

and to no other purpose whatever. And whereas in pursuance of the said act, such allotments and appropriations of land as aforesaid have been from time to time reserved for the purpose therein mentioned, which lands are known in this province by the name of the Clergy Reserves, and whereas by another act of the parliament of the United Kingdom, passed in the session held in the seventh and eighth years of the reign of King George the fourth, and intitled, An act to authorize the sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada, the governor, lieutenant governor or person administering the government of the said provinces or either of them, was empowered with the consent of the Executive Council of such province, and in pursuance of His Majesty's instructions, to sell and convey in fee simple or for any less estate or interest, a part of the said Clergy Reserves in each of the said provinces, not exceeding in either province one-fourth part of the Reserves within the same, nor exceeding One Hundred Thousand Acres in either of them in any one year, and it was enacted that the proceeds of such sales should, by the proper officers, be invested in the public funds of the United Kingdom, and that the dividends and interest of the monies so invested should be appropriated in the manner provided by the said last mentioned act: and further, that it should be lawful for the governor, lieutenant governor or person administering the government of either of the said provinces, with the consent of the Executive Council thereof, and in pursuance of his Majesty's instructions, to give or grant in exchange for any part of the said Clergy Reserves any lands within the said province of equal value with such Clergy Reserves so to be taken in exchange, or to accept in exchange for any such Clergy Reserves from any person or persons any lands of equal value, and that any lands so taken in exchange for any such Clergy Reserves should be holden by the Crown in trust for the purposes for which the Clergy Reserves were appropriated by the acts firstly and secondly above cited: And whereas by another act of the said Parliament, passed in the session held in the third and fourth years of Her Majesty's reign, intitled, An act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof, other and further provision is made for the sale of the whole of the said Clergy Reserves, and for the investment of the proceeds of such sale and the distribution of the interest and dividends on such investments, and of the interest on sales of Clergy Reserves on credit or rents arising from Clergy Reserves demised for a term of years, subject to the provision that the quantity of the said Clergy Reserves so to be sold in any one year shall not in the whole exceed One Hundred Thousand Acres, without the previous approbation in writing of one of Her Majesty's Provincial Secretaries of State, and to the other restrictions and conditions in the said act mentioned and imposed; and so much of the act herein first cited as relates to any reservations of land to be made after the passing of the act herein last cited, in Upper Canada or Lower Canada, for the support and maintenance of a Protestant Clergy, is repealed. And whereas by another act of the said parliament passed in the sixteenth year of Her Majesty's reign, and intitled, An act to authorize the legislature of the Province of Canada to make provision concerning the Clergy Reserves in that province, and the proceeds thereof, it is in effect enacted that it shall be lawful for the legislature of the Province of Canada, from time to time, by any act or acts to be for that purpose made and enacted in the manner and subject to the conditions required by the act of the said parlia-

ment passed in the session thereof held in the third and fourth years of Her Majesty's reign, and intitled, An act to reunite the Provinces of Upper and Lower Canada, and for the government of Canada, sections thirty-seven, thirty-eight and thirty nine, in respect of acts made and enacted by the said legislature, to vary or repeal all or any of the provisions of the act herein last above cited for or concerning the sale, alienation or disposal of the said Clergy Reserves, and for or concerning the investment of the proceeds of all sales therein made or thereafter to be made of such Reserves, and for or concerning the appropriation and application of such proceeds and investments, the interest and dividends accruing on sales on credit of such Reserves, the rents of such Reserves for the time being unsold, and all other the profits of or accruing from such Reserves, and (notwithstanding the said act herein thirdly above cited) to make such other provisions for or concerning the sale, alienation or disposal of the said Clergy Reserves, and such investments as aforesaid, and for or concerning the appropriation and application of such Clergy Reserves, proceeds, investments, interests, dividends, rents and profits, as to the said legislature may seem meet; subject to the proviso that it shall not be lawful for the said legislature by any act or acts thereof as aforesaid, to annul, suspend or reduce any of the annual stipends or allowances which have been already assigned and given to the Clergy of the Churches of England and Scotland, or to any other religious bodies or denominations of Christians in Canada, (and to which the faith of the Crown is pledged) during the natural lives or incumbencies of the parties now receiving the same, or to appropriate or apply to any other purposes such part of the said proceeds, investments, interests, dividends, rents and profits as may be required to provide for the payment of such stipends and allowances during such lives and incumbencies: And whereas it is expedient to alter in certain particulars the provisions of the act thirdly above cited, touching the matters subjected by the act last above cited to the control of the legislature of this province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of the United Kingdom of Great Britain and Ireland, and intitled, An act to re-unite the Provinces of Upper and Lower Canada, and for the government of Canada, and it is hereby enacted by the authority of the same, as follows:—

I. The monies arising from the Clergy Reserves in Upper Canada shall continue to form a separate fund which shall be called the Upper Canada Municipalities Fund, and the monies arising from the Clergy Reserves in Lower Canada shall continue to form a separate fund which shall be called the Lower Canada Municipalities Fund:

The Municipalities Fund for each section of the province respectively shall consist of all monies arising from the sale of Clergy Reserves in that section of the province, whether now funded or invested either in the United Kingdom or in this province, or remaining uninvested, or hereafter to arise from such sales, the interest and dividends of monies forming part of such fund, the interest upon sales of Clergy Reserves in that section of the province, on credit and rents, issues and profits arising from Clergy Reserves therein demised or to be demised for any term of years, and other casual and periodical incomes arising from Clergy Reserves therein, after deducting therefrom the actual and neces-

sary expenses attending the sales of the said Clergy Reserves and of managing the same and the funds aforesaid, and the monies forming the said funds shall be paid into the hands of the Receiver General and shall be by him applied to the purposes hereinafter mentioned, and the authority of this act or any general or special order or orders to be made by the Governor in Council.

II. The annual stipends or allowances which had been before the passing of the act of the parliament of the United Kingdom last cited in the preamble of this act, assigned or given to the Clergy of the Churches of England and Scotland, or to any other religious bodies or denominations of Christians in either section of the province, and chargeable under the act of the said parliament on the Clergy Reserves in such section, (and to which the faith of the Crown is pledged) shall, during the natural lives or incumbencies of the parties now receiving the same, be the first charge on the Municipalities Fund for that section of the province, and shall be paid out of the same in preference to all other charges or expenses whatever: Provided always, that in any case where such annual allowance as aforesaid is payable not to an individual but to a religious body or denomination, such allowance shall continue to be payable during the — years next after the passing of this act, and no longer.

III. And whereas it is desirable to remove all semblance of connection between Church and State and to effect an entire and final disposition of all matters, claims and interests arising out of the Clergy Reserves by as speedy a distribution of their proceeds as may be: Be it therefore enacted, that the governor in council may, whenever he may deem it expedient, with the consent of the parties or bodies severally interested, commute such annual stipend or stipends, allowance or allowances, for the value thereof, to be calculated at the rate of six per cent. per annum, upon the probable life of each individual, or upon an average not exceeding — years' purchase on the lives of all the incumbents so entitled belonging to the same religious denomination, and in the case of religious bodies at — years' purchase; and such commutations shall be paid accordingly out of that one of the Municipalities Funds upon which such stipends or allowances are respectively made chargeable by this act.

IV. So long as any such stipend or allowance shall be chargeable upon either of the said Municipalities Funds, a portion of such fund producing annually interest sufficient to pay every such stipend or allowance then chargeable thereon, shall be retained by the Receiver General, and appropriated for that purpose, and other such securities as aforesaid, or to apply them to the payment of the commutations aforesaid.

V. The amount of the Municipalities Fund in and for either section of the province remaining unexpended and unappropriated under the foregoing provisions of this act, on the thirty-first day of December in each year, shall, by the Receiver General, be apportioned equally among the several County and City Municipalities in the same section of the province, in proportion to the population of such municipalities respectively according to the then last census made either under the act to provide more effectually for taking a periodical census of the province or any other act under which census may be legally taken of the municipalities in either section of the province; and the portion thereof coming to each municipality shall be paid over by the Receiver General to the treasurer, chamberlain or other officer having the legal custody of the monies of such municipality, without