

ed by his Majesty for the affairs of such province shall be a Court of Civil Jurisdiction within each of the said provinces respectively, for hearing and determining Appeals within the same, in the like cases, and in the like manner and form, and subject to such appeal therefrom, as such appeals might, before the passing of this Act, have been heard and determined by the Governor and Council of the Province of Quebec; but subject nevertheless to such further or other provisions as may be made in this behalf, by any Act of the Legislative Council and Assembly of either of the said provinces respectively, assented to by his Majesty, his heirs or successors.

14 Geo. III,
Cap. 83, and

XXXV. And whereas, by the above-mentioned Act, passed in the Fourteenth Year of the Reign of his present Majesty, it was declared, That the Clergy of the Church of Rome, in the Province of Quebec, might hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as should profess the said religion; provided nevertheless, that it should be lawful for his Majesty, his heirs or successors, to make such provision out of the rest of the said accustomed dues and rights, for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant Clergy within the said province, as he or they should from time to time think necessary and expedient. And whereas by his Majesty's royal instructions, given under his Majesty's royal Sign Manual, on the third day of January, in the year of our Lord one thousand seven hundred and seventy-five, to GUY CARLETON, Esquire, now Lord DORCHESTER, at that time his Majesty's Captain General and Governor in Chief in and over his Majesty's Province of Quebec, his Majesty, was pleased, among other things, to direct, "That no Incumbent professing the Religion of the Church of Rome, appointed to any parish in the said province, should be entitled to receive any tithes for lands or possessions occupied by a Protestant, but that such tithes should be received by such person as the said GUY CARLETON Esquire, his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec, should appoint, and should be reserved in the hands of his Majesty's Receiver General of the said province, for the support of a Protestant Clergy, in his Majesty's said province, to be actually resident within the same, and not otherwise, according to such directions as the said GUY CARLETON Esquire, his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province, should receive from his Majesty in that behalf; and that in like manner all growing rents and profits of a vacant benefice should, during such vacancy, be reserved for and applied to the like uses." And whereas his Majesty's pleasure has likewise been signified to the same effect in his Majesty's royal instructions given in like manner to SIR FREDERICK HALDIMAND, Knight of the most Honorable Order of the Bath, late his Majesty's Captain General and Governor in Chief in and over his Majesty's said province of Quebec; and also in his Majesty's Royal instructions, given in like manner to the said Right Honorable GUY Lord DORCHESTER, now his Majesty's Captain General and Governor in Chief in and over his Majesty's said Province of Quebec; be it enacted by the authority aforesaid, That the said Declaration and Provision contained in the said above mentioned Act, and also the said Provision so made by his Majesty in consequence thereof, by his instructions above-recited, shall remain and continue to be of full force and effect in each of the said two Provinces of Upper-Canada and Lower-Canada respectively, except in so far as the said declaration or provisions respectively, or any part thereof, shall be expressly varied

Instructions of
Jan. 3, 1775, to
Sir Guy Carleton,
&c. and

Instructions to
Sir Frederick
Halimand, and
to Lord Dorchester, recited;

and the Declaration and Provisions therein, respecting the Clergy of the Church of Rome, to continue in force.