had forgotten that he himself occupied property not rated, for which he paid thirty pounds per year, rent. Before this business was finally settled, it cost the parishioners one hundred and sixty pounds, and was more than one year in operation. I have said before, the person against whom this suit was, loved freedom, and therefore interested himself in the behalf of the oppressed widower, by which means he incurred the collector's displeasure, in such an high degree, that he determined on giving vent to his malicious disposition, and began first by compelling him to take a parish apprentice. The farmer having a large family of his own did not want to be troubled with other children, besides he had one apprentice on his small farm, and the tithe collector had but two on an estate six times as large ; the farmer appealed to the Magistrates to get rid of the incumbrance, but his complaint availed nothing until he had proved the overseer had no legal authority to fill the office ; he was filling the office without being appointed for that year. This circumstance increased the collector's rage and he began to rail at the farmer in the presence of the Magistrates, and said, I will fire at him again, and he next fired at him by a malicious and vexatious suit at law in the Archdeacon's court—he refused to give the farmer a price to compound for his tithes—he would have them set out in kind and set out in his own way ; but his own way of tithing, like most of his other ways, was not the most equitable ; he wanted to have the grain tithed by the

heap, but the farmer set out the tenth sheaf, as that is the proper way. On a field was tithed and carried away without complaint, except as before mentioned, when the farmer wanted to save his next field. He sent notice to the collector before nine o'clock in the morning that he might see his tithe set forth about noon, and at the appointed time commenced saving his nine parts and setting the tenth out for the tithe farmer. The collector intimated he would send to see the tithe divided, but neglected to do so, and afterwards left the tithe in the farmer's field, because the farmer had not given him notice twenty four hours before he divided the tithe, which the collector conceived was an offence sufficient to support an action in the Archdeacon's Court, and therefore went to an officer of the Court with his complaint, and as it is all fish that comes to hook with them, he took up his cause, and on the 16th of September, 1830, sent a Proctor with a citation to the farmer, ordering him to appear at Court the next day, to answer to the charge of R. J. for subtraction of tithes, on pain of contempt of court. The farmer went the next day and called on the Proctor employed by R. J., and asked him what Mr. R. J. had charged him with: the Proctor said, he charges you with being a very troublesome man, that you only gave him three hours notice preceeding your setting out the tithes, and you have said you will never give him any more—you think you are right, but we think you are wrong; whether you are right or wrong it is no matter to me—money is my object and I am sure to be paid, but if you will make it up with me, I will make it up with you and send a letter to Mr. R. J. to take off the tithe—the farmer saw by the proctor's manner, that he wanted to frighten him; but he at first thought it would be better for him to pay a few shillings than be vexed with a law suit in the Archdeacon's Court, and therefore asked what he must pay to put an end to it: the Proctor said, I cannot tell, but if you will ask of my Clerk he will tell you; he went, therefore, and asked the Clerk, and was answered, one pound eleven shillings, this he refused to pay, for three reasons. 1st because it was more money than he had in his pocket—2ndly, because he had not offended the law—3dly, because if he paid any thing it would make a precedent, and bad as the system is, the giving of twenty four hours notice would make it worse, insomuch, that if tithes were set out in kind, universally, and that notice given, the grain in a wet harvest would never be saved; therefore, rather than give further encroachment to that horrid system, he told them, if he must go to jail for saving his grain so be it, but he had not one pound eleven shillings to pay to make it up. Much depends on custom, both in ecclesiastical and civil law; whatever can be proved a custom for forty years becomes law in the ecclesiastical court, and for time immemorial in common law, therefore, bad customs should be studiously avoided. The farmer returned home again without appearing at the court, and sent a written notice to the tythe farmer to take off the tythe, by his little boy, who was asked by his mother when he returned, what Mr. R. J. said? the boy answered, when Mr. R. J. took the note, he looked pale as death almost, and after he read it his hair stood erect on his head, and he said, I have put the cause in the hands of a Proctor and your father must settle with him; the farmer then went to another Proctor to get advice, and after he had stated his case to him, the Proctor said, I think the notice you gave was sufficient, and that his saying I will send some person to see the tithe set out if possible, was accepting that notice, and I advise that notice be sent to both tythe farmers to remove the tithe, and if they do not remove it, you remove it yourself to a corner of the same field

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and fence it round: when court day returned the farmer went to his Proctor and told him he had followed his direction and wanted his advice further; the Proctor then said to him, although I think your notice was sufficient, I know the court wont think so, and began to work on the farmer's fears by searching books to point out as he pretended, similar cases, but he could find none. The farmer saw his drift and demanded his bill, informing him at the same time he would appear at court and answer for himself, but this the Proctor did not approve of, and prevailed on him to allow him to appear for him that once, and demand the libel, which the farmer did, but after the court was over for that day, he demanded and obtained his Proctor's bill, for advice twice, for sending notice to the tithe farmers, and for appearing at court as proxy once, £2 9 8d, this sum the farmer paid, and afterwards appeared at court for himself. The court meets every second Friday through the year, except at Christmas, then there is no business done there for six weeks. The farmer rode twelve miles twelve times over, to answer to the charge of R. J. for subtraction of tithes, before R. J. produced his charge; and from the time he was cited to appear to court to the time Mr. R.---J. produced his libel, was twelve weeks, and during that time the farmer had a number of comforters to visit him, but in general they were like Job's enemies, tried to harrass his mind by representing his case in the worst colours, and his friends by representing the diabolical court in which his cause was to be tried; one asked him what use he thought it was to go to law with the devil when the court is held in hell, & 2 of his most intelligent friends told him no matter what his cause was, if it was ever so good, it would be decided against him in that court, and intreated him to pay whatever the Proctor demanded, even if it were £50; and they asserted if he did not, he would be ruined, and one not only intreated him, but offered him money also to pay what was demanded by the party, but the farmer could not compromise, without giving further encroachment to the tithe owner, and giving up his own and neighbour's rights, he must have acknowledged himself guilty also, although he knew himself innocent, and that he could not do with a good conscience.

Before the collector of tithes produced his libel he sent to the farmer, and offered to settle with him, if he would pay ten shillings only, as an acknowledgement of his fault, but this he could not conscientiously do, and rather than sacrifice a good conscience, he would give up his property, his liberty, and his life; he is not much afraid of them who can kill the body, but afterwards have no more that they can do, but the farmer proposed leaving it to two or three disinterested persons to settle the question, this the tithe farmer would not submit to, for he well knew, if the officers of the court could do nothing for him, no other persons would; the base libel he withheld until he was obliged to produce it, or give up the suit; when the libel was produced at the court; the business was onward before the farmer appeared, and when he entered the room where the court was held, the Proctor employed on this case, appeared rather surprised at seeing the farmer; as he had advised his client to settle the business without further proceedings. He first looked the farmer in the face, the look was returned, with firmness and confidence, and in a moment the Proctor's face was unusually red, which shewed him capable of a blush; apparently filled with confusion, he covered his face with his hand, and leaned his head on the writing table, and after a pause, he fetched up a deep sigh, which convinced the farmer his conscience was not altogether dead, although an attorney,

and a Proctor of the court. The Register calls the cases over, in rotation, and when the case was brought forward, he said, J. against W. for subtraction of tithes, the libel called: then the Proctor said, the libel is ready, and presented it, but with manifest reluctance. Register said the libel is produced Mr. W. will you have a copy of it. W. said I am come to answer to any charge which can be brought against me, and I desire to know what it is. Register, when will you have it, will you have it now, or will you come again, or shall I send it to you? W. I will have it now if you please. Register, you cannot have it directly but if you will wait three hours you may have it? W. I will wait three hours rather than come again. W. waited three hours and then called for the libel, but was informed the libel is not copied yet, but if you will wait an hour and a half you may have it: the Register's Clerk then asked him, if he knew he would have to pay for the libel. W. said no, I had no idea I should have to pay for knowing what I am charged with. Clerk. Yes you will though. W. what shall I have to pay. Clerk. Sixteen shillings and eight pence. W. I have not sixteen shillings and eight pence for such purpose. Clerk. you will not have it then. W. I shall not pay that price for it now. W. went home and on next court day appeared again. Register. I. against W. for subtraction of tithes, is your answer ready Mr. W.? W. answered, I deny the truth of the libel. Register. how do you know, what it contains? W. I conceive I have a sufficient acquaintance with the English Law, to know I have not offended that law, therefore whatever charge is brought against me for subtraction of tithes must be false. Judge. That answer will not do, if you do not give in an answer in writing, upon oath, you will be put to jail, for contempt of Court. W. I am quite prepared for that Sir, I had made up my mind to that to begin. Proctor. If you are once put to Jail, you will never come out any more. W. I query that, for it is not long before the tithe law, and your law too, will be altered, and the sooner you put me to jail, perhaps the sooner it may be. That assertion was like an electrifying shock. Judge, Register and Proctors, were completely confounded, and they covered their faces for shame; the Register being the oldest and longest in the Court recovered his shock first, and said, the law was made for us, and while it is law we must abide by it: they knew it was no time then for putting a man to jail about tithe, unless they wished to have the jail torn down. The tithes were got into too much disrepute, and the indignation of the people was generally roused against them: go in what company you please, the clergy and the tithes have been the theme of late years, and few have spoken of either with much admiration; the officers of the court themselves, cannot say any thing in defence of the system. May God Almighty remove speedily such a disgrace and curse as the Ecclesiastical Laws, and the tithes! However the farmer found if he did not answer to the libel according to the custom of the court, he would offend the law, therefore to avoid offence, he paid the demand, and took the libel, wrote an answer, and gave it into the court, upon oath. A copy of which I shall here insert, except the names of the persons concerned. The tithe farmer I shall call, R. J., the farmer M. W. there were two others a father and his son, whom I shall call C. and G. one of the Proctors I shall call P.

*Bodmin, 12th November, 1830.*

In the name of God, amen, before you the worshipfull, John Sheepshanks, Clerk, Master of Arts, Archdeacon of the Archdeaconry of Cornwall.

lawfully constituted, your official or lawful surrogate, or any other competent Judge in this behalf, the Proctor of R. J., now or late, the Lessee or farmer of the great tithes of the parish of Pelynt, within the said Archdeaconry against M. W. of the same parish, yeoman, and against all and every other person or persons lawfully intervening or appearing in judgment for him, before you by way of complaint, and hereby complaining unto you in this behalf, doth say, alledge and by his writing in law articulately as follows:

## TO WIT:

*First*, That the said R. J., on the first day of June, in this present year of our Lord, one thousand eight hundred and thirty, and from thenceforth hiterto hath been, and until the first day of October in the same year, was Lessee and Farmer, lawfully possessed of, and entitled to all manner of tithes of corn and grain and other great tithes arising, growing, increasing and renewing within the said parish of Pelynt and the titheable places thereof, and during the said time hath been and was accounted, reputed and taken to be the Lessee and Farmer thereof, and this was and is true, public and notorious and well known to the said M. W. and the party proponent doth allege and propound of any other time and place as shall appear from the proofs and confessions to be made in this cause and every thing in this and the subsequent articles of this libel contained jointly and severally.

*Pelynt, January 2nd, 1831.*

**ANSWER.**—In the name of God, amen, before you the worshipful John Sheepshanks, Clerk, Master of Arts, Archdeacon of the Archdeaconry of Cornwall, lawfully constituted, your official or lawful Surrogate, or any other competent Judge. I, M. W. farmer of the said parish of Pelynt, within the said Archdeaconry in answer to the charge of R. J. in partnership with C, of the said Parish, Lessees or farmers of the Sheave Tithe of the Parish of Pelynt, within the said Archdeaconry, before you by way of defence, and hereby answering unto you, do say and alledge, and by writing as follows: I deny the truth of the libel produced against me, by the said R. J. on the twelfth of November, 1830.

**ANSWER.**—*First*—That the said R. J. had not an exclusive right to receive the Sheaf Tithe of the parish of Pelynt, in the year one thousand eight hundred and thirty, there being a joint Lease, for seven years, between C. and R. J. of which two years are unexpired, he never was taken to be the only Lessee and farmer of the Sheaf Tithe of the parish of Pelynt, by me M. W. as proof hereof the said C. in the year 1829 came on my farm himself and took the tithe of a field of wheat, and he or his son G. sent and took all the tithe I grew for that year.

*Second*—That the right of receiving taking and having all manner of Tithe of Corn and Grain, and all other great tithes arising growing happening increasing and renewing within the said Parish of Pelynt and the Titheable places thereof, and especially the tithes mentioned in the schedule hereunto annexed (which schedule the party proponent prays may be here read and inserted and to which the said party proponent doth refer) from the said first day of June in this said present year, and from thenceforth hitherto and until the said first day of October in this same year, did appertain and belong to the said R. J. as Lessee and farmer thereof, and this was and is true, and the said M. W. doth in his conscience believe the same to be true, and the party proponent doth allege and propound concerning any other tithes as shall appear from the proofs and confessions hereafter to be made in his cause and as before.

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**Ans.—Second—**That the right of receiving taking and having all manner of Sheaf Tithes arising or growing in the said Parish of Pelynt, in the year 1830, did not belong to the said R. J. separately, but to C. and R. J. jointly, for in consequence of a complaint made to the Lay impropriator of the tithes that the said R. J. had refused to give many of the farmers a price to compound for their Tithes, the Lay impropriator applied himself to the said C. and requested him to resign the Lease which was in his possession up to the eleventh of November.

**Third—**That the said M. W. in the months of June, July, August and September, in this present year one thousand eight hundred and thirty or some or one of them all and singular the titheable matters and things mentioned and specified in the schedule annexed to these presents (which schedule the party proponent prays may be here read and inserted) forthcoming increasing, arising, growing, happening and renewing all or some of them within the parish of Pelynt aforesaid, and the titheable places of the same, either by himself, or some other person or persons belonging to him, hath received, held and possessed, and hath had converted and applied the same to his own use, but the party proponent doth allege and propound concerning any other titheable matters and things as shall appear from the proofs and confessions hereafter to be made in this cause and as before.

**Ans.—Third—**That I, M. W. in the month of August in the year before mentioned by myself did set forth the tithe of one field of barley, in the presence of R. J.'s trusty workman, which was taken by the said R. J. or his deputy, and quietly carried away.

**Fourth—**That the value of the titheable matters and things by the said M. W. received held and possessed (as before set forth) hath been was and is in the common estimation of men worth the respective sums in the schedule hereunto annexed, specified and contained, and the party proponent doth propound and allege of any other value of the titheable things aforesaid as shall appear from the confession and proofs hereafter to be made in this cause and as before.

**Ans.—Fourth—**That I, M. W. have not withheld any part of the tithes mentioned in the Libel, and the schedule thereunto annexed as specified.

**Fifth—**That amongst the laws and statutes of this Kingdom and especially in the 13th Chapter of the Session of Parliament of Edward the Sixth late King of England held at Westminster in the second and third years of his Reign, it was and is ordained enacted and provided in the words or the like following, (to wit.) And be it also enacted by the authority aforesaid, that at all times whensoever and as often as any predial tithes shall be due at the tithing of the same it shall and may be lawful to every party to whom any of the said tithes ought to be paid or his deputy or steward to view and see their said tithes to be justly and truly set forth and severed from the nine parts and the same quietly to take and carry away. And if any person carry away his corn or hay, or his other predial tithes, before the tithe thereof be set forth, or willingly withdraw his tithes of the same, or of such other things whereof predial tithes ought to be paid, or do stop or let the Parson, Vicar, Proprietor, Owner or other their deputies or farmers, to view take and carry away their tithes, as is aforesaid by reason thereof the said tithe or tenth is lost, impaired or hurt, that then upon due proof thereof being made before the Spiritual Judge or any other Judge before whom heretofore he might have made complaint, the party so carrying away withdrawing, letting or stopping shall pay double the value of the tenth or

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tithe, so taken, lost, withdrawn or carried away, over and besides the costs, charges, and expenses of the suit, the same to be recovered before the Ecclesiastical Judge, according to the King's Ecclesiastical Laws; and the party proponent doth propound and allege as before.

Ans.—Fifth—That amongst the Laws and Statutes of this Kingdom it is Lawful for all persons to whom tithes ought to be paid to see either by themselves deputy or servant, their tenths duly and fairly set forth, and severed from the nine parts, and quietly carry away the same, and according to the Ecclesiastical Law to have notice, but I do not find how long that notice ought to be given before the tenth is divided from the nine parts.

Sixth—That parishioners or occupiers of farms and lands within the said parish of Pelynt, according to the usage of the said parish, give twenty four hours notice of tithing, preceding their drawing or carting away the produce of their respective farms and lands, and the party proponent doth propound and allege as before.

Ans.—Sixth—From the year 1813, to the year 1826, it had not been usual for the farmers of Pelynt, to throw out their tithes, therefore no such thing as giving twenty four hours notice existed, and since that time every notice has been taken even within one hour, without complaint excepting in this one instance of my case; and C., one of the Lessee Farmers of the Sheaf Tithe of the parish of Pelynt, some time since the year 1826 informed Mr. Joseph Leach a farmer in the said parish if notice was given the same morning he intended to carry his grain that was sufficient, and the said R. J. accepted my notice given him in the morning of the same day that I carried my first field of barley.

Seventh—That notwithstanding the premises, the said M. W. in the months of June, July, August and September, in this present year one thousand eight hundred and thirty, some or one of them all and singular the titheable matters and things in the subsequent schedule contained or some of them, either by himself or some other person or persons belonging to him hath had, received, subtracted, withdrawn and carried away from the place or places whereon the same grew or arose and ought to have been tithed, without fairly dividing, separating, or setting forth the tithes or tenth part thereof, from the other nine parts, and without giving the usual and proper notice to the said R. J. the then Lessee and Farmer as aforesaid, for receiving and carrying away the same, and without compensation or composition with the said R. J. for such tithes, and hath had converted and applied the same to his own proper use and benefit, incurring the penalty of double the value of the said predial tithes, so subtracted and not paid as aforesaid, and the party proponent doth propound and allege as before.

Ans.—Seventh—That I, M. W. on the second of September in the year before mentioned had a field of barley, four acres and three quarters, bound and pitched up in fives in the afternoon of the preceding day, but I did not intend carrying it until the fourth of September, but in the morning of the second, the weather then dry appeared likely to change, and there being an eclipse of the Moon in the evening I was advised by a neighbouring farmer and two other men, one a respectable tradesman of the parish of Pelynt, to carry the barley in the afternoon; and soon after eight o'clock in the morning I dispatched my son, a lad about thirteen years of age, to give notice to the said R. J. that he might see his tithe set forth about twelve o'clock at noon; my son returned about half past nine o'clock and informed me that Mr. R. J. said "tell your father I will send some

person if possible:” the notice was delivered and the answer given in the presence of Charles E. Collings and Thomas Willcocks, and the said R. J. has acknowledged to Mr. Charles Fiddick, a farmer of Pelynt, that he told my son he would send some person if possible, and that he intended to have sent some person, but he was so very busy saving his mow of oats it was not convenient to send a man. I waited for R. J. or his deputy until after one o’clock, and then having three men whose characters are unimpeachable, I thought it right for me to begin to save my nine parts, and to set out the tithe, which was done by setting out the tenth sheaf: the first raking was set out bound, the second not bound, as I did not bind my own: on the following morning the said R. J. had notice that their tithe in Curdwen Highground was set out, but he neglected to carry it away; on the morning of the 18th of September I sent Mr. R. J. a written notice to take off the tithe: on the twentieth of September Mr. P. sent C. and R. J. notice to take off their tithe which they still neglected to do. It remained twenty days after being separated from the nine parts, and then I dried the tithe and carried it to a corner of the same field, thatched and fenced it where it now remains.

Eighth—That the said M. W. hath been often, or at least once asked and requested to pay, give and deliver to the said R. J. or to his Deputy, Proctor, Steward, or Agent for his use the tithes so subtracted and withdrawn as aforesaid, or the value thereof, but notwithstanding the premises he refuses and defers so to do and the party proponent doth propound and allege as before.

Ans.—Eighth—That I, M. W. never attempted to prevent the said C. or R. J. from carrying away the tithe before mentioned.

Ninth—That the said M. W. was and is an inhabitant of the said parish of Pelynt, within the Archdeaconry of Cornwall and by reason thereof subject to the jurisdiction of this court; and the party proponent doth propound and allege as before.

Ans.—Ninth—That I, M. W. was and am an inhabitant of the said parish of Pelynt within the said Archdeaconry of Cornwall and by reason thereof subject to the jurisdiction of this court and therefore pray for protection against the false and malicious charges contained in the libel.

Tenth—That of and concerning the premisses it is on the part and behalf of the said R. J. rightly and duly complained to you the Archdeacon Official or Surrogate aforesaid, and to this Court; and the party proponent doth propound and allege as before.

Ans.—Tenth—That of and concerning the charges contained in the libel I, M. W. clearly and plainly proving to you, the Archdeacon, Official or Surrogate as aforesaid and to this Court, that the said R. J. never had any just cause of complaint.

Eleventh—That all and singular the premises were and are true public and notorious and thereof there was and is a publick voice fame and report of which legal proof being made the party proponent prays right and justice to be done and administered unto him and his party in the premises, and that the said M. W. be condemned in double the value of the said predial tithes so as aforesaid subtracted, withheld, carried away and not paid, and also in all lawful costs made and to be made in this cause on the part and behalf of the said R. J. humbly praying a sentence or final decree to compel the said M. W. to pay as well the tithes and the double value of the said predial tithes, as also the costs and expences of this suit, and further to do and decree in the premises what shall be lawful in this behalf not obliging himself to prove

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all and singular the premises nor to the burthen of a superfluous proof, a-  
gainst which he protests; and prays that so far as he shall prove in the pre-  
mises, he may obtain in this his petition, the benefit of the law being always  
preserved, humbly imploring the aid of your office in this behalf.

Ans.—Eleventh—That all and singular the charges were and are false un-  
true and malicious, and in proof that the public voice fame and report is in  
my favour, I subjoin the testimony of some of my most respectable neigh-  
bors; and I, M. W. pray right and justice to be done and administered un-  
to me for the inconvenience, loss, expence, journies, waste of time, and anx-  
ious thoughts, which it has occasioned me, also for the danger to which it  
has exposed my reputation and liberty.

The Schedule of which mention is made in the preceding Libel.

First—That the said M. W. in the months libelled or in some or one of  
them within the aforesaid parish of Pelynt and the lines, limits and the tith-  
able places thereof, held occupied possessed and enjoyed one or more tene-  
ment or tenements, estate or estates of the yearly value of one hundred  
pounds, or some greater or less sum on which had been growing or grown  
within the said time thirty acres of barley, or some greater or less number of  
acres, which he cut down, reaped, mowed, plucked up, gathered, and saved;  
and to his own use, benefit and advantage, took and converted, or caused  
the same to be so done, every acre of the said barley being worth twelve  
pounds according to the common estimation the tithe or tenth being with ac-  
cording.

#### ANSWER TO THE SCHEDULE.

That I M. W. did grow on my estate two fields of barley, one of which a  
field about two acres and a half, Mr. R. J. sent and took the tithe of, and  
quietly carried the same away as before mentioned, and the other field about  
four acres and three quarters, the tithe of which was worth about fifty shil-  
lings; none of the aforesaid tithes could I purchase of Mr. R. J. at any  
price.

Mr. M. W's character and the public voice, &c. I hereby give my tes-  
timony to the character of M. W., farmer of Cardwen in this parish, in terms,  
such as I conceive he is deserving of; I have not heard that his reputation  
as an honorable man was ever called in question; from the personal ac-  
quaintance I have had with him during about two years, I have formed an  
opinion of his being of upright and honest principles, sedulous in business  
and of sober and religious habits; the knowledge of his duty to God, as I  
am able and bound to say, has constant influence on his life and conduct, on  
which account, I think him incapable of committing wilful injury on his  
neighbour.

[Signed]

HENRY THOMAS DYKE, *Vicar of Pelynt.*

We the undersigned farmers und inhabitants of the parish of Pelynt in  
the county of Cornwall, having been informed that certain charges have  
been produced against Mr. M. W., farmer of the aforesaid parish by Mr.  
R. J. tithe farmer of the aforesaid parish, under the name and form of a li-  
bel in the Ecclesiastical Court in which it is said, that he the said M. W. hath  
been guilty of subtraction of tithes, and that this his said act is known public  
and notorious, a fame thereof having gone abroad; this is to testify that we  
whose names are hereunto subscribed have not heard of such a fame and we  
believe it is not public or notorious but that the charges therein produced  
are ill founded.

*Pelynt, January 28th, 1831:*

Jonathan K. Weery, Church-  
warden.

John Hoskelly,  
Isaack Hunking,  
Thomas Briant,  
William Deeble,  
William Morshead,

Thomas Slade,  
William Crapp,  
Benjamin May,  
John Hocken,  
James Alger,  
Witham Harding,

Joseph Leach,  
Thomas Slade,  
Thomas Bates,  
Jonathan Hill,  
Charles Fiddick,  
Henry Stevens.

Mark the commencement of the libel and compare the libel with the answer. How can the sacred name of God be more profaned than it is by prefixing it to such lies as are contained in the libel?

Perhaps my readers will be anxious to know how this suit ended; the farmer attended the court once after giving in his answer, and was then asked by a Proctor, Mr. M. W. have you conquered them? M. W. answered, I am come to see. Proctor. You have given them a hard blow, I believe, but you must not attribute your success to the method you have adopted in your defence. M. W. I shall attribute my success to the goodness of my cause: so the suit ended, but the farmer was paid nothing for the injury done him. Behold the justice of that court, in which cases are decided not according to equity, but according to the custom of the court. M. W. was informed by an officer of the court that he was once in the court when a pious man sat as Judge, by whom a cause was to be decided, and the pious Judge said, I consider the cause ought to be decided thus; but said the Proctor, that would be deciding it according to equity; but cases are not decided in this court according to equity, but according to the custom of the court.

When we consider the wisdom of the British Nation, and look at the free people, of whom there has been so much boast, we are naturally inclined to think the tithes are, or ought to be of some benefit to the nation, for if it was not a great good their wisdom would remove it; for it is very clear, if it cannot be proved that it is a great good, it can easily be proved a great evil, for the tenth of the produce of all the land, is not a light burden, which includes a tenth part of all the ingenuity, time, strength, and money, laid out in agriculture. The Bishops have asserted that they do not exact all they have a power to exact; that is partly true, for they well know if the tithes were exacted universally as they are in some instances, that the British public would have swept away the tithes long since; but altho' it is not universally done, it is done frequently, and therefore the sufferers are nothing the better for it, although it is not universal. But are the tithes no benefit to the common wealth? I ask again, can that be for the common wealth which tends to prevent the labouring poor from being employed, and the waste lands in England from being cultivated? The pasture Lands pay very little tithe, but when the farmer has been to the expence of cultivation, the tithe owner puts forth his claim, and when a tenth part of the produce is taken out, the remaining nine parts will not pay for cultivation, and therefore the labourers are out of employ, and the British public deprived of the produce that would otherwise be raised, and the labourers reduced to the necessity of seeking parochial relief; besides, if a tenth part of the produce raised is claimed, by the tithe owner, free of expence for cultivation, how can the labourers receive a proper reward for their toil? The farmers are thereby prevented from obeying an apostolic injunction; Masters, give unto your servants that which is just and equal. But are not the tithes necessary to promote the interests of religion? I ask again, do not the tithes sap the very foundation of Christianity and destroy the very

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principles on which it is built; that is the love of God, and the love of our neighbour. Have the tithes promoted either the one or the other in Ireland, and how have that Priest ridden and oppressed people, been furnished with religious instruction? It has been asserted in the British Parliament, that Parishes are connected to the number of five, six, and in one instance to the number of thirteen under one Clergyman, and as the common practice amongst the Clergy is to preach, or in other words read a sermon once a week, they would be favoured with four sermons in a year for the tenth part of the produce of their soil. Does not the tithe tend to make them who ought to be teachers of religion by example as well as precept, indolent, careless, ignorant, proud, selfish, covetous, miserly, and sensual? They are so indolent that they will not be at the pains of searching and studying the Scriptures with attention and prayer, that they may become workmen who need not be ashamed, rightly dividing the word of life. They are so careless that in most instances family religion, the sick, and the poor are altogether neglected, and the Church Service is attended to in a manner very unlike the worship of God, and their ignorance of experimental religion is such, that numbers of them deny its existence, and teach that infant baptism is the new birth, and that laying on of the Bishop's hand is confirm- ing ignorant and impenitent young people in the faith of the Gospel; they will give them a note of recommendation written thus, Examined and approved by me Stephen Doble, Vicar of, &c. without asking the person to whom it was given a single question: they sometimes lose their Sermon Book, and in that case their congregation is dismissed without as much as a word of exhortation. Of what use is their Classical Education, are they not learned fools? other men with but little education can speak without a book to the edification of their hearers, and those learned men without their books are dumb as a fish.

As a specimen of their pride I shall relate an Anecdote. A pious neighbour visited and prayed with a Parson's workman who was sick, and in dying circumstances; when the Parson heard thereof, he took the first opportunity to reprove the benevolent pious man, and said, I will let you know that I am the spirituality of this parish, and if you do not refrain from praying with my parishioners I will ruin you, intimating by the Archdeacon's Court. And some of them are so selfish that they will grasp a full tenth of the produce of all their parish, and so covetous that some of them have influenced Landowners to exact extortionate rents from their tenants, that they themselves might have the more three and sixpences in the pound for tithes, as they compound with farmers at that rate. Again the law will authorize them in some cases to demand a seventh. I know a farmer who had fourteen geese, and one of them he sent to the Parson; soon after he received from the Parson a letter demanding a second goose, to which the farmer answered, I have sent you one out of fourteen; the Parson sent another letter which was answered to as before, but the Parson sent a third letter, saying, if you do not send me another goose I will cite you to court: the farmer then sent him another goose, so he had a seventh instead of a tenth. I have heard the farmer say, that he would have sent the Parson all his geese rather than appear at the Archdeacon's Court.

For the most part Rectors are complete misers, I shall notice one who receives for tithes £1000 per year, he has a good Parsonage, and has been the parson of that parish for about forty years. During which time as is supposed he has laid up in the Bank more than £50,000. He has no family, and re-

gives his tithes once a year by composition. And he prepares a very nice dinner for his parishioners, to induce them to attend the tithe paying, and the day after his tithe feast he rides off to the Bank and deposits his cash on interest, and returns so poor that he has nothing for charitable purposes however distressing the case. He is now too old and infirm to officiate in the Church. And for some years past he has employed a Curate, and perhaps his Curate receives £100 per year; and out of his moderate income, the Curate offered to subscribe £2 to buy coals for the poor, and he solicited the Rector to do likewise; but the Rector's income was not enough for him to find any thing to give to the poor. A few years since I drove a fat Bullock to slaughter through the parish, and when I came in sight of the Alms House, the Rector drove his carriage before the Alms House door, which was soon filled with poor women who were gazing after the Parson, and as I passed the door, the women accosted me thus: which shall we kill, your Bullock or the Parson's. I was shocked at being asked such a question, and said with a degree of warmth, neither I hope. How could you dare ask such a question? And they said, we think your Bullock might supply our present want; but the Parson received his tithes yesterday, and he is carrying away all his money to the Bank, and that would last us for some time, that is one specimen to prove that the tithe does not tend to promote the religion of love.

Sensuality and wealth are generally united, for man is naturally sensual, and wealth furnishes him with means to gratify his natural propensities. Hence, it is enquired, how hardly shall a rich man inherit the kingdom of God. Titheowners are generally rich men, and their wealth is not only a curse to the public generally; but in most instances a curse to themselves also, for intemperance is by no means properly discountenanced, and some of those who pretend to preach the Gospel, but who do it for the sake of filthy lucre, are frequently intoxicated by drinking the fire waters as the Indians say. And debauchery is by far too prevalent, and cannot always be kept a secret. There was a titheowner in England when I left, who has had seven illegitimate children by one kept Miss; he had a housekeeper whom he seduced and begat several children by her before it was publicly known: those children were secretly put to nurse, to a woman who pretended they were her own children, but it so happened, that Miss had two children at one birth, and this took place a short time before their yearly revel, [at some places in England they have annually what is called a revel, and commenced as is supposed at the dedication of their Parish Church, and the yearly return of that Sabbath is called Feasten Sunday, on which Feasting begins, and has been (sometimes) kept up through the week; that custom as well as the tithes were derived from popery, and ought to be protested against, as being anti-christian,] and to prevent suspicion, altho' in a very improper state, Miss joined the jovial party in a dance, by which means she took cold, and became almost blind; by chance at that time, there was in the neighbourhood, a very celebrated physician, to whom she applied for advice, and he told her, you have taken cold after your laying in; she answered, that is impossible, for I never had a child; but he positively asserted again, you have taken cold after your laying in, and there being several persons present, when it was spoken, it led to further enquiry, and it was found that she had five children and that by a Rev. of the establishment, and although it became publicly known, he did not marry her, but cohabited with her, in the same unlawful manner, and begat

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two children more publicly by the same woman, and when I left England he held his tithes and pretended to be a teacher of christianity.

Before I left England I had the pleasure of attending a county meeting which had been called by seven magistrates, (the Sheriff having refused,) for the purpose of advocating the cause and petitioning for constitutional Parliamentary Reform; several gentlemen addressed the meeting amongst whom was a noble minded public spirited and very worthy clergyman of the church of England who had advocated the reform cause for thirty years, and while he was speaking some person who knew he was connected with the tithes, said in a distinct and loud tone, the tithes, the tithes are our greatest grievance, and the noble clergyman answered, I shall have no objection to enter into a discussion of that subject on a proper occasion, but we must have Parliamentary Reform first, and then we will get at the tithes; all the discerning pious clergy of the church of England dislike the tithes; there were at that meeting some elegant speeches delivered, shewing the great want of reform and attributing the American revolutionary war, the war with France and all the complicated evils of every description, under which the English groan to the want of a just representation of the people in the British House of Parliament. After the meeting a Parson's clerk said, none of the speakers have struck at the root of the evils, now if I had had to speak I should have gone deeper than either of them. I was surprised to hear him speak in that manner, and said, pray what would you have said? he answered, infidelity is the cause of all miseries in the nation and the clergy are the chief cause of that infidelity for they go to the college and learn the trade of a Parson, and they get to work in the shop of a rectory or vicarage and they will make the most of that shop that they can, they reprobate all gospel ministers and mix with the gentry and nobility in their customs and vain amusements, confiding them in opinion that there is nothing in religion but a name and thereby shewing to the world that they themselves are lovers of pleasure more than of God.

Last year a gentleman who stiled himself Cuthbert Repon, Esq. of Stanhope Castle, addressed his present Majesty complaining of tithes, and stated that the parish of Standope contained 12,000 inhabitants and that the tithes of that parish were worth £6000 a year, and yet the bishop of Exeter held the tithes in connection with the bishoprick; he said the tithes were given to the priest for spiritual benefits received by the people, but if those spiritual benefits are withheld, what right have the priests to the tithes; if a sick man employed a physician and the physician left him in the hands of an apothecary, what right would the physician have to be paid? he also stated, they take a man and put a mitre on his head and call him Right Reverend Father in God, a mopsy of mortal make, whom God can never approve nor man esteem. Are not both the custom and title antichristian?

Lord King in presenting a petition against the tithes, said there were no abuses in the nation that they had not found an excuse for except the tithes, it hath been said the Cora Law works well, colonial slavery works well, corrupt parliaments and heavy taxation work well, but it has never been said the tithes work well.

Before I left England I attended a petty sessions where the magistrates have legal authority to bind poor children who are nine years of age apprentices until they are twenty one years of age, the custom has been to bind them on parishioners according to the value of their rated property. At that meeting I saw Mr. M. W. of whom mention is made in the preceding libel, he had been there many times on the same errand (and through the influence of some person which was the tithe farmer before noticed,) he was there to appeal against taking a parish apprentice, the grounds of his appeal were four—first, that he had one apprentice on a small farm of about forty acres and six children of his own, the eldest of whom about thirteen years of age, whilst a farmer of the same parish, occupied a farm of more value, but had no apprentice—secondly, in the same parish there was a Rev. Buro-net who owned many thousands of acres of land and occupied rated property in the parish, more than three times the value of his forty acres, and yet he had no apprentice—thirdly, the tithe sloop had no apprentice although rented at more than 300 pounds sterling per year, and originally given for the maintenance of the poor—fourth and lastly, about two months before the parish officers had called a legal vestry, and parishioners entered an agreement on their vestry book not to bind any more apprentices but that they should be taken by lot without binding, that was acted on for once and the most desirable children were taken in that way, and the refuse were brought to the meeting that day to be bound apprentices until they were twenty one years of age, and whatsoever disease or accident befell those children during their apprenticeship, the farmer must be at the loss and help the other children if required, out of the poor rates; M. W. set forth the injustice of the case with all his powers of his soul, but the magistrates were all tithe owners, and therefore deaf to all his complaints, an apprentice they bound on him in spite of all he said; you in Canada are none of those things to complain of, therefore be thankful.

The next class to be noticed are the mechanics, and much of their distress is occasioned by their intemperance, ignorance and prejudice. poor as they are many of them can find money to spend in gin, and will spend it if their wives and children starve for want of bread, some drink from custom, others for company and others because they like it, some say they drink to drown sorrow and others to inspire them with diabolical courage to enable them to do such things as they dare not if they were perfectly sober. (The common use of ardent spirits is lamentable, especially in our enlightened age and country; the most learned physicians bear their united testimony, that they possess no nourishing qualities, and if ardent spirits are taken as a stimulus to raise the nerves when depressed, in the same proportion as it raises during its excitement in the exact proportion it tends to depress afterwards;)



drinking spirits stupifies the senses and is a waste of money and time and prevents education, the mind becomes effeminate and filled with prejudices, and they do not know the advantages of Canada and the other British colonies; in vain you tell them they can earn seven shillings per day. I know a young man whose uncle offered to pay £60 for his passage if he would come to him in New South Wales but he would not go; such are the prejudices Englishmen have for their native abode, that thousands of them were never 40 miles from the smoke of their own chimney; if their minds were better informed, they would be delivered from their childish prejudices, and would seek their bread in some other part of the world, they would not live in England to increase the title owners wealth and enslave their children. All men have an attachment to their birth place and wish to remain there; the Greenlanders, the inhabitants of the Scilly Isles near the land's end in England, and the Shetland Islanders at the north of Scotland are all fond of their own country although their lands are naturally barren, and such are their prejudices that they would rather remain at home in poverty than go abroad for comfortable subsistence. Canada is a paradise when compared with some places; its soil is naturally productive, strawberries, raspberries, cranberries, blackberries, whortleberries, gooseberries, currants, cherries, plumbs and grapes grow without culture, and by cultivation every necessary of life, and many luxuries, wheat, barley, rye, oats, peas, and indian corn, potatoes, turnips, beets, carrots and onions, cabbages and various herbs too numerous to mention, pumpkins, squashes, melons and cucumbers in abundance, apples and other fruits very abundant, with various kinds of nuts; you Canadians can make your own sugar soap and candles also, without the excise-man or tax. You are well paid for your work without poor rates, and you mechanics can purchase your provisions at a moderate price without tithes from your gardens, apple trees or bee hives. In England, mechanics are so numerous that they find it difficult to get employment, and when they do they have but little for their work, and poor as they are themselves they must pay poor rates for their houses. I knew a tradesman who did not live in his own parish, and he was called on for poor rates, but he was destitute of the necessaries of life himself, and was obliged to ask money of the overseer of the poor in his own parish to pay the poor rates where he resided, and if he had an apple tree, garden and beehive, he must pay tithes too, many will scarcely believe it possible for tithe owners to be so mean and mercenary as to take tithes of such things; some of them are more noble, but what is too mean for covetous men, they are never satisfied. I knew a tailor's wife who carried tithe of her honey to a clergyman, and he growled and scolded because she had brought him so little, and her husband at the same time could not get constant employment at the low wages of one shilling per day; and as great numbers are employed making clothing and tools of different kinds for husbandmen, we may consider a tenth part of their labor cut up by the titheowner. Another evil they have to complain of, is a tax on grain, in consequence of which they must buy their bread dear, although they must sell their wares cheap.

Some tell us the Corn Laws are necessary, and that they are a benefit to the nation, but for what? except for landowners who thereby have been enabled to exact exorbitant rents for their estates, and the tithe owners also, their burthensome composition for tithes. The farmers who rent farms have not derived any benefit from the Corn Bill, far, otherwise, they have had their expectations raised to things which they could never realize, and therefore, have been greatly disappointed. When the Corn Bill was carried in the British Parliament, the farmers thought they would obtain, regularly, a remunerating price for their produce and rented their farms accordingly, but they have been greatly disappointed and grievously oppressed. But the Corn Law has operated most against the mechanics, because the English manufacturers want a higher price for their merchandize, than others who buy their bread so much cheaper; therefore they cannot enter a foreign market, except under disadvantageous circumstances. If I may be allowed to express an opinion, I think that for a maritime nation like England to attempt to keep the price of bread above a proper level by tax on grain, tends to prove God had taken wisdom from the past counsellors. It has tended to drive persons out of the nation, who were living on a moderate income, to some place where they can purchase provisions, cheaper than they can in England; and thereby servants are deprived of situations; mechanics of labour, and the nation of the circulation of so much money as they carry out of it. That bill has operated against ship-owners and sailors also, because it tends to lessen their employment, and lets them open to very great temptations to become smugglers. The sailors have an undoubted right to purchase their stock at the port where they can suit themselves best, consequently much of their money is circulated for provisions in foreign instead of the English market. I should not have mentioned this injurious Bill if I had not been myself a great sufferer through its means, and if I did not believe it opposed to the interest of the British nation, but especially to the working people, because it tends to keep men out of employment. In the winter of 1830, English mechanics of respectable connections were under the necessity of working on the high roads for 10d per day, and hoard and lodge themselves; they sat to break stones to mend the roads, in some of the most severe weather, at that price. I knew a good tradesman of intelligence, temperance, and industry, whose family had been without food for two days together. English parents suffer in person and prospect; they are at their wit's end what to do with their children, they do not know what trade to learn them, or where to place them, that they may be enabled to earn their bread by honest labour. Although you in Canada have a colder winter than they have in England, the winter is dry, and you have abundance of the very best fuel, but in England the wood is very scarce, and the coals are taxed. I knew a family sit in the house three hours together in the coldest win-

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ter nights in 1830 without fire, and go to bed without even warming themselves; their food scanty and mean, and bedding likewise.

The term labourers, will include agricultural Labourers, Fishermen, and Miners. The independence of labourers is lost; to sink lower is almost impossible, and any improvement in their circumstances, they have little or no prospect. Children from nine to twenty one years of age can provide food and clothes, if they are fortunate and industrious. A young man can earn, beside his board and lodging, from £4 10 to £9 a year, according to the part they are in, and according to their abilities. A married man can earn from 6s to 9s a week, board and lodge himself; if he has a wife and four children he can earn no more than 9s. a week; his house will cost him 1s. a week; he has to provide food, clothes, shoes, fuel, soap, candles, salt, &c. out of the remaining 8s and if he, his wife and four children are extravagant enough to eat 15 pennys' worth of food in one day, he would have a halfpenny per day left for every other purpose; compare this hard working man with the rich pauper of the civil list, who now frequently expends more than £1000 in one day in a feast, and it hath been said with regard to those men that there is no cause of complaint.

It happens frequently that the labourers in England cannot find employment for themselves, and when that is the case they are obliged to apply to the overseers of the poor to get work for them, or pay them out of the Poor Rates, and the overseers sometimes call a parish meeting to consult what to do with the labourers, and the labourers are disposed of in four different ways, *i. e.* by auction, by sending them round the Parish according to the rate, and pay them out of the Poor rates, or send them round and the farmer pays them instead of the overseer; but they are sometimes ordered to the overseer as a punishment, to remain in idleness from six in the morning to six in the evening, and as Satan finds mischief for idle hands to do they sometimes employ themselves in the same way, as the devils and lost souls in the bottomless pit, *i. e.* tormenting one another; the ignorant and weak are tortured to make sport for the strong. The labourers have been to the overseer in that way for many days together, and from ten to fifteen at the same time; a half witted man was taken by the rest and hung up in a barn with an ox chain round his body until he became so bruised that he was sick in consequence, another was bound in a bundle of straw and was carried to a mud pool and thrown in thither. When the labourers are put by auction, one farmer will give such a man 4d. per day for a specified time, another has said 6d. per day and so on, the remainder is taken out of the Poor Rates according to their family; in that degrading manner the labourers have been treated. The auction plan is advocated by the large and wealthy farmers, that the titheowners may pay in Poor Rates partly for cultivating the land, but some of them are so mean spirited as to advocate the plan for a worse purpose, *i. e.* that small farmers who work their farms without hiring labourers, may pay in Poor Rates for cultivating the large farms. A small farmer complained of the injustice of that practice, to one who was a strenuous advocate for it, and instead of being ashamed, the great farmer triumphed in the thought of being able to have his labourers paid their hire in that way. Imagine if you can, how such treatment tends to work out the bad passions.

I have known labourers deprived of the means of subsistence to compel them to bind their children parish apprentices, and after they have submitted to have it done, all the persons liable to take apprentices have appealed to the Justices against taking them. I have heard an honest good labourer say, that he had been so famished with hunger that when he has seen food he has been so tempted he scarcely knew what to do in order to prevent himself from begging for it. I know many of them who have been deprived of animal food for days together and some for weeks together; their faces are truly ground to powder. Labouring men in England are treated worse than than the oxen and horses, for they are well fed that they may be strong to labour, but the labourers are expected to work hard without proper food. Within the last three years many in England have died through starvation. The newspapers intimated that thirteen cases were proved in London and its vicinity one winter, within a few miles of my native residence. One man who had ate nothing for the day, as he was driving a wheelbarrow, in a borough town, dropped down and died in the street; and near another borough town a man and his wife were found in their bed both dead, without any food in their house.

As none of the labourers save any thing for old age, when their labour is done, they are allowed 2s or 2s 6d a week to find themselves in their declining years, out of the Poor Rates, until death puts an end to their sufferings in this mortal state; well for them if they are what they are called to be, *i. e.* rich in faith and heirs of God's kingdom.

The next class to be noticed are Fishermen: and you will suppose of course that the tithe owner does not claim tithe from the sea, but I have to inform you that the tenth part of produce of the land in England does not satisfy those gentlemen, for they are so greedy of filthy lucre, that they demand tithe of Fish also, the produce of the sea.

At one place the titheowner had a custom to receive a certain sum yearly from the owners of each boat employed in fishing instead of fish, but last year the fishermen refused to pay the reverend, assigning as a reason that they could not provide bread for their families; however that availed nothing; he still persisted in his demand, for some of the titheowners are such covetous, miserly, hardened wretches, that they would take the last shilling a man had in the world, although his family was famishing for want of bread. The fishermen then said our forefathers first paid tithes to the Roman Catholic Priests, to pay them for praying their souls out of Purgatory, but we have no faith in the virtue of such prayers,

and have no further need of them, therefore we will pay tithes no more; but the Reverend said it is my privilege by custom, and therefore you shall pay me, he then employed legal authority and took their household furniture with a design to sell it by auction to pay himself, but as he would have it by force, the fishermen and their wives tried their united strength in opposition; and thereby showed the Parson that they were the strongest party; when I left England it was expected that there would be further proceedings, but I have not heard how it ended, but I have heard that the lawyers in Ireland have refused to exort tithes, and it is probable that in England they will soon do likewise.

A few years since a Parson went to a small fishing town in his parish and demanded tithes of fish, but tithes of fish had never been paid in that place; the Parson I knew well, and I believe he knows about religion experimentally; he has manifested much zeal in his ministerial duties by preaching publicly and from house to house, warning his parishioners night and day, but many of them have their minds so filled with prejudice in consequence of the tithes, that they will never hear him preach, and they are to enquire can any good thing come out of Nazareth? such is the opinion that I have entertained of the Parson's piety that I could not have believed it possible for a man like him to have stooped to such mean actions if the evidence had not been irresistible. I have seen the wives of those fishermen come to the market in that town which was held only once a week, to buy a piece of meat, one has bought a pound, another a pound and a half, and a third three pounds, as they could find money to pay for it, and that scanty portion was all the butcher's meat, and frequently all the flesh of any kind that a man and his wife with three or four children had to make use of in a week. The distressing poverty of those fishermen and families is beyond what I can describe; but although that is the case, such are their attachments to their dirty pit of a town that I have heard some of them say they would not leave it for the Continent of America if they could have all the land given them for inheritance; what is most surprising that a man possessed of the least spark of grace should demand tithes of such persons, but it is a very strong proof, that the love of the world has much influence over the minds of some who have a degree of piety. When the Parson demanded his tithes of fish, he was heard by a bold resolute fellow who instantly exclaimed, what! tithes fish? what next! I believe ye have tithes of fish, we can't get bread half of our time with all the fish we catch: the man then snatched up a fish in his hand of the eel shape, known in England by the name of conger, and marched towards the Parson, and said to him "I'll be d—d if thee does not begone I'll stirrup thy head with this fish as long as it will hang together;" that bold stand made the Parson retreat at quick time without ever once demanding tithes of fish again.

My acquaintance with Miners is limited but I know they are very numerous in England, especially in Cornwall, a county at the south west extremity of the kingdom; its extent is 30 miles in length and 40 in breadth; it was reported last year that Cornwall contained 50,000 miners who are employed in the different tin and copper mines in that county. The Cornish miners fifty years since were considered by some people very little better than savages, but of late years they are become intelligent and well behaved a race of men as any of the same standing in society that are to be found in the British nation, and the reformation of those men has been truly attributed to the labours of the Wesleyan Methodists without pay from the tithes or the state. Mr. Joseph Benson was instrumental in doing much good amongst them. It is said the Cornish flocked to hear that venerable man preach to the number of 50,000 at one time in a populous mining district, and since that time there has been a very great reformation amongst them. I have been informed that those men are become so numerous that every advantage has been taken of them by their employers. Their wages is very little at best and they are curbed of that little by the Captains of the mines in a most shameful manner: they call it spoiling them for this, that and the other thing: when pay day comes they have very little money to receive, nearly all having before leaked out to the spoil. If it should so happen that the mines should fail, which is not altogether improbable, the miners must emigrate to Canada or somewhere else. If I am correctly informed the titheowners get dues paid them from the mines instead of tithes, so that those gentlemen must have from the earth, the sea, and from under the earth, or to speak more proper, have tithes out of the earth's bowels.

Last year the miners determined to obtain a remunerating price for their work; for that purpose the men belonging to one of the large mines entered into an agreement and drew up articles and signed them, and whoever broke those articles was to be punished in the manner following: he was to be fixed upon an Ass with his back towards the head of the Ass; he was to have his legs tied also under the Ass's belly, likewise a ticket stuck to his back written thus: "this is the black sheep of E. C. Mine," in that form he was to ride on the Ass through one of the most populous mining districts, a distance of from eight to twelve miles. One of the men broke the agreement and therefore was treated accordingly, in consequence of which several of the miners were taken up in a deceitful clandestine manner and put into jail, this circumstance excited the miners' indignation, and the jail was likely to have been torn down at considerable expence to the nation, the military were sent for to guard the jail but that would probably have proved ineffectual, if some of the magistrates who are deservedly popular had not pledged themselves to the miners that their comrade should be liberated without further punishment as soon as it could be done without offending the law: the committing magistrate if I am rightly informed was a hot brained Parson, and I think it is more than probable if the poor labouring miners had been paid in wages extra, what the Parson was paid in mine dues instead of tithes, the miners

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would have been contented with their wages, and this case would never have happened.

I think enough has been said to show the injurious tendency of the tythe system, and to prove that the tithes are no benefit to the state, nor to the interest of religion, that, as well as the borough has been a monopolizing system, and through its means the Bishops, the Lords and their dependents, have tyrannized over both King and people.

When the test act was removed, my aunt, who was possessed of high church prejudices, lamented deeply the repeal of that obnoxious act; and said, my dear cousin, the dissenters will surely tear down the Church; no aunt, the dissenters will never tear down the Church; but the clergy themselves will tear it down; the Church of Jesus Christ is immovably fixed; it is built on a rock, and the Gates of Hell, shall not prevail against it; but the worldly and state Church, so far as it is worldly, will be torn down, by its own advocates; who are greedily grasping after tithes, and worldly emoluments, and by the ignorance and wicked lives of the clergy.

Seeing a dominant Church did not work well in the New England States; and the universal peace and prosperity that now prevail in the United States of America, both in a religious and political point of view; where there is no state religion, but where the people have equal protection, and all have liberty to maintain their own ministers, by voluntary contribution.

And with such examples before you, as Ireland robbed and impoverished by worldly priests; and England also, driven to outrageous madness, through the means of tithes, and ungadly, worldly, covetous, miserly, tyrannical priests and tithe owners; and multitudes thereby driven from the British nation, to the United States of America:

If you Canadians, with such examples before you, and with such a liberal minded Monarch as King William the Fourth, and with such advocates for Civil and Religious Liberty as Earl Grey and Lord Brougham; if you with such examples, and such opportunities, do not keep from this country a state religion, of one or two churches, (as it is improperly called, for Jesus Christ has but one Church, and that Church includes all the truly pious of every denomination throughout the whole world,) you deserve to be afflicted with worldly priests.

Let them have the reserves, and they will want the tithes next, for the more worldly men have in their possession the more they want.

In England they have not been satisfied with large estates, and the tenth part of the industry, time, strength, and money, laid out in agricultural purposes, but they have a great many thousands yearly out of the taxes also. It is reported in England, that the bishops have from forty to sixty thousands a year, out of the taxes, not dollars but sovereigns.

And if the people will hear the plain Gospel preached, they will have to support Gospel ministers, over and besides, for worldly men cannot preach the Gospel.

There is as much want of reformation in the English Church as in the State, and if worldly unconverted men do not repent, they must perish whether they are clergy or laity.

I said to begin that I am a member of that Church, confirmed by the bishop, and for many years regularly communed with that Church, when I had an opportunity, if the officiating clergyman has been moral in his conduct, and if he did not read false doctrines.

*FINIS.*

