

REMARKS AND SUGGESTIONS,
RESPECTFULLY OFFERED,
ON THAT PORTION OF THE
CLERGY RESERVE PROPERTY,

(LANDED AND FUNDED,)

OF UPPER CANADA,

“Not specifically appropriated to any particular Church.”

IN A LETTER ADDRESSED

TO

HIS EXCELLENCY
SIR GEORGE ARTHUR, K. C. B.

GOVERNOR, AND COMMANDER-IN-CHIEF,

&c. &c. &c.

BY THE REV. W. M. HARVARD,

Late President of the Wesleyan-Methodist Church, in Upper Canada.

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CLARENCE B. STURGEON
OF THE
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SIR GEORGE ARTHUR K. G. B.
OF THE
FIRM OF STURGEON & COMPANY

BY THE NEW YORK BAR

THE NEW YORK BAR
OF THE
FIRM OF STURGEON & COMPANY

ADVERTISEMENT.

THE ensuing Remarks, &c. were written and read to an esteemed friend, on the eve of the author's departure from Toronto, in the month of July last. Their publication has been subsequently delayed, owing to circumstances, which were, perhaps, Providential, but over which he had no control. He has, however, no disposition to regret the delay; as it has enabled him to make an alteration or two, which he considers to be an improvement; and, by that means, he will also have the advantage, as well as his readers, of his pages being introduced to their attention, after various other initiatory productions, on the same subject.

Wesleyan Mission-House,
Quebec, L. C. Nov. 30th, 1838.

EXTRACTS

FROM

THE CONSTITUTIONAL ACT

OF

THE CANADAS.

31ST YEAR GEO. III. CAP. 31ST.

“Sec. 35. For the encouragement of the Protestant Religion and for the maintenance and support of a Protestant Clergy within the said Province.” (36.) “That such provision may be made with respect to all future grants of land within the said Provinces, respectively, as may best conduce to the due and sufficient support and maintenance of a Protestant Clergy within the said Provinces; in proportion to such increase as may happen in the population and cultivation thereof; equal in value to the seventh part of the lands so granted.” (38.) “That it shall be lawful for His Majesty, &c. to authorize the Lieutenant Governor, &c. to constitute and erect one or more Parsonages or Rectories, according to the establishment of the Church of England; and from time to time to endow every such Parsonage or Rectory with so much or such part of the lands so allotted, &c. as aforesaid, as with the advice of the Executive Council he shall judge to be expedient, &c.

“Sec. 41. That the several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a Protestant Clergy, and also respecting Parsonages or Rectories, &c. shall be subject to be varied or repealed, by any express provisions for that purpose, contained in any Act which may be passed by the Legislative Council and Assembly of the said Provinces, respectively; and assented to by His Majesty,” &c. &c.

REMARKS, &c.

MAY IT PLEASE YOUR EXCELLENCY ;

IT AFFORDS me satisfaction, that Your Excellency may easily ascertain I am not, generally, in the habit of interfering in matters of State. Not that I am either insensible to my own political privileges, or without interest in the welfare of the community at large. But being under sacred engagements, and having a sense of obligation to devote my principal attention to sacred objects ; a confidence in the general integrity of the Government, under which it is my happiness to live, renders me cheerfully content to trust matters of purely secular politics, to other and abler hands.

At the same time I do not deny, but rather respectfully maintain, that there may exist, under peculiar circumstances of public emergency, a Providential Call, which a Christian Minister, should not disregard, to adventure even into the arena of political discussion, and there to contend for those social principles which are "according to godliness." But I feel—that such a call ought to be previously well ascertained—that the call should give character to the entire procedure on the occasion—and that it should as speedily lead to a relinquishment of that unwelcome occupancy of his mind, as may be fully consistent with a conscientious responsibility to God. Conscious I am, nevertheless, that there exists no small degree of danger of such a Minister converting the exception into the rule, and of becoming an absolutely political man. And I would fain, myself, be guarded against the evil of exceeding, to which every one is exposed, who may step, however occasionally and justifiably, beyond the safeguard boundary of his acknowledged and customary line of duty.

(GROUNDS OF INTERFERENCE.)

Yet, if any thing would assist me to feel justified in publicly soliciting the attention of Your Excellency, to my communica-

tion on the subject of the CLERGY RESERVE PROPERTY, LANDED AND FUNDED, at the present time; it would be found—in the painful peculiarity of our Provincial circumstances—in the respectful sympathy, which every well-principled man would naturally cherish, in the consequent solitudes of your exalted station—and in the truly dignified accessibleness, by the humblest individual, and those noble and generous principles of public administration, through which our Colonial population feels that you have secured, and are growingly securing, our universal regard, confidence, and co-operation.

Besides these grounds of justification, which are of general application, I may humbly state to Your Excellency, that my late official duties, in connexion with the Wesleyan Methodist Church in Upper Canada, have called me to travel extensively, and in various parts of the Province, and have occasioned me unavoidably to hear the sentiments, and to know the feeling, of no inconsiderable portion of its inhabitants, on this subject. These have made an impression on my mind so much the more strongly, since in most instances they were unsolicited; as my friends will bear me witness; and in many others, have been suspected to be even contrary to my own private prepossessions; and hence have been often unwillingly indicated to me, in connection with the most decided expressions of attachment to our Imperial Constitution. I feel, therefore, that I am under special obligations to give evidence, thus publicly, before Your Excellency; and on these accounts I do it the more cheerfully.

(INJURIOUS ANIMOSITIES AMONG PROFESSING CHRISTIANS.)

Your Excellency has, doubtless, understood; and will consider it to be a fact with which a Christian cannot but be deeply affected; that this subject has been, for some years, so adroitly and incessantly thrown among the religious people of this Province; sometimes for political purposes of the basest description; as to produce almost universally, and in many cases even in individuals of the most sterling religious character, a most morbid degree of sensibility relative to it. I regret to say, for I cannot but think it, that this state of mind has been very greatly aggravated, by exclusive claims made on this property, in behalf of the venerable Churches, by law established, in the Parent Country; claims which are believed by very many of the Canadians to be, in this country, as unconstitutional in fact, as they have been unconciliating in spirit; and

which, on that account, have been most strongly resisted and resented. These are feelings, which greatly and very extensively affect our rural population, as well as, in some smaller degree, the inhabitants of our towns. They painfully counteract the political and even the social concord of the country ; and will, most obviously, claim the tenderest sympathy and consideration, from those who have the direction of our public affairs.

The political antipathies of not a few, have arisen from their mistaken views of the desires and designs of the Government on this subject ; as I know from personal conversation with some, who religiously believe it is contemplated to establish *an ecclesiastical domination*, over them, characterized by the spirit in which they conceive their Constitutional rights in this property, have been withheld from them. I have never failed to assure every one, that this is a gross misconception ; and mention it here, but to evince how well measures of conciliation will be adapted to put such mistaken individuals right, regarding the views of the Government ; and how likely such a course will be to annihilate political restlessness, and to secure the kindlier feeling of multitudes, whose chief political bias arises out of what they think connected with their religious interests. From such an association of objects, so desirable to an enlightened and Christian ruler, when under proper regulation, these controversies have deduced the most unhappy state of things. Such are the animosities which have been excited, however unjustifiably, relative to Clerical and Religious subjects in general, by the contentions regarding the Clergy Reserves in this Province, that, in cases not a few, consequences of eternal moment await the adjustment of the question ; and it is to be feared, some, already, have been awfully and irremediably affected, as regards their mental and moral temper, by the factious delays to which the question has been doomed.

Our Home Government, as your Excellency knows too well to require information, has been for some time aware of this state of things ; though perhaps few persons, even in the Colony, are precisely in circumstances, fully to estimate it. The Official Despatches of the Crown, have nevertheless, for years, been most conciliating as well as instructive to the Canadian mind, on this particular point. They have breathed the lovely spirit of a tender and intelligent parent, kindly and wisely solicitous to compose the family differences of his household. And had not these Royal and paternal communications, met with an unyielding opposition in the Province itself ; and for which all political parties are more or less responsible ; this one general cause of

heart-burning, would long since have ceased to exist in the land. The public and Constitutional spirit, which rallied round the Government, when assailed in 1836, by a Revolutionary stoppage of the supplies, would have supported it in safety from all undue demands, in any well-adapted measure of conciliation respecting the Clergy Reserves.

It has been ascertained that some politicians, who have loudly advocated conciliation on this subject, intended at the same time nothing short of Revolution ; and this may be pleaded in extenuation of those who took an extreme standing on the other side ; with too much reason for distrusting the motives of their most prominent antagonists. But, whatever name it bears, it has been well remarked, of the mere spirit of party, that it has neither eyes nor ears ; to which we might add, that its *animus* resembles the perverse will of a selfish brother, who has no fraternal sensibilities, and who would complacently render absolutely houseless, every individual of his father's family, that he himself might become a sole and dominant proprietor.

(DIFFERENCES OF SENTIMENT.)

Such having been the considerations which have induced me to direct my earnest attention to this subject, I cannot but express regret that my views in relation to it, should be opposite to those entertained by some respectable and estimable individuals, not of own my Communion, with whom I have been on habits of friendly intercourse, in this Province. In the candid avowal of my sentiments, however, it is far from my wish to occasion them any pain. Indeed, in personal intercourse, though never offensively obtruded, my views, have on no occasion been dishonorably concealed. There are points of duty, which require the sacrifice of feeling at the shrine of fidelity. And a catholic friendship, among Christians of various denominations, is founded on the sacred supremacy of the principles, in which they are so happy as harmoniously to agree, rather than on the disgraceful repudiation of those, on which, notwithstanding, they may happen most conscientiously to differ.

The discussion of the Clergy Reserves question, has been, unhappily, associated with so much of what has been bitter and implacable in spirit, as well as coarse and degrading in phraseology ; that, though I do not anticipate an adversary, yet am I quite prepared for the class of *missiles*, with which it has been the taste of some to conduct the contest. But I request permission of

your Excellency to inform such individuals, that I have too great a degree of respect for my sacred cause, and for the solid ground on which it stands, to condescend to the adoption of their polemical tactics. Who can forbear looking, with mingling emotions of grief and indignation, on the base and unauthorized currency, which even Ecclesiastical men, of differing views, too often pay and receive, in their transactions with one another? Would that they had learned, or had not forgotten, the "*image and superscription*," which invariably obtains, where the Sovereignty of Christ is duly acknowledged. Fortunately for truth, these are days in which arrogance will not be admitted as a substitute for arguments. That individual becomes an object of profoundest pity, who has the imbecility to reply to candid reasonings, by assailing his antagonist with abusive epithets. He who should commence an attack with such weapons, is below commiseration. And I assure any writer, who may be indisposed to maintain the controversy as a Christian, or at least as a gentleman, that he may confidently calculate on having the last word. For, "truly," to adopt the language of the beloved George the Third, of blessed memory; "when once it comes to calling names, argument is pretty well at an end."*

(INDIVIDUAL OPINION.)

In my recently-existing relation to the Wesleyan Methodist Church, of this Province, I have united with my brethren in the Ministry, in an expression of opinion concerning the settlement of the Clergy Reserves, which appeared in the *Christian Guardian*, of January the seventeenth, of the present year. Since, however, that relation has ceased, and I am about to remove to the Lower Province, I feel the more at liberty to give utterance to my own views; as of course, they cannot be considered to involve the responsibility of any other individual. At the same time, I feel it due to that beloved Church, over whose interests I have watched, with tender and grateful solicitude, for the last two years; to whose prosperity I can never be insensible; and with which I am still in fraternal union; to state, that my general views have undergone no change to their disadvantage, since my name was officially appended to that well-advised, and hitherto unrefuted document.

* See Boswell's Account of Doctor Samuel Johnson's interview, with that venerable Monarch.

Your Excellency possesses the means of knowing that I am truly and warmly attached to the Crown, Government, and Institutions, of our United Empire; and which, whatever disadvantage it may be to me, in the estimation of some who have not had the same opportunities of acquaintance with them, I feel no motive to conceal. I have an ardent attachment to the Royal Family of Brunswick; whose Princes have invariably extended the Civil and Religious privileges of their subjects; and whose special claims to affection, on that single account alone, I should reckon it a sin of ingratitude to disregard. I am the property of no political party; and feel as free to condemn the extremes of one as of the other. The benefits of our National Constitution, belong alike to all who acknowledge its control. And its invaluable principles, only require to be wrought out into detail, and in suitable keeping with its own entire self, to render our nation still more pre-eminently happy. On the one hand, I have a dread of all wild and anti-British speculations, relative to Civil Government; and on the other, an innate principle of hostility to all exclusive monopoly of privileges, which the genius of our Constitution may render equally the property of all.

(EXCLUSIVE CLAIMS.)

The deference I render to the principle of an Established Church, (when religiously administered, and with equal privileges to all other Churches, save in the matter of state adoption and support,*) and the attachment I have ever felt for the National Church of England, induce in me the most real regret, that any of her friends in this country, or of her Sister Church of Scotland, should have taken, as it appears to me so untenable a standing, as that of their exclusive right to the Clergy Reserves. If I have not misunderstood their argument, they maintain that the Constitutional Act, does so clearly and demonstrably render it theirs, as that it should be considered an absolutely vested right; in which they have as entire an interest, as any person can have, in other species of property; and that an attempt, on the part of any other Protestant Church, to obtain an equal share with them, of that property, is an act of *atrocious* injustice, and of *sacrilegious* spoliation.

* See Appendix, No. 1.

(APPLICATION OF THE TERM CLERGY.)

It will readily be conceded, that there is an apparent unassailableness in this position ; when it is remembered, that the Constitutional Act specifies the Reserves, to be " An appropriation of lands, for the support and maintenance of a Protestant *Clergy*, within the said Province ;" and that, in the United Kingdom, this term has been considered designative only of those who are Ministers of an Established Church.* But, though the argument does not now turn on that particular ; it having been removed from thence by the Home Government ; yet gentlemen who take that side, will permit us to remind them of the following points, which bear on it :—

First. That dignified and distinguished lawyers, are of conflicting opinions, as to such a limitation of the designation.

Secondly. That, admitting the verbal force of the argument, as it may apply to the parlance of the United Kingdoms ; the phraseology of the Constitutional Act, was intended for the meridian of North America ; where the term *Clergy* is indiscriminately applied to all ordained Christian Ministers.

Thirdly. In 1828, the Select Committee of the House of Commons, extended the opinion of the Crown Lawyers, in 1819, so as to include other Protestant Denominations ; and declared that the intention of those who brought forward the Constitutional Act, was to reserve to Government the right to apply the money to *any Protestant Clergy* ; to adopt the words of the Statute, " *in proportion to such increase as may happen in the population and cultivation,*" of the Province ; that is, according as the preferences of the after population, might render it expedient to make the application.

Fourthly. That Lord Grenville, the reputed author of the Constitutional Act, stated to Lord Sandon, by whom it was restated before the Committee of the British House of Commons ; " that the distinction of a Protestant Clergy, which is frequently repeated in the Act of 1791, was MEANT to provide for *any Clergy that was not Roman Catholic* ; (a separate provision having been made for the Clergy of that Church, as recognized, Sect 35 of the said Act) ; at the same time, leaving it to the Governor and the Executive Council of the Province, to provide in future how it should be distributed." (Report, page 181.)

* Indeed, our great national lexicographer, thus defines the term :—
" CLERGY ; the body of men set apart, by due ordination, for the service of God."

In addition to the testimony of Lord Sandon, we have that of another highly respectable Peer of the Realm; the Earl of Harrowby; brother of the learned, devout, and universally-beloved late Bishop Ryder; and certainly not to be suspected of any want of a due regard for the real and actual rights of the Church of England. The following is an extract from a Speech delivered, by his Lordship, ten years ago; on the petition of the Presbyterians of Lower Canada, for a participation in the Clergy Reserve Property. Its character is so exceedingly decided, and so officially declaratory of what really was the view of the Imperial Parliament, in originally founding the Reserves, that it claims an admiring attention:—

“His Lordship remarked, that he would not have said a word upon the subject of the Petition, had not a reference been made to the opinion of Lord Grenville; but as such reference had been made, he felt himself called upon to state, that he had repeated conversations with that noble Lord, upon the subject; and he had not only expressed his opinion so, but had requested him, (the Earl of Harrowby,) if any opportunity should offer, to state, that both his own and Mr. PITT’s, decision, was, that the provisions of the 31st of Geo. III. were *not intended* for the exclusive support of the Church of England, but for the maintenance of *the Clergy, generally, of the Protestant Church.*”*

Fifthly. That the entire phraseology, of the Clerical Clauses of the Constitutional Act, is evidently, in the first place, of a *general*, and afterwards of a more *special* character. In the former respect, there is the setting apart of the entire Reserves, for “the support and maintenance of a Protestant Clergy;” without any particular designation: (Sects. 35-6): in the latter, there is a provision, that, by an ordained process, “*from time to time,*” of recommendation from the Crown, there shall be a legality in making appropriations of portions of that general Protestant property, to the Church of England in particular; (Sect. 38): leaving the question, so far as the other Protestant Churches are concerned, to be dealt with by subsequent and appropriate legislation. It is conceived that the *speciality* in the *latter* Clause,

* See Earl Harrowby’s Speech, in the House of Lords, 26th June, 1828.— If ever known by our Church of England friends, we are bound charitably to conclude that the above has escaped their recollection; or they never could have sought, by the mere force of a *verbal criticism*, to wrest from the hands of the remaining branches of the Protestant household, a Parliamentary benefaction, so unambiguously pronounced to be the inheritance, unexclusively, of the whole Protestant Church.

plainly presumes the *generality* in the *former*. The first, is undeniably *declarative* of the principle of support, to Protestantism, as a whole; the second not more undeniably *prescriptive*, as to how any measure of that general support, in every case, shall be appropriated to a specified portion of that whole.

Such a speciality of detail, in favor of the Church of England, was a becoming recognition of a National Church, which the Imperial Parliament of that day, might well be expected to favour; and it has given to the Clergy of that Church, a fair starting of nearly half a century, of Provincial endowment; of which no one should blame them, for having made the utmost possible advantage. But would it not be unpardonably unfair, now, "*after so long a time,*" to exclude other Protestant Candidates, who must commence with fewer advantages, by far, from being associated with them, in the same course of public encouragement? The strong attachment of Lord Grenville and Mr. Pitt to the Church of England, is well known; and yet the utmost they contemplated in its behalf, even in 1791, was a *decided*, not an *exclusive*, preference of her interests, in this public provision. None, therefore, need fear the suspicion of being unfriendly to that Church, while urging their claims, under the sanction of two such Conservative Statesmen, so justly celebrated for their support of the interests, of both Church and State; according to their own views of those interests.

Sixthly. That the Home Government acknowledge the distinction to which we advert, is most clearly apparent; as from other proofs, so especially from a letter to Principal Macfarlane, on the application of that gentleman for a share of the Reserves, in behalf of the Clergy of the Church of Scotland. The document is given at length, in p. 40, of a pamphlet recently published by the Honble. Wm. Morris, M. P. P. It was written by Sir George Grey, at the direction of Lord Glenelg; and while it admits the claims of the Scotch Clergy, "to participate in the proceeds of the fund, raised by the sale of the Reserve lands;" it expresses regret, that there was not then "*any unappropriated Revenue, derived from those lands in the Upper Province,*" *not specifically appropriated to any particular Church.*

Seventhly. That in so far as any action has yet taken place, with respect to the appropriation of the Reserve Property; the above noticed discrimination, between the *special* and *general* aspect of the Constitutional Act, has been most decisively kept in view. We are aware *abstract* speculations, as to exclusive claims, have been made; and very respectably made; how defective soever we may think them, in being conclusively sustained.

Yet has the *practice* been in evident distrust of the validity of those claims. The *special appropriation* has been considered essential to a legal title, in addition to the *general reservation*. And the point which appears to have determined the Crown Lawyers, in the recent confirmation of the establishment of the fifty-seven Rectories, is the asserted compliance with what may be termed, for the sake of distinctiveness, the Church of England Clauses, (38th, 39th, and 40th,) of the Constitutional Act.*

(CLAUSE TO VARY OR REPEAL.)

Should these considerations be insufficient to satisfy such as speak of "vested rights," as it regards the *unappropriated* property in question; it is presumed, the matter will be fully set at rest, by remembering that the Statute gives to the Provincial Parliament, the power to "*vary or REPEAL*" its own Provisions, respecting "the allotment and appropriation of lands for the support of a Protestant Clergy." This power, to "vary or repeal," is given, without any conditions, but that which belongs to all Acts on Ecclesiastical subjects, that they shall be specially submitted to the Parent Government, and the Imperial Parliament. This power, to "vary or repeal," so far as even to alienate the Reserves, altogether, to secular purposes; and the exercise of which is left most arbitrarily unfettered and unconstrained; leaves, of course, no room for any party to maintain absolute and incontestable rights; excepting in such part, of the *Reserves* as may already have been *appropriated*, according to the provisions of the said Act.

* With the question of the Rectories, I have no desire to interfere. It appears to me to be one of fact and not of reasoning; and on which the Parliament, so soon to assemble, will pronounce its opinion. Whatever casuists may say, as to its good policy, if their establishment has been regulated by the provisions of the Constitutional Act; as it is asserted it has; and which is all that remains to be proved; I hope I have too much respect for the law of the land, to sympathize with any movements against the measure; by whomsoever promoted. The promise, on the part of Sir George Arthur, to procure a Parliamentary enactment, which shall confine to their own congregations, merely, the ecclesiastical jurisdiction of the Church of England Clergy, is sufficiently indicative of His Excellency's sincere desire, to conciliate the feelings of all beneath his Government. And, it is believed, it will be responded to, by the truly good of all parties, in the same generous spirit of conciliation.

(POSITION OF EXCLUSIVES.)

For the more complete illustration of the real position of parties, who put in exclusive and absolute claims, founded on the clerical clauses of the Constitutional Act; we may consider the degree of right which a person would possess, to any property, expressly bequeathed, under restrictive conditions, with which there had been a non-compliance. Neither law, nor equity, could give a title, under such circumstances. The *unappropriated* Reserve property, is precisely in this state. Suppose, also; that A. had willed the reservation of a certain portion of his property, for distribution between B. C. and D.; at the same time stipulating that the executors of his will, should have authority to make any other disposal of that property, which they might deem more desirable, than such a bestowment of it. Would any capitalist in the country, be willing to give such gentlemen any large sum for their life-interest, in an inheritance, so contingent; even on the joint-signatures of them all? It will be obvious, the testator himself, contemplated giving them no absolute right to the property:—and any member of the money-market, would smile at the simplicity of their advertising it for sale! In the present case, the Provincial Parliament are the executors; not merely because the Statute has placed there the power to vary or repeal; but, also, inasmuch as the Home Government has requested Parliamentary “advice,” in relation to it, and, has given the Royal Promise, itself to be governed by such “advice,” in respect to “all Literary and Religious endowments.”

(VESTED RIGHTS.)

The honor of our Empire would be seriously and shamefully impeached, by any public infringement of property, really and legally vested; unless there were grounds in equity for such an interference. I should begin to feel myself insecure, in any country in which any inequitable disposal of vested rights, could be sanctioned by law. But so fully am I satisfied that such rights do not exist, in relation to the Clergy Reserve Property of this colony; but in so far as legal and specific appropriations have been already made; and so well am I assured of the tendency of unconstitutional claims, of that description, to do serious injury to the public mind; that I have felt it my duty thus to endeavour to promote their abandonment, by exhibiting their fallacy. Yet, while pleading for what I must be permitted

to consider correct and Constitutional principles, I diminish none of my regard for those honorable individuals, whose ardour of feeling, and peculiarity of relation, may on this subject; and to them unconsciously; have misled them in their conclusions respecting it. They, doubtless, are sincere, though mistaken in their less general views. It belongs not to me, either in propriety or in preference, to impugn their motives. Many of them, were I malignant enough to wish them any injury, stand deservedly too high in the public estimation; and unenviably so, so far as I am concerned; for the accomplishment of an attempt, so unworthy, and so nefarious.

It has been supposed that there is an influence, in the Parent Country; venerable and valuable in our Imperial Constitution; which would be brought to bear against the popular adjustment of the Clergy Reserve Question in Canada. But I have too much confidence in the wisdom and intelligence, with which that hereditary influence is associated, to imagine for a moment that any real principle of vested rights, would be supposed by the same to be involved in that question. And I may also add, that the influence and intelligence referred to, are too really noble and national, to induce any attempt to retrograde, in principles of Colonial legislation; or to prompt the recal, in 1838, of a boon conferred on this Province, by the Government of the year 1791; and confirmed by Royal Despatches in 1835.

(PROVINCIAL CONSTITUTIONAL ACT.)

In consequence of the discussions which have prevailed in the Province on this subject, the inhabitants are generally sensible of the bearings of the entire argument: and nothing, on their several estates, do they more clearly bear in mind, than the unrestricted character of the varying and repealing Clause of the Constitutional Act, affecting the Clergy Reserves. In general, the Canadians reverence their Provincial Constitution. They ask for no changes in its principles. They wish, however, to see them fairly and fully brought out into operation; and as early as may be. They fix all their earthly hopes, on the soil, for which that Constitution was constructed. Not a few of them reverence the parental Government, which gave it to their Colony. More than once have their thousands risen in its defence. They confide in its being preserved inviolate.

(SECULAR APPROPRIATION.)

From the commencement of the controversy on the subject of the Reserves, in the Province, a considerable number of persons

have been inclined to prefer their secular appropriation ; with the united view, of promoting a more rapid march of public improvement, and of destroying for ever so distressing an incitement to party feuds and religious animosities. They have said, if the Clergy cannot agree to any equitable plan of employing this property for the good of the country ; let the experiment be made with the laity. If their exist such insuperable difficulties, in its application to the moral and the religious world ; bring it to bear on the intellectual and the material. And by an extended and well-considered system of education, and by the improvement of our roads and bridges, let us at once advantage ourselves by this ample provision of our fathers.

(A NEW ELECTION.)

Were Your Excellency to think it proper to make an appeal on this subject, to the Constituency of the Colony ; and were the elections to turn on the secular or the clerical appropriation of the Reserves ; it is believed a House of Assembly would be returned, which would recommend their application to the purposes of education and general improvement. Such an appeal, however, I should greatly deplore ; because it would prove the occasion of much party-disagreement ; and, also, since the colonists, in general, are willing to acquiesce in any measure of Religious and Educational appropriation, which the Legislature may adopt ; and in which exclusive and unconstitutional claims, shall give place to equal and admitted rights and privileges.

(ROYAL DESPATCHES.)

The people of Upper Canada have, very generally, been given to understand the nature of the various Royal Despatches to the local Government, relative to the Clergy Reserves. However the successive Administrations may have varied, in other respects, their official allusions to this subject, have been most liberal. The Canadians also remember, with gratitude, the expressed and printed wish of His late Majesty, that the Home Government should be aided, in its own ultimate procedure, by some measure of the Provincial Parliament, which would meet "*the prevailing opinions, and feelings of the Canadians.*" Many of them have also pursued the Royal assurance, that "*the advice of the Representatives of the people, will be the guidance of the Crown, in respect to all religious endowments ;*" an expression which bespeaks, 1st. that the Reserves are not the endowment of

any particular Church, but a public provision, out of which such endowments may be made ; 2ndly, that the public sentiment is sought, on the subject of endowments ; and 3rdly, that in making such appropriations, the Crown appears to be utterly unaware, of offering any violence to the legally-admitted and vested rights, of any class of its Canadian subjects.

(LOYALTY AND GOOD ORDER.)

And here we cannot forbear a momentary pause, for the purpose of suggesting to those gentlemen, who rigorously maintain the exclusive right to this property, of the Established Churches of the Mother Country, the solemnity of the predicament in which they thus become self-involved. We would remind them that we are not now discussing the question of a Church Establishment for Canada. Were we beginning, *de novo*, to form a Constitution for this Colony, it would, indeed, be a highly suitable matter of consideration. That, however, is not the present question. We are now adverting to the actual provisions of a Provincial Constitution, already formed ; and having been in force and operation for the greatest part of half a century ; and we simply propose that the future administration of those provisions, shall be conducted on principles of exposition, suggested, at least for our guidance, by THE CROWN OF OUR UNITED EMPIRE ! We ask those respectable individuals, with these things in view, if they will not forbear any further exclamations of “ robbery !—spoliation ! ”—and the like ; in reference to principles recommended by an authority so sacred ; and henceforward, in relation to them, occupy a ground more befitting the friends of loyalty and good order, and far more in accordance with their own honourable, and long-tried, and well-evinced, attachment to our Imperial Crown and Government ?—

(PRESENT STATE OF THE QUESTION.)

The Constitutional Act, therefore, being general in its principle ; and having, besides, given a power of entire and eternal alienation of the Reserve property, from clerical purposes altogether ;—the Imperial Government having expressed its wish to meet the desires of the Canadian people, in its final disposal ;—the Canadians having repeatedly protested against any exclusive appropriation of the property to any individual Church :—the Crown having, so to speak, handed a *carte blanche*, to the

Colonists, which they have thus, in consequence, filled up, by successive Parliamentary decisions ;—Your Excellency will readily admit that any further contentions on the subject, which may be of an exclusive character, can only be regarded either as pardonably insane, or provokingly insulting. And I would in the most friendly, yet the most serious spirit, admonish all, who in future may be tempted to become advocates, on that antiquated and abandoned side of the question, that they would thereby be taking an attitude, as unlawful in itself, as it must be unlovely and even offensive, to all others, besides their own immediate party ; and not less so, to many of the liberal-minded and unprejudiced, even of them.

Indeed I am enabled to state, without fear of contradiction, that there are not a few members of Established Churches, in this Colony, who are so hurt and shamed, and feel themselves to have been so grievously scandalized, by the unlovely characteristics of the exclusive claims, made in behalf of their respective Communion ; and are so fully convinced of what would be the future ill-results of a compliance with them, on the part of Government ; as that, with all their strong ecclesiastical predilections, they would instantly prefer the absolutely secular disposal of the Reserves, to any settlement of them on the principle of an exclusive appropriation, even to their own Church :—if *settlement*, the endless heart-burnings and animosities it would occasion, could allow such a measure, to be truly termed.

But there is no reason to fear any serious attempt, again to propose, in our Provincial Parliament, an exclusive appropriation of this property. The liberal course taken by the present legal advisers of the Crown in this Colony, on the principle of "*the division of its proceeds*," which was originated by them, in the Parliamentary Session before the last ; a principle, which fully recognised the claims of other Churches, besides those by law established ; was an acceptable advance towards the Royal direction, and "*the prevailing opinions and feelings of the Canadians*," from which I am persuaded the Government will now never recede ; as I am also convinced that those high-minded ornaments of their profession, would never condescend to advise such a recession.

(RE-INVESTMENT IN THE CROWN.)

The last measure introduced to Parliament ; and by another gentleman of the legal profession ; recommending the re-invest-

ment of the property in the Crown; did excite, and from some of its circumstances was, confessedly, calculated to excite, apprehensions of that kind. That has been considered, in the then circumstances of the Province, a most impolitic, not to say indecorous, display of sectarian zeal. Men of all creeds had combined to put down a foul rebellion; by which means some of the ablest opposers of exclusive appropriation, had, for ever, justly lost their Parliamentary standing. Some others, were in the field against the common foe. The Parliament had been avowedly summoned, merely for the emergency, and not for the purpose of general Legislation. And to attempt to take advantage of such circumstances, supposed to be favourable to exclusive claims, was an artifice unworthy of the respectable name, by which it was recommended.* Thinly as the House of Assembly was attended, during that brief Session, the Members present were found too closely to sympathise with their several Constituencies, to legalize a measure, which, would have been an ungenerous outrage on the feelings of all classes of religionists, save one! And I most earnestly assure your Excellency, that any procedure on the subject, which is not most candid, straitforward, and avowedly inclusive, will eventfully awaken the fears of many honest, straitforward men; who have been taught suspicion, by the varied and intolerant vagaries of a principle of anti-British exclusion, which they heartily despise, and are determined to defeat.

This is one reason, among others, why I respectfully plead against any plan of re-investment in the Crown. It is not a straitforward proceeding. It removes the matter from before our eyes; where it has been placed by the well-appreciated favour of a Royal Despatch; and where it is at once the interest of the Colony, and the wish of the Home Government, it should remain; until openly, and in the face of day, some plan of real and pacifying settlement, shall have been discussed and adopted, to meet "the prevailing opinions and feelings of the Canadians." Nor should I recommend such a re-investment, unless the Parliament should find unreasonable demands in the Colony, to stand in the way of an amicable settlement on the spot.

I beg to remind Your Excellency, of the following expressions of opinion, bearing on the question of re-investment, which are contained in the last Despatch from the Crown, in which the subject of the Clergy Reserves is mentioned. It is dated December 15, 1835: "Parliamentary (Imperial) legislation, on

* Appendix No. 2.

any subject of exclusively internal concern, in any British Colony, possessing a Representative Assembly, is, as a general rule, unconstitutional."—"Important as is the question of the Clergy Reserves, in Upper Canada; I cannot find, in the actual state of the question any such exigency as would vindicate the Imperial Legislature in transferring to themselves, the settlement of the controversy. The conflict of opinion between the two Houses upon this subject, much as it is to be lamented, yet involves no urgent danger to the peace of Society, and presents no insuperable impediment to the ordinary administration of public affairs. Although a great evil, it is not such as excludes every hope of mitigation, by the natural process of discussion, and by the influence of that spirit, which in public affairs not seldom suggests to parties, alike solicitous for the general good, *some mutual surrender* of extreme views, and some compromise, on either side, of differences, which, at first sight, might have appeared irreconcilable."

So lately as August the 11th, 1836, Sir George Grey, in his letter already quoted, evinces the determination of the Home-Government, against a re-investment in the Crown, to remain unchanged. The words of Sir George are: "The APPROPRIATION of the Reserves, in the Canadas, has in pursuance of the Constitutional Act of 1791, been referred to the Provincial Legislatures." Your Excellency observes, in this one sentence, the verdict of the Crown on the point now in debate in the Colony. Here is not the most distant intimation to the clergy of the Scotch Church, that another class of clergy were the only legitimate claimants on the Reserve Property. Here is no wish expressed, that the subject might hereafter become a matter of reference to the Imperial Government. On the contrary, the attention of the colonists is directed exclusively to the Provincial Legislatures: the Church of Scotland is encouraged to expect to share in what is "not specifically appropriated to any particular church:" and it is confidently trusted, there are, in these Provinces, public spirit and public virtue enough, honourably to fulfil the trust reposed in them, alike by the Imperial Parliament of 1791, and by the present official advisers of our Most Gracious Queen.

Happily, at length, "extreme views," have been, already, in a good degree, "surrendered." The abettors of exclusive claims, on the one side, and of the secular appropriation, on the other, have, very generally, so far compromised with each other; or are, we hope, very nearly prepared so to do; as that a plan of equitable division, among the various Churches in the Province,

for religious and educational purposes, is not only contemplated, but even favoured. I confidently calculate, that, in the unbiassed judgment of Your Excellency, it will not be deemed probable, under such circumstances of improvement in the public mind, that there would be any diminution of confidence, on the part of the Parent Government, in the Local Legislature. And, to every patriotic lover of British Royalty, there will be occurring many powerful reasons, peculiarly applicable to an American meridian, why nothing of an onerous character, should be pertinaciously obtruded, on the beloved Crown of our United Empire.

(PROTESTANT PRINCIPLE OF THE RESERVE CLAUSE.)

In the appropriation of the Reserves to religious and educational purposes, among the various Provincial Churches; it is respectfully proposed, that the original spirit and intention of the Constitutional Act, may be most strictly kept in view; and that it should form the basis of the entire arrangement. This appears to have been, to provide the means of promoting among the inhabitants of the Colony, the great principles of the Reformation.* This is an object, in its nature, more adapted to the care of the several ecclesiastical Communities, than of any secular Commission which could be appointed; and one which would be more effectually realized in that mode, than by any neutralizing process of modern "General Education," as it is ominously termed. And with this as our polar guide, we may safely escape some threatening and considerable evils, which by many are supposed to lie in our course. Thus we shall, by the Divine Blessing, secure also, through the beneficial results of the whole, a merited immortality to the worthy memory of that pious and paternal Monarch, and of those great Statesmen, from whom the noble design received its benevolent origin.

(WESLEYAN METHODIST CHURCH.)

Should the claims of Churches, be the criterion of division, then would the Wesleyan Methodist Church of Upper Canada, be prepared to furnish the most satisfactory grounds of consi-

* It was, at one time, seriously contemplated to include the Roman Catholic Church, in the division of this property. The clergy and principal members of that Communion, however, have recently published their disavowal of all claims thereon:—a procedure which cannot but be followed by the respect of the community at large.

deration ; whether from antiquity of Provincial origin, or efficiency of Provincial experiment. She has been behind no other Church in America, either in the toil of attempting, or the triumph of promoting, the best interests of the people of this Province. And if, in addition to the principle of equity ; as it regards the claims of individuals, having an equality of public rights ; the recognition of actual, obvious, and widely-spreading, utility, be regarded ; there will not be a moment's hesitation, as to the legitimate title of the honoured Canadian Methodist Church, at least to an equal share, of whatever rights and privileges, the peculiarities of the Provincial Constitution, may be adapted to afford.

The enlightened and truly Catholic principles of your Excellency's character, will dispose you to receive, not unpleasingly, the following testimony in confirmation of the above premises. It is extracted from a Report of a Committee of the House of Assembly, in the year 1828. In reference to the Wesleyan Methodist clergy, of Upper Canada, its words are ; "To the disinterested and indefatigable exertions of these pious men, this Province owes much. At an early period of its history, when it was thinly settled, and its inhabitants were scattered through the wilderness ; and *destitute of all other means of religious instruction* ; these ministers of the Gospel, animated by Christian benevolence, at the sacrifice of health and interest, carried among the people, the blessings, consolations, and sanctions, of our Holy Religion. Their influence and instruction have been conducive, in a degree which cannot be easily estimated, to the reformation of their hearers from licentiousness, and the diffusion of correct morals, the foundation of all sound loyalty and social order."—To this honourable Parliamentary Record, it might be added, that in the present day, the number of Congregations, connected with the Wesleyan Methodist Church in Upper Canada, is estimated at nearly "eight hundred ; bringing under the pastoral instruction of her regularly ordained ministry, from seventy-five to one hundred thousand souls.* "

(LORD GLENELG ON THE PRINCIPLE OF UTILITY.)

Were the question to be merely one of the claims of Churches, as such, it would be useful to discuss the principle on which such claims should be decided. If that of utility already demonstrated, be preferred, then the rule laid down by Lord Glenelg, in Sir George Grey's letter to Doctor Macfarlane, will be entitled to no small degree of respect. His Lordship's words are :

“ His Majesty’s Government entertain the most profound respect for the privileges of the Church of Scotland ; and are fully prepared to admit the claims of that Church, throughout the British Colonies, *to such measure of support*, out of the funds applicable to the maintenance of a religious Establishment ; and not specifically appropriated to any particular church ; *as may be proportioned to the number of the Colonists, who belong to her Communion.* †

Proceeding from so high an authority, this principle, besides, has very much to support it, in the reason and fitness of things. It recognizes the claims of *Christians, as such* ; in which respect, it is apprehended it will be no offence to maintain, that all are equal. Whatever useful and indispensable distinctions of higher and lower, are found in secular life ; in matters of religion, all men stand on the same ground. And, where Protestant Church-membership, becomes a title to any given privilege, all who possess the same requisite qualification, have of course an equal right to the same degree of connected advantage.

This principle, also, meets the circumstance of the actual *religious efficiency*, of the several churches. It being fairly to be presumed ; where the moral character of the membership may not be unequal ; that such of the churches, as may have been able to gather the greatest number of souls, into the fold of Christ ; have, in fact, rendered to the religious interests of the Province, the greatest portion of real advantage :—and hence may be concluded, by God’s blessing, to be in possession of an adaptness still to do so. The force of this reasoning, is of course so much the greater, where the numbers have been accumulated, by the actual conversion and reformation, (in the Colony,) of individuals, natives of Canada ; rather than by the mere aggregation of persons, previously rendered members of Communion, by other instrumentality, and in other parts of the world. To award, therefore, to such, the largest share of a provision, made for the advancement of religion, among “ the Colonists ; ” commends itself to approval ; whether it be regarded, as a just recompence, for services already performed ; or as a provident husbandry of resources, to that end, in favour of “ the time to come.”

But, it is to be feared, that this principle ; how equitable, and practically excellent, soever ; would be found one of exceedingly

* Address of the late Conference, to the Earl of Durham. See *Christian Guardian*, July 25th, last. —† Reply of Hon. Wm. Morris, p. 40.

difficult application ; and that, principally, from the obstacles which lie in the way of obtaining average returns of Church-members ; through the want of agreement, on the part of the several ecclesiastical bodies, in some one criterion of membership. Some churches, reckon all whom they baptize, as members : some, only those who are regular attendants on the Holy Sacrament of the Lord's Supper. Others acknowledge those, only, whose general conduct is consistent with such a *Christian* Profession. Some, include all who attend on their public ministrations, and even their families also. While others claim, all who are not, by profession, united to any other church. Some explanation of this kind, is absolutely necessary, towards the accounting for the hundreds of thousands of church-members, by the public advocates of some churches ; as your Excellency will have heard ; said to be at present located in the Province. This, however, after every such allowance ; leaves room for a great deal of what must, unhappily, still be considered, as highly *figurative*, in those statements.

(WESLEYAN METHODIST CHURCH MEMBERSHIP.)

On any fair test of Christian Professorship ; to mention, for instance, that of actual and regular attendance upon the Lord's Supper ; with a general conduct becoming such a mark of profession ; the Wesleyan Methodist Church in Upper Canada, would not be disadvantaged, as to the return of "*the number of Colonists, who belong to her Communion,*" by that of any other body of Christians in the Province. I wish to assure your Excellency, I make this statement most advisably ; whatever bearing it may be permitted to have on the general question. And, should any influential individual, be disposed to deny its correctness ; I am perfectly willing to let my whole argument stand or fall, on the result, in this particular, of equitable returns, to be rendered to the local magistracy, by the proper officers of the various ecclesiastical bodies, throughout the Province.

(VAN-DIEMAN'S LAND, AND NEW SOUTH WALES.)

But, notwithstanding the decided advantage, which I fearlessly assume to be on the side of the Canadian Wesleyan Methodists ; as to the numerical superiority of their Provincial Church ; yet for urgent reasons, connected with the peaceful relations of the various churches towards each other ; and their valuable emulative re-action upon one another's efforts ; as well

as from other powerful considerations, vitally affecting the religious interests of the Province; I should greatly prefer, and respectfully and most strongly urge on the attention of the Colonial Executive and Legislature, the principle of division, adopted by the Imperial Government, "with regard to Van-Dieman's Land, and also to New South Wales;" and which is thus announced, in the letter of Lord Glenelg, to the Very Reverend Principal Macfarlan, before referred to. "That contributions shall be supplied from the public Revenue, in aid of religious worship, in proportion to the voluntary exertions, made by the members of certain religious communions; among whom the Presbyterian Church is included; for the support of their respective Ministers. By the arrangement which has, on this principle, been recommended to the local legislative bodies, the Church of Scotland will, in these Colonies be, for the future, equally entitled with the Church of England, to share in the public funds applicable to the general object of religious instruction, in proportion to the amount of private contribution." *

(PROPOSAL OF WESLEYAN MINISTERS.)

It is on this basis, the proposal was formed, of the principal ministers of the Wesleyan Methodist Church, as published by them, in the Christian Guardian of January 17th, last; of which mention has been already made; and to which I take the liberty to refer your Excellency, for a more extended review and discussion of its claims to public and legislative attention. I cannot, however, forbear inserting the following extracts from it:—

"With a view to an equitable division of the Reserves, among different Denominations, for purposes of religious and moral instructions; in such a way as will not contravene the disciplinary regulations of any religious body, or authorize any interference therewith, on the part of the Civil Power; we most respectfully submit that the most equitable method would be, to allow the claims of each Denomination, in proportion to the

* On the passing of that Great National Measure, of Negro Emancipation, in the year 1834; the British Government, adopted this principle, for the encouragement of individual effort, in favour of West India education. The different Christian Churches are aided by Government Grants, in proportion to the sums they respectively raise. In their Report for 1837, the British Wesleyan Methodist Missionary Society, in London, announces having received £5000 sterling, of Government aid, on the same principle. during the year, for the promotion of Negro-education.

amounts which they respectively raise and expend, in the Province, *annually*, for religious purposes; fixing, at the same time, a minimum sum, which should be raised by any Denomination, as indicative of its possessing the public confidence sufficiently, to establish its claims upon the General Fund.

“This plan it appears to us, is liable to few or no objections, is founded in equity, and will be attended with several important advantages:—

“1. Correct financial returns can as easily be secured in this respect, as in regard to customs, or other items of public revenue.

“2. There will be no more political connexion between any religious body and the State, than if no such provision existed; as the disciplinary rules, the free operations, the mutual relations of ministers and people, in each church, will remain unchanged and untouched.

“3. The voluntary principle of individual liberality will not be infringed, but encouraged, and prompted to increased and persevering efforts.

“4. Each Denomination will be assisted accordingly to *its works*; and will exercise its discretion, in the application of that assistance, to the support of its ministers, or to other purposes of religious and moral instruction.

“5. The emulation, between different Denominations, will be one of good works, and Christian charity.

“6. Individual and legislative effort, will thus be combined and harmonized, in the great and sublime work of promoting, to the widest possible extent, the religious and moral instruction of this noble Province.”

(DISINTERESTEDNESS OF THE PROPOSERS.)

It is due to the character of the body of Christian Ministers from whom this proposal has emanated, to quote, also, their own account of the relation in which they themselves sustain to the question; and which is given in the following words:—

“Having thus, after the example of the clergy of the churches of England and Scotland, and without any desire to dictate, expressed our views, with all possible simplicity and plainness, on this important question; we deem it but just to ourselves and the public, to explain, in conclusion, the position which we, as body of ministers occupy in respect to it. At the last Conference of the Ministers of the (Canadian) Wesleyan Methodist Church, it was resolved, that in case of any such adjustment of the

Clergy Reserve question, as is above referred to ; by which individual and collective effort would be combined for the religious and moral instruction of the country ; they would not apply any Legislative aid for their own pecuniary support, or for any other purposes, than the religious and educational improvement of the Province; in such a way as might be in accordance with the views of a majority of two-thirds of the several Quarterly Meetings, of the official lay members of the Church, throughout the Province.

“ We therefore stand upon a common ground, and possess a common interest, with the members of our Church generally ; and purpose to apply whatever public aid may be acquired, by a fair and honourable division of the Reserves, to assist the members of our Community, in erecting chapels and parsonages, and bringing the means of a sound religious and literary education, within the reach of the largest possible number, of the youth of our Congregations.

“ In thus continuing to content ourselves with the limited support, which arises from the free-will offerings of christian liberality, and availing ourselves of every means which Providence may place at our disposal, to aid the beloved subjects of our pastoral care, and to promote the religious and moral instruction of the country ; we believe the claims of the Wesleyan Methodist Church, will not suffer from a comparison with those of any other Church in the Province.

“ We most humbly and earnestly pray that Almighty God will be pleased to direct and prosper the deliberations of our legislators, on this and on all other subjects which may engage their attention ; that all things may be so ordered and settled, by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us, for all generations.”

(ENDOWMENTS IN LAND.)

Your Excellency is aware, it has been suggested there should be a division of the Reserve property, IN LAND, among the several Churches. But I take the liberty of expressing, on the ground of public and perpetual utility, the most decided preference of the foregoing principle ; and which will prove a constant and most salutary motive to the carrying out the design of the Constitutional Act ; to any immediate and unconditional bestowments, either of land or monies ; which might by possibility,

become a premium for inaction ; and by that means even tend to neutralize on this side the Atlantic, the actuating principles of our Protestant Reformation.

It is feared a bestowment of *lands*, on the various Christian Communities, would, in truth, exercise a most *earthly* influence upon them. By its unavoidable secular cares, and its ensnaring accession of certain wealth, it might operate as a deadly soporific, on the moral agency of the Province ; and tend to lull into a state of inglorious slothfulness, and fatal apathy, the efficient and advancing energies, of our colonial Christendom. While, a public aid, to the several ecclesiastical bodies ; which shall regard such of them, only, as may be zealously, and largely, exerting themselves, for the promotion of piety and learning ; and such only, in the proportion in which, "*from time to time,*" they shall be found so to exert themselves ; will doubtless lead to the ample and augmenting, development of their utmost resources, in the sacred undertaking. Before the entire extinction, of the Reserve lands, as such, shall have been effected ; their assistance, it is hoped, will cease to become requisite. And, until that golden age, shall have rejoiced the human family ; the proposed efficient appropriation of this property, will present before an admiring world, the sublime, and beneficial spectacle, of an extensive moral machinery, ceaselessly performing its most momentous operations, by the unwasting force of a perpetual motion.

(MORAL CONDITION OF BRITISH AMERICA.)

It is well seen by your Excellency, that the most strenuous exertions are necessary ; not by any means less in British America, than in any other country ; to counteract the growth of irreligion, and to promote individual piety and public virtue. In these interesting regions, we really are not in circumstances to spare, any of that salutary action on the public mind, in the way of a moral stimulus ; which, in matters affecting the interests of religion, the nature and constitution of mankind in general, are confessedly found to require. In few countries, (similarly circumstanced, and in the same space of time,) has there been more accomplished, for the spiritual interests of the inhabitants, than is beheld in Upper Canada. So far as my information has gone, it is my conviction, that no Colony has ever exceeded it, in that respect. In travelling, it has often gladdened my heart, to observe the frequent and animating appearance of school-houses, and regularly-consecrated Places of Worship, in the rising villages and towns of this magnificent Province, Yet these

are too chiefly confined to the Front country; and are, besides, often but feebly supported, and far from being in such efficient operation, as it is, in the last degree, desirable, they should be. In a moral sense, "there yet remaineth very much land to be possessed." In "the bush," and in the more thinly-settled places, many of the widely-scattered colonists, are in a state of the most lamentable religious destitution. And even in those localities which are more favoured than these, with ministerial attention; the renovating influence of real religion, is far from being either universal or triumphant, in the moral and religious characteristics of the population.

PROSPECTS.

Were the matter of spreading "and acting out," the principles of the Protestant Reformation, to be taken up with greater earnestness, than hitherto;—were each Christian Community to apply, with augmented vigour, to the religious and educational improvement of the Province;—and should the truly-enlightened provision of a former age, for that purpose, at once be brought to bear, as it ought to be, and easily might be, on the moral welfare of the present generation;—there is reason to believe, through those accompanying aids of the Holy Spirit, which are so compassionately promised to us in the holy Scriptures, that the very happiest results would be speedily produced among us.—With this motive—in this work—and by these means—it is to be hoped all Christians, feeling their common standing, would soon cease all unholy rivalry, and would powerfully and successfully "*provoke each other, to love, and to good works.*"

(SUMMARY.)

I beg your Excellency's permission to say; and most unaffectedly do I say it; that I believe such a settlement of the Clergy Reserve Question, as I have taken the liberty to recommend, will truly put honour on all who shall have mainly contributed to its accomplishment. In thus earnestly pleading for it, I have not intended any disregard of the real and exclusive rights of my fellow-Christians or fellow-subjects. I trust ever to be found of another spirit. In my argument, I have humbly, yet unhesitatingly, assumed and demonstrated, that no such rights are involved in the question. It has been rendered "without controversy," that the Clergy Reserves of Upper Canada, are open, common, Provincial, Protestant, property;

both as to the avowed intention of those who framed the Constitutional Act, and the promulgated desire of our Imperial Crown and Government; to which might be added, also, "the wishes and feelings of the Canadian people," as repeatedly expressed by their Parliamentary Representatives.

It is on this account, I must respectfully enter my solemn protest, against the spirit of rancour, and want of courtesy, by which too many who have spoken and written on this subject, have thought it needful to be characterised. Surely it is a topic on which the most upright and intelligent may, at least, and innocently, differ in opinion, from each other. And it is to be hoped, after the question shall have been finally settled, that the sanguine on all sides, will agree to "forgive and forget," certain mutual expressions, of an offensive bearing, for which it would be far more easy to frame an excuse, than to furnish a justification. For my own part, had I judged the Clergy Reserves to be really and truly the vested right of the Church of England, I would have lost my right arm, sooner than have employed a pen to deprive her of it. On the other hand, after the manner in which this property has been thrown open to "the wishes and feelings" of the Canadians, I should have despised myself for ever, if I had not possessed enough of public spirit, in the public station in which I had been placed, to stand up, in behalf of my own Community, for a due share of a privilege, which the Constitution of the Province, guarantees to its colonists, and which the Sovereign of our United Empire, has graciously invited them to claim.

I have advisedly referred but little to my own convictions as to the certain detriment to the Colony, which would arise from any exclusive disposal of this property: yet these convictions are deeply and fearfully seated in my soul!—I have confidently stated my most deliberate and conscientious opinion, that the proposed settlement would exercise an inestimable and greatly needed influence, upon the religious and educational instrumentality of the Province; that it will be attended by the most salutary effects, as to the felicitous operation of the whole machinery of the Colonial Government; and, in short, that it will be, both politically, as well as morally and religiously, an act—
"well done!"

(REMONSTRANCE.)

And here, I would fraternally ask my friends of the Church of England, if they will afford their sanction to those streams of

abuse, so liberally poured upon their Wesleyan-Methodist brethren, as a body of Christians, by some of the most prominent advocates of their exclusive claims? Having shewn, in these pages, that their legal interest in this property, is no greater than our own: shall we be unchristianized, and anathematized, because we approach the Legislature, with our equal claim in relation to its distribution? Must we really forget we are citizens, equally with them, in order to be acknowledged as Christians no less than they? Should any desire so far to degrade us; they may be assured, we shall not be consenting parties, to so unmerited a dishonour. But, are we to be regarded as taking a hostile attitude, because we seek an equitable share of our own Constitutional privileges? Have any, a just cause to be offended with our attendance, in the anti-chamber, when we have received the Royal Invitation, to the banquet? We desire no unfriendly controversy, and are determined to have none, with their Venerable Establishment; but we have no such feelings of deference to their own unreasonable selves: and my Wesleyan Methodist friends, in these Provinces, will, I doubt not, ever discriminate between a worthy Church, and any unworthy adherents, she may have the disadvantage of possessing.

That the members of the Church of Scotland, in general, have no intention to enforce exclusive claims upon this property, will justly entitle them to our respect. Such a line of conduct, gratefully evinces their recognition of the equal rights of their fellow Christians. And while it is in honourable conformity with their own admitted national intelligence; it is no less consistent with that impatience of ecclesiastical domination, over themselves, for which the historian of olden times, has so laudingly celebrated their sternly-Protestant Caledonia. Among my most truly valued friends, are estimable members of the Scotch National Church; with whom I have been happy to unite, in social and sanctuary worship. And though it is in vain to expect the exercise of justice, and still less of generosity, amidst the ecclesiastical contentions of unsanctified men; yet, by the grace of God, my heart warmly glows with sincerest affection, towards all my brethren in Christ—the really devout, of every Church in the Universe.

For the Church of England, my pardonable partiality, is well known in the Colony:—as full well I know it, myself. Not that I have ever been insensible to the hostile movements, of certain individuals, against Methodism; my own still more ardently-beloved, and, by me, ever to be loved, Methodism!—Whatever courtesies and forbearance, it may be proper to render,

to respectable individuals, who may misunderstand our real principles; I have never valued the friendship of any one, who was a real enemy of the people, whom God has used, for my conversion and salvation! Nevertheless: a Wesleyan Methodist, can well afford to be generous; even to his most inveterate foes. And I would solemnly deprecate a disregard of those admonitory words; "*Vengeance is mine: I will repay, SAITH THE LORD!*"

Besides; I habitually remember, that the National Church of England, was the Church of our immortal Wesley: and that he loved her to the end; notwithstanding his individual disapproval of some who were a dishonour to her altars. In that respect, I am a Wesleyan of the primitive school. *That* I have imbibed, from the venerable men, who were admitted to the privilege of Mr Wesley's particular friendship and affection; and who were acquainted with his most intimate sentiments, on this subject. Nor can I, nor will I; whatever may be the cost; ever descend to the ranks of her enemies; God being my helper; as long as I live. I hope the period will yet come, in which both "*the Church, and the Methodists,*" in every region of the earth, will mutually and suitably shew to the world, that salutary tie of special consanguinity, which; for their mutual benefit; exists between them. And, in the course of the present discussion, I regret to have observed, in some of the advocates, and on both sides, a spirit of an opposite character. It may be well to remind them, that hundreds of their religious friends, have sympathized in this regret. And, on the supposition that they are Christian men, the parties concerned, will, themselves, participate in the same feeling, when better days shall come.*

* Mr. Wesley knew what it was to suffer the most bitter persecutions, from individuals, both Clergy and laity, of the Church of England; but they all failed to produce, in his breast, the bitterness of retaliating enmity. He had too noble a mind, and too single a heart!—His attachment to Methodism, was primary: yet he had, for the Church of England, a strong secondary affection. The following are his own words; as nearly as can be remembered.—“There is this difference between my brother Charles and me. He is for the Church, first; and then for the Methodists:—I am, *first*, for the Methodists, and *then*, for the Church.”—As the unwilling Founder of a People, who were *persecuted into the alternative*, of becoming a distinct body of Christians; such an expression of attachment to them, will not be deemed unnatural, on the part of that great and good man!—As the true, Wesleyan standing; I affectionately recommend it, to every professed Wesleyan; at home and abroad. More than this, our Church Friends, should not expect from us: and this, those who are disposed to treat us ungenerously, should be ashamed to ask. Less than this; let others do as they may; ought not to *satisfy ourselves*, as consistent Wesleyan Methodists.

My surprise has been truly excited, by certain expressions, found in the official organ of the English Church, in this Province; and which have been any thing but conciliatory, towards those who have opposed his exclusive claims. From the known intellectual respectability, of the learned conductor of that journal; it is apprehended he has sometimes written, what he considered needful, to produce a temporary effect, rather than what his superior understanding, would undertake to defend, or to justify. A remark which may be admitted, also, in behalf of some of his well-principled opponents. If this should not be the case; his best friends, may well wish a speedy termination to the controversy; on his own single account, alone. According to that reverend editor; the advocates of the other Churches, are nothing else, but an infidel band of unprincipled robbers; bent upon plunder; beneath whose forcible and felonious grasp, the Church of England, in this Colony, is in instant danger of expiring, in the most heart rending agonies! Your Excellency will permit me to soothe the perturbed spirit of this agitated gentleman, by a few words of amicable explanation.—Peace!—Peace!—Reverend Sir!—No one is at hand, but a pacific company of the Protestant brotherhood; legally interested in the last will of a common friend of the family; and who are inoffensively proceeding to the house of the executors, for their respective shares of the testamentary bequest. On the way, they have simply called upon their venerable English sister; since she has already received some instalments of her own legacy; to ask the honour of her friendly company, on the occasion. Should they have knocked rather loudly at the door, it must have been, because they have stood there, until they are weary; and are, at length, determined to be heard, by those whose office it is to listen.

I confess to Your Excellency, I did not expect to find, on entering into an investigation of the state of the argument, that the foundation of exclusive claims, was so perfectly void of substantiality. I was prepared to conclude, the Reserves were a vested property, really belonging to the Church of England; and about to be conceded to other claimants, on some professedly-important grounds of mere *political expediency*. Nor did I wonder at the passionate outcries, of those who were placed to resist so unjust an aggression. That would, indeed, have been a most *sacrilegious* act of spoliation; against which my feeble voice would have been honestly raised; as were those of my Wesleyan Methodist brethren, in Europe, on a recent occasion of that kind.

But when, on a closer inspection of the whole, I saw the essential dissimilarity between the two cases:—for instance;—that the Constitutional Act, which alone establishes the property, makes a difference between lands simply *reserved*, and specially *appropriated*;—that the *latter*, only, were really and *bona fide*, Church of England property;—that the merely *Reserve* property, “NOT SPECIFICALLY APPROPRIATED TO ANY PARTICULAR CHURCH,” might, most legally and righteously, be appropriated, *in any way*, according to the enactments of the Local Legislature;—that, by the celebrated Statesmen, with whom the Reserve originated, “they were NOT INTENDED for the exclusive support of the Church of England, but for the maintenance of the *Clergy, generally, of the Protestant Church* ;”—that the CROWN, had directed such an appropriation of them, as would meet the prevailing “*views and feelings of the Canadians* ;”—and that the Colonists, had given repeated Parliamentary expressions of their absolute hostility to an exclusive appropriation of them, to any one ecclesiastical body:—I felt, as Your Excellency will also feel, that there is the most absolute failure of all argument, in support of the pretension!—I will not say more, on this unexpected fact; than that I lament my friends of the Church of England, have so mistaken their position, as to have attempted a storm, when it would have been safer for them to have proposed a treaty. Happy for us all, should this failure in the field, induce, in future, a kindlier candour in the cabinet; and the inability to conquer, result in an endeavour to conciliate.

(PROVINCIAL LEGISLATURE.)

When the subject shall come, for final adjustment, before the Local Legislature, Honourable Members will be enabled to see through those clouds of illusion, by which certain mere partizans have obscured the real state of the question. The Parliamentary Representatives of the Colony, will be well able to confirm my statements, of the extremely morbid sensibility of many of the most intelligent and influential of their constituents, as it regards this strongly-controverted matter. And, it is trusted, they will easily discover that, in this Provision of the Constitutional Act, there is nothing which will prevent their independent and patriotic adoption, of the paternal desire of his late Most Gracious Majesty; that they should recommend some plan of appropriation, which shall meet “the prevailing opinions and feelings,” of their Provincial fellow subjects.

To their attention, and with great respect, I would earnestly commend the proposal, which it is the object of these pages to explain and to support.* As Christian Legislators, they are solicited to take up the subject, in the fear of God; fearlessly and successfully grappling with its difficulties. And may they, by Divine grace, come to such a conclusion, as may justly entitle them to the long-lasting gratitude of an extensively-benefited posterity; and be followed with the eternal approval of Him, by whom "*Kings reign, and princes decree judgment.*"

(SPECIALLY IN FAVOUR OF THE PROPOSED PLAN.)

In anxiously and respectfully submitting these sentiments to your Excellency; I have experienced the more satisfaction, from being convinced, that such a plan of combining public aid and individual effort, in the cause of religion, will have its own peculiar advantages, in your Excellency's estimation. I do not wish to forget, for a single moment, your honourable, ardent, and long-displayed attachment to that venerable National Church, of which you are so consistent a member, and so distinguished an ornament. But I also remember your Excellency's genuine catholicity; and that you have not unfrequently shewn yourself a generous friend to Christianity, under other denominations, also; when operating beneficially on the welfare of our fellow men. Your love of justice is, besides, not perverted, nor your understanding disadvantaged, by the fond prepossessions of a local partizanship. And a similar principle, having been already adopted by the Parent Government, in relation to the West Indies, and the Australian Colonies; and having been in useful operation, beneath your own wise and vigilant inspection, while administering the affairs of government, in the last-mentioned important and promising portion of our United Empire; the plan herein proposed, will thereby be well distinguished, by yourself, from all those mere novelties, in the theory of legislation, which, at best, have but their character of novelty, for their recommendation.

If I have not been incorrectly informed, the idea itself, of such an efficient combination of hitherto unassociated energies, sustains a very intimate relationship to your Excellency; and that, in fact, it first originated in the spontaneous reflections of your own mind. You will forgive my saying, it evinces no inconsiderable share, of what is so essential to the character of a good

* Appendix No. 3.

ruler—a practical and devout acquaintance with the real philosophy of human nature. It cannot but be considered a most felicitous conception, thus to promote the ends of Civil government, by the aids of Christian influence; and to secure to the State, the best affections of all good men, by an impartial encouragement of them all, in their well-approved endeavours to do good.

Such an *extension* of the pecuniary sanction of Government, in favour of religion; and more especially in a Colony; is in perfect accordance with the principle of an Established, or Government Church. It is a natural deduction from it: and is a modification of it, which, so meets the present constitution of Society, as that it may effectually tend to its conservation among us. Even the most invaluable medicines, require to be varied in their application, according to the varying condition of the patient, for whose benefit they may be intended. And it might have conduced to the public interest, if some, in days gone by, had treated with less disdain, the assurance, which was very loyally offered them; namely, that, in matters of religion, the colonists of Upper Canada, may be conciliated; they will never be coerced.

On these and other accounts, I cannot avoid the persuasion, that it is one of the sacred purposes, for the accomplishment of which, the interests of this rising Province have been committed, by Divine Providence, to your Excellency's benign administration:—that, by the judicious application of an enlightened and Constitutional principle;—and under God's blessing, on your patriotic and truly statesman-like measures;—a Royal and Protestant provision, which has so long been as an evil and injurious bone of Canadian contention; may become, at length, a beneficent and life-giving bond of Colonial concord.

With earnest prayers for this, and for the long continued health and happiness of your Excellency, in the arduous and exalted Station you so honourably fill; and with so much advantage to the Canadian Community;

I remain, Sir,

Your Excellency's obedient,
humble, and attached, Servant,

W. M. HARVARD.

To His EXCELLENCY
SIR GEORGE ARTHUR, *K. C. H.*
&c. &c. &c.

APPENDIX.

(No. I.)

Page 10.—“*With equal privileges to all other Churches; save in the matter of State adoption, and support.*”

THAT it is the duty of THE STATE, to promote the influence of the Christian Religion, among its people, I can never disbelieve; notwithstanding it is a sentiment from which some good men, of acknowledged intelligence, conscientiously dissent. Such dissent, however, in cases not a few; and particularly among the Wesleyan Methodists; has arisen more from the objectionable administration of the principle, in too many instances; than from any real ground, or even feeling, of hostility, to the principle itself, of *official recognition and support*, on the part of Government, of the Cause of God!

It has been supposed, that the very essence of an Establishment, is incompatible with the existence of equal rights and privileges, to all other Christian Communities. But of this, I am yet to be convinced. Though this, is the chief cause of objection, on the part of many, to the proposal of an Established Church, for this Province. Were this the case: were it to be a struggle for ascendancy, and not a zeal for usefulness; it might be a presumption against our more favourable estimate, of the facts of the case: and, there can be no doubt, the result of such an endeavour, would be the most complete reversal of the design. As an individual, I am strongly in favour of the experiment. Nor should I be willing to sacrifice, on the part of the Community at large, the considerable advantages, arising from a well-administered Government Church, in this Province; unless such a measure should require, the still greater sacrifice of equal rights, to all her Sister Churches; excepting as above-stated.

It may, very fairly, be matter of enquiry, if some *modification*, of the principle of an Establishment, would not be desirable, to meet the altered constitution of Society; and to prevent some of the evils, which have been attendant upon its more exclusive form. An *exclusive* recognition, on the part of Government, of some one particular body of Christians; to the depreciation of others, no less Christian than it; has been found, in many respects, to act very injuriously on the social relations of mankind. And, certainly, the characteristic of **ABSOLUTE EXCLUSIVENESS**, presents an aspect widely different, in the present day; and in the midst of other large and influential bodies of Christians; from that with which it appeared in the eyes of our fore-fathers, in a darker age; and when Established Churches, were the only Ecclesiastical Guardians, of the Protestant Cause.

A single Regiment, may be the entire military force of a Province; and, as such, may, with every degree of propriety, be designated THE PROVINCIAL ARMY. But should the Commander in Chief augment this force, by the addition of other Regiments; they would all equally participate in the general designation. The original Corps, indeed, would retain its own regimental appellation; and its members might, without any injustice to their brethren in arms, be employed on special service; and receive special distinctions, in consequence. But His Excellency would never permit them to say, of themselves; “*The army of the Province—the army of the Province, are we!*”

Through the “*fault*” of our nature; individuals of the exclusive Church, have too often presumed to unchristianize all but themselves, and their more immediate

associates, in ecclesiastical standing. And this, from the same inherent evil, has been attended by aversions and hostilities, on the part of individuals of the anathematized Communities ; often to the great scandal of " THAT WORTHY NAME ! " by which we are called. If it could be believed, by those immediately concerned ; this is the great secret of *Dissent* ; in numerous instances : and it is an evil, which, on many accounts, it is amply worth the while of a Government, to endeavour to prevent.

Such a recognition, on the part of Government, of other Churches, besides its own ; as is involved in the plan herein proposed ; might, and would, exercise a very genial influence, on the Christian Community, at large. But the great and sufficient remedy for this lamented state of things ; as I humbly conceive ; will be found, in the general and mutual cultivation, by all parties, of a candid, catholic, and Christian temper ; rather than in the surrender of the venerated and Scriptural principle, of a particular Church, adopted by the State ; and duly and properly administered ; as its own special instrumentality, for the moral and religious benefit of those, who may be the most susceptible of good impressions, from that peculiar mode of ecclesiastical operation.

These observations are respectfully made, with the most kindly bearing, towards those worthy persons, who may, after all, take a different view of the subject from myself. And, at the same time, I am ready to concede :—*First* ; that, in the present enlightened age, any Church, claiming to be, herself, the only True Church of Christ, would be unfit for adoption as a Government Church :—*Secondly* ; that the Legislative Enactment, of any such Ecclesiastical Adoption, should contain a specific Clause, most explicitly disavowing, on the part of such Church, any pretensions, of a nature so ungracious and ungrounded :—And, to maintain a just abhorrence of persecution, for conscience sake ; it should, *Thirdly*, be further enacted ; that if any Minister, or other officer of the Government-Church, shall at any time, commit such an offence ; by word or deed ; or not use his utmost influence to prevent such offence, on the part of any other member or members of his said Church : Then ; on proof of the said offence, before any Committee of the House of Assembly, duly appointed for the investigation of the matter ; that such Minister, or other officer, shall be immediately dismissed from his ministerial or other office ; and further, be rendered incapable, ever after, of any kind of employment, under Government, in this Province.

(Anecdote of His Most Gracious Majesty, GEORGE THE SECOND ; extracted from one of Mr. Wesley's Discourses.)

It was about the same time, that a great man applied personally to His Majesty, begging that he would please to " take a course, to stop these run-about preachers." —His Majesty, looking sternly upon him, answered ; without ceremony ; like a King : " *I tell you, while I sit on the throne, NO MAN SHALL BE PERSECUTED FOR CONSCIENCE SAKE !*" —See. SERM. CXI.

(No. II.)

Page 20.—" *An ungenerous outrage, on the feelings of all classes of religionists, save one !*"

I EMBRACE this means of expressing my opinion, that the pecuniary bearing of the Clergy Reserve controversy ; so far as the Wesleyan Methodist Church, is concerned ; has ever been its least important consideration. For

nearly a Century, our Connexion, throughout the whole World, has been, by the Divine favour, most encouragingly supported, without the aid of legislative endowments: nor is it, for one moment, our desire, to adopt any new principle of pecuniary resource. A few Missionary and educational Grants, have been the only exceptions; nor have these occurred, until within the last few years. Yet, it will not be denied, that the Wesleyan Methodists, in any Country, can as efficiently employ any monies, confided to their management, as their respected brethren, of either of the other Churches. And we have seen how the Canadian Wesleyans, propose to employ any pecuniary advantages, which may accrue to them, from this source.

The question has been one of Ecclesiastical Influence, principally. It is perfectly natural, and from the highest possible motives, that a Church should desire to preserve and extend its influence in the Community. The remark may apply, with equal propriety, to the other parties in the controversy. And, but in so far as there may have been intemperance of feeling in the discussion; this may account; and without any dishonourable imputation; for the powerful emotions with which it has been connected.

From the commencement of my acquaintance with the subject; and before I was convinced of our having a legal claim, in common with the other churches: the liberal despatches from the Home Government, appeared to preclude, entirely, all possibility of exclusive appropriation. And with the Rev. Robert Alder; in his evidence before the British Parliamentary Committee, in 1828; it became my opinion; the Methodists, to use his own words, having, "*at least, as good a claim,*" as that of any other church; that if the Reserves were not to be appropriated, solely, to the Church of England, "*we should be very much dissatisfied, if our claims were disallowed.*"

Nor was it to be considered *probable*, that so considerable a body of the Colonists, *would be satisfied* with an exclusion; which, independently of its pecuniary bearing, would have been a reflection on their ecclesiastical standing, among the Provincial Churches; extremely unfavourable to their moral and religious influence in the Country.

I sincerely lament the indisposition of individuals of influence, to adopt a course of conciliation, in this business: which, I am persuaded, would have better subserved their wishes, than the less friendly course, which, unhappily, has been pursued. To me it has ever appeared desirable, that the most influential persons, in the several Churches, should be associated in an amicable conference, on the subject, with each other; when their several claims might have been freely and honourably proposed, and discussed. Such a cabinet of respectable and responsible men, might have saved the Government no little trouble; and, wisely managed, would have secured some considerable points, which are now lost, forever. At the same time, the public mind, would have been saved the injurious excitement, into which it has been needlessly thrown, from the want of some precautionary measure, of this description.

This has been fondly desired by myself, and some of my friends. But there was an exceedingly unwise *superiority* to conciliation; which made the office of a mediator, among the parties, to be one of a truly irksome and unthankful character. I owe it to myself, to say, it has been, notwithstanding, my endeavour to act in that relation.—In that capacity, however, I have never been found to compromise the claims, of the Wesleyan Methodist Church, of Upper Canada.

On my first interview, with SIR FRANCIS BOND HEAD; having been through the Province, and unavoidably discovered the state of the public mind; I felt it was my duty to communicate to His Excellency, my deep conviction, as an humble individual, of the vast importance to the general tranquillity of the Colony, of an early and an amicable settlement of the Clergy Reserve Question. The Reverend Ephraim Evans; at that time, the esteemed editor of the Christian Guardian; and who was present; will well remember this.

SIR FRANCIS had the goodness to assure me, in the most unqualified terms, that such a settlement, lay very near his heart;—that the plan he had to suggest, had received the most cordial concurrence of the Government at Home;—that it was one, in which the interests of the Methodist Church, were considered; as they well deserved to be;—and one, which would afford us satisfaction. My friend, Mr. Evans, will probably remember, these were nearly the words used on the occasion.

Of course, I had seen too much of the world, not to be well aware, that merely-political men, even in their most sacred professions, have sometimes demonstrated themselves to be extremely insincere. But it was my fondly-chosen alternative, to give His Excellency the fullest credit. In his subsequent proceedings, I cannot say, it was either generous, just or politic, in SIR FRANCIS, to do violence to the feelings of nearly a Hundred Thousand, of the Colonists; most of whom, had given His Excellency's Administration, their most decided and effectual support.

Shortly after Mr. Cartwright's Parliamentary movement, respecting the Reserves; to which I have already referred; I addressed a letter to SIR FRANCIS: from which, and from the reply, the following extracts are given, for the information of my Wesleyan Methodist friends. They will, by this means, be well able to conclude, that their interests on this subject, have, by myself, privately as well as publickly, been most uniformly pursued.

Extract of a Letter to SIR F. B. HEAD; Governor, &c. &c. &c.

Toronto, Newgate Street, January 15, 1838.

I should have felt it unpardonable in me, to have engaged the time of Your Excellency, the other day. Otherwise, I could have wished to complain of the proposed measure on the Clergy Reserves; excluding, as I fear it does, all regard to the claims of our Methodist Church, in this Province.

“And after the candid manner, in which I was favoured, to have your own views on the subject, in company with my friend, the Reverend Ephraim Evans; and that your plan of Settlement took us into the account; I cannot but conclude, that the liberal views of Your Excellency, do meet with an unworthy counteraction, on the part of certain persons in the Colony: whose measures; with whatever of good intentions they may have been devised; are most manifestly and painfully injurious, to the peace and kindly understanding, of the people of this Province.

“I have ever, myself, been the friend of our Venerable Establishment; and have attestations of some humble services, rendered her, when in India; many years since. But, after the principles avowed in some of the Royal Despatches, on that subject; in connection with the measure proposed by the Honourable Solicitor General, last Parliament; it appears to me that the Canadians have had expectations excited, of an unexclusive appropriation of the Reserves; which would make an opposite measure, after all, the source of a very general and deeply-rooted dissatisfaction.

“I have allowed myself a freedom of expressing my views on this occasion, which I humbly trust will be forgiven; and which I would not have done, but I have a confidence Your Excellency, favourably appreciates the sincerity of my attachment

to the Government of my Country ; and will attribute such expression, to what is, in reality, the fervency of my zeal, for the preservation of the connection of this Colony, with the Parent State.

“Your Excellency is perhaps aware, that our Ministers mingle more generally with our people, and with Society generally, than is the case with any other class of men, in sacred employ ; and hence we have peculiar means of knowing the Public Mind. And I take the liberty to offer the assurance, that there is but one opinion among us, as to the tendency of any exclusive favouritism, in matters of Religion, to produce disaffection to the Government.

“I cannot conceal my satisfaction and thankfulness to God, that our Wesleyan Methodist Church, has evinced herself, to be so soundly loyal, in our late severe test of character : thereby approving herself to be worthy of the relation she sustains towards our Parent Connection at Home. And though my present connection with our Canadian Church, may be but a temporary one ; I should, as a lover of my Country, as well as one of her brotherhood, grieve to see her treated with a disrespect, which I am persuaded her principles, do not deserve.

(Signed,)

W. M. HARVARD.”

Extract from the Reply ; signed by His Excellency's Private Secretary.

Government House, 18th January, 1838.

“With respect to the subject, of the Clergy Reserves ; His Excellency, feels assured, you do him the justice to believe, in the friendly dispositions, he entertains towards the Wesleyan Methodist Church.—But as His Excellency is now relieved from the administration of this Government ; he cannot, with propriety, any further interfere in the settlement of that Question.

(Signed,)

J. JOSEPH.”

There has been a supposition, on the part of some, that with the proposals on the subject, referred to in page 9, I had but a subordinate and an unwilling connection. Of this mistake, these pages will be a sufficient refutation. I will, however, add ; that the Meeting of Ministers, from which they proceeded, was convened at my own request. But for me, in all probability, there would have been no such Meeting : and to the Resolutions and Proposals, which were the result ; I was, and am ; as it will have been seen ; a most cordial party. Furthermore ; in my subsequent correspondence with the editor of the Church newspaper ; I engaged to defend the position, then taken, as being truly consistent with the principles and partiality for the Church of England, of the Venerable Wesley. And in this, I hope, I have been successful.

(No. III.)

THE UPPER CANADA PROTESTANT FUND.

(SUGGESTIONS, AS TO DETAIL.)

It is not intended, in the present pages, to present a complete Plan of an Enactment on the subject. But the following heads are given, of particulars which it might be proper to comprise, in such a Plan.

SECT. I.

To secure the Principle, contemplated in the Constitutional Act.

The Clergy Reserve Property, being specially and essentially a provision for the promotion of Protestant principles, in the Province; every Church, applying for aid from THE PROTESTANT FUND, shall engage as follows; under signature of its Chief Ecclesiastical Officer; which shall be forwarded to the proper agent, in connection with the official annual application; and be by the said agent carefully preserved;—

1. That the Holy Scriptures, of the Authorized English Version, shall be daily used as the principal English Class-book, in all the Schools of the said Church.

2. That all Teachers, employed in such Schools, shall be persons of sound and intelligent Protestant principles; having undergone a suitable Examination, upon that subject.

3. That in every public Sabbath Service, of the said Church; in all its Congregations; at least one Chapter of the Holy Scriptures, according to the aforesaid Authorized Version, shall be audibly and devoutly read, as a portion of the said Public Service.

SECT. II.

To promote the Principle, contemplated in the said Act.

1. Each Church, Denomination, or Ecclesiastical Community, thus pledged to the Protestant Faith; and making its proper application, as herein provided; shall be entitled to a Grant, from the Protestant Fund, in proportion to the Amount raised and expended by the same, in the Province, for moral and religious instruction, in each respective year.

2. That a Minimum Sum, be fixed; which, in the wisdom and equity of Parliament, shall be sufficiently indicative of the *Public Confidence*, reposed in any such Community, to entitle it to claim such *Public Aid*.

3. That the appropriation of such *Public Aid*, on the part of any such Community; shall be restricted to objects avowed in its application for the same, and sanctioned by Parliamentary approval.

SECT. III.

Parliamentary Control, over the whole Plan.

1. A Parliamentary Committee, to consist of Twenty Gentlemen of the House of Assembly, to be annually appointed by the said House, on the first day of its Session; to whom shall be referred all matters relating to this Question; and who shall make their Report to the House, for its ultimate decision thereon, in the course of the first month of the said Session. In the appointment of the said Committee, twelve of the number shall be placed in nomination, by message, from His Excellency the Lieutenant Governor for the time being; and the remaining eight, by the Honourable the Speaker of the House of Assembly. The House of Assembly, to have the privilege of objecting to any gentleman so nominated; in the event of which objection, some other gentleman to be immediately nominated in his stead.

2. That the Principal Legal Adviser of the Crown, in the Province, be responsible for the due and regular presentation and progress, of all Parliamentary business, connected with this subject.

3. Three Commissioners to be duly appointed, for the superintendence and sale of the Clergy Reserve Lands; and the payment into the Colonial Treasury, of the sums which have arisen and remain unappropriated, or yet may arise, from such sales, &c. The said Commissioners, duly to lay before the Lieut. Governor, a report, in detail, of all their official transactions, in relation to this subject; with a minute statement of receipts, and expenditure; which shall, be by order of His Excellency, forwarded to the Speaker of the House of Assembly, on the first day of its Session; and by him officially given to the Parliamentary Committee: who shall be empowered to make any enquiries of the said Commissioners, which may be needful for the elucidation of such Report, or of the business committed to their management. The Commissioners to be paid by a suitable per centage, on the amount of monies by them passed into the hands of the Provincial Treasurer, on this account. Such monies to form, in the hands of the Provincial Treasurer, for the time being, THE PROTESTANT FUND OF UPPER CANADA; and to be, from time to time, available for the objects herein specified.

4. Since the holding lands without clearing, or bringing them under cultivation, is a serious disadvantage to a Colony; all lands sold by the Commissioners, shall be so sold, subject to a special necessity of being speedily settled; or forfeited, after a time to be fixed. Such forfeited lands, to be duly re-sold; subject to the same necessity, or forfeiture. The further proceeds, in such cases, to be paid also into the Protestant Fund.

5. The Provincial Treasurer in like manner, to make his report to the Governor, in relation to this Fund; and to give the like satisfaction to the Parliamentary Committee, as to any matters affecting this business, which may belong to, or come more immediately within, his department.

6. A suitable Minute Book, shall be kept by the Clerk of the House of Assembly; who shall be the standing Secretary of the Protestant Fund Committee; in which from, time to time, shall be by him particularly recorded, all Parliamentary Proceedings, relative to the Clergy Reserve Property; whether in Committee or otherwise. In it, also, shall be entered a record of all Claimants on the Protestant Fund, from time to time; and a copy of all documents regularly received and admitted, from the several Churches, &c, in relation thereto; which Book shall be held to be of equal authority with other Parliamentary Records, in all cases of appeal, or reference from parties at issue with each other.

7. The first item of entry in the said Minute Book, to be a detailed Statement of all Receipts and Disbursements, and all lands appropriated, on account of the Clergy Reserve Property; from the passing of the Constitutional Act, until the present time.

8. That each Applicant Church, shall, by a prescribed date, send in, from time to time, an Annual Return of the pecuniary resources, it has possessed, duly raised (in the Province) for moral and religious instruction, in the Province, during the year; as well as of the sums it has expended on those objects; and the agency it has employed, during the same, in connection therewith. That, also, any further information shall be afforded, which Parliament may deem to be requisite, to a fair, equitable, and efficient, carrying out of the Constitutional design of the Clergy Reserve Property.

9. The regular Annual Returns from the Claimant Churches, to include such items as the following; with any other, which the working out of the principle may, from time to time, evince to be requisite, and which the Parliament may desire.

*First—RELIGIOUS.**STATISTICAL.*

(1) The Number of Clergymen, or Ordained Ministers of Religion, wholly set apart to the sacred office; including, also, Probationers, wholly employed in the Ministry, and separated from all secular business.

(2) The number of Lay Preachers, or Catechists; employed in education, or other secular engagements; but who, on the average, perform Public Divine Service, at least once every week.

(3) Average Number in attendance on the Public Worship, on the Sabbath-day, of persons above fourteen years of age.

(4) Do. Do. under that age.

N. B. In all cases, the term Public Worship, is understood to mean, Worship to which the Public are indiscriminately admitted.

(5) Average number of Communicants, at the Lord's Supper.

(6) Number of times in which that Sacrament has been administered, during the year.

(7) Number of School Houses, or other undedicated places, regularly or occasionally used for Public Worship.

(8) Number of Places of Public Worship, specially dedicated to that object; and under the control of the Church, or Minister, for that purpose.

(9) Number of Children or Adults, on the average, in attendance at Sunday Schools.

(10) Number of Visits, per Annum, paid by some Minister of the Church, to ditto.

(11) Number of Scripture Verses, committed to memory, by the Sunday School children.

(12) Number of Gratuitous Teachers, not included in the foregoing.

PECUNIARY.

(1) Amount subscribed in the Province, and actually received, either in Cash or Produce, for the support of Regular Ministers and Probationers.

(2) Do. for the Support of Missions, in the Province, not included in the foregoing.

(3) Do. for the establishment and maintainance of Sunday Schools.

(4) Do. for the erection or repair of Places specially dedicated for Public Worship.

(5) Do. Parsonages, and Sunday School houses.

(6) Total, actually raised for Religious Purposes, during the year.

(7) Amount expended in the Province, for clerical support, as per. No. (1)

(8) Do. Missions, as per. No. (2)

(9) Do. Sunday Schools, as per. No. (3)

(10) Do. in erecting or repairing, as per. No. (4)

(11) Do. Do. as per. No. (5)

(12) Total expended, as per. No. (6)

*Secondly—EDUCATIONAL.**STATISTICAL.*

(1) No. of Secular Schools, (in contradistinction from Sunday Schools.)

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- (2) of Masters or Mistresses (in ditto.)
 - (3) of Students (to ditto.)
 - (4) of Visits, per. Annum, paid by some Minister of the Church ;
 - (5) of Readers of Holy Scripture, among the Students.
 - (6) of Scripture Verses, committed to memory, by the Students.
 - (7) of School Examinations, during the Year, in presence of the Managers and Ministers.
 - (8) No. of Students, who have gone through the Common Rules of Arithmetic.

N. B. Other tests of educational efficiency may be annually used, with advantage to the Colonists.—These are but hasty, and professedly incomplete, suggestions.

PECUNIARY.

- (1) Received, whether in Gratuities, or Payments for Instruction, not included in the item of Sunday Schools.
- (2) Expended, for Salaries, in Secular Schools.
- (3) Ditto for School-buildings for do.
- (4) Ditto for Miscellaneous Objects, Connected with do.

10. That all such Annual Returns, shall be forwarded to the Parliamentary Committee, of the Upper Canada Protestant Fund ; under cover to the Clerk of the House of Assembly ; at least three days previous to the Commencement of the Session. Each Return to be signed by the Chief Ecclesiastical Officer, of the Claimant Church, to which it may relate ; by whom, if they require it, the Return shall be personally attested, before the said Committee ; who shall have power to require from him any information or explanation, which may be needful for the guidance of their judgment, respecting the same. Such Chief Officer, however, to be allowed to appoint a suitable Proxy for these purposes ; on the certificate of a Magistrate, that he had sufficient reason for his own personal absence.

11. Each Minister, in Charge of a separate Congregation, or of a number of Congregations ; shall make out a Return of the above description, applicable to his own individual charge ; which he shall sign, and duly forward to the Principal Officer of his Ecclesiastical Community ; who shall compile his General Return, from the whole of the individual ones, thus received by him. And should the Parliamentary Committee at any time require it, he shall furnish any or all of the said individual Returns, so received and used by him, for the said Committee ; the Clerk of the House being responsible for their safe custody, and due return, to the said Chief Officer, at the conclusion of the Parliamentary Session.

12. Official Forms, for Returns, shall be printed, at the order of the Committee ; and be obtained in sufficient quantity, by a requisition in writing, addressed to the Clerk of the House of Assembly, and signed by the Chief Ecclesiastical Officer of the Church, for which they are required.

13. The Parliamentary Committee, to receive and examine all Returns, and other Communications and Documents, which shall be duly presented to them on this subject ; and to Report to the House, the Amounts by them ascertained to be due, out of the Protestant Fund, to the Claimant Churches ; according to the General Principle laid down in Section II, on which all Appropriations are to be made ; as well as any suggestions for the more

efficient operation of the principle of distribution.—at the same time, Care shall be had, that no suggestion be ever permitted by the House, which would go to disturb the principle, itself, of *equitable allowance of aid, according to the Sums raised and expended in the Province*; for the purposes herein prescribed. That being understood to be, at length, and once for all,—IRREVOCABLY DECIDED.

14. The Report of the Parliamentary Committee, on its passing the House of Assembly, to be forwarded; after the usual mode in the case of Legislative Enactments; to the Legislative Council: and from thence, to the Lieutenant Governor. But it shall not be liable to any alterations or modifications; excepting such as shall be strictly in accordance with the principle, laid down in Section II. aforesaid; and to render it more fully agreeable thereto. The Lieutenant Governor, on signifying his Approval of the Report, will issue the Requisite Warrants, for the Immediate Payment of the Sums, therein awarded. The payments to be made to the Chief Ecclesiastical Officer of each Claimant Church, respectively; who shall give his Receipt for the same; and be held accountable to the Provincial Parliament, for its Due and Faithful Appropriation; according to such Regulations as his Church may have publickly adopted, touching the same.

SECT. IV.

A Salutory and Constitutional Supervision.

Though no Parliamentary interference shall be admitted with the regular disciplinary arrangements of any claimant Church; yet if, unhappily, any charge of Incorrect Returns, should be made, or of any Breach of Good Faith, as to Appropriation of Money, entrusted to any Ecclesiastical Community, for Religious and Educational Purposes; the Committee are to examine into the same, and to take a suitable notice thereof in their Report to the House of Assembly; who shall, if the Offence be proved, proceed in its pleasure on the subject;—even so far as to withhold from such Delinquent Church all Pecuniary aid, for the Entire Year, in which such Misdemeanor shall have been proved against the same. Provided, however, that before such decision shall be made; the Church against which such complaint shall unhappily lie, shall—if its officers express a desire to that effect—be heard by Counsel at the Bar of the House;—who shall examine Witnesses, and adduce Evidence, if possible, to disprove the disgraceful allegation. In every instance, the Claims of the Church, shall be dependant on the Integrity of its Agents. By this means, correctness and impartiality may be the better secured; and an opportunity presented, for a salutory and Constitutional superintendency, of this Sacred branch of Public expenditure!—

FINIS.

LANDE

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Section 17

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Section 18

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