

Acts of the Legislative Council and Assembly, containing Provisions to the Effect herein mentioned to be laid before Parliament, previous to receiving His Majesty's assent, &c.

XLII. Provided nevertheless, and be it further enacted by the authority aforesaid, That whenever any Act or Acts shall be passed by the Legislative Council and Assembly of either of the said Provinces, containing any provisions to vary or repeal the above recited Declaration and Provision contained in the said Act, passed in the Fourteenth Year of the Reign of his present Majesty; or to vary or repeal the above recited Provision contained in his Majesty's Royal Instructions, given on the Third day of January, in the Year of our Lord One thousand seven hundred and seventy-five, to the said GUY CARLETON, Esquire, now Lord DORCHESTER; or to vary or repeal the Provisions herein before contained for continuing the Force and Effect of the said Declaration and Provisions; or to vary or repeal any of the several Provisions herein before contained respecting the Allotment and Appropriation of Lands for the Support of a Protestant Clergy within the said Provinces: or respecting the constituting, erecting, or endowing Parsonages or Rectories within the said Provinces; or respecting the presentation of Incumbents or Ministers to the same; or respecting the manner in which such Incumbents or Ministers shall hold and enjoy the same: And also that wherever any Act or Acts, shall be so passed, containing any provisions which shall in any manner relate to or affect the enjoyment or exercise of any religious Form or Mode of Worship, or shall impose or create any Penalties, Burthens, Disabilities, or Disqualifications in respect of the same, or shall in any manner relate to or affect the payment, recovery or enjoyment of any of the accustomed Dues or Rights herein before mentioned; or shall in any manner relate to the granting, imposing, or recovering any other Dues, or Stipends or Emoluments whatever, to be paid to or for the Use of any Minister, Priest, Ecclesiastic or Teacher, according to any Religious Form or mode of Worship, in respect of his said Office or Function; or shall in any manner relate to or affect the Establishment or Discipline of the Church of England, amongst the Ministers and Members thereof within the said Province; or shall in any manner relate to or affect the King's Prerogative touching the granting the Waste Lands of the Crown within the said Provinces: every such Act or Acts shall, previous to any Declaration or Signification of the King's Assent thereto, be laid before both Houses of Parliament in Great Britain, and that it shall not be lawful for His Majesty, his Heirs or Successors, to signify His or their Assent to any such Act or Acts, until Thirty Days after the same shall have been laid before the said Houses, or to assent to any such Act or Acts, in case either House of Parliament shall, within the said Thirty Days, address His Majesty, his Heirs or Successors, to withhold his or their Assent from such Act or Acts; and that no such Act shall be valid or effectual to any of the said purposes within either of the said Provinces unless the Legislative Council and Assembly of such Province, shall, in the Session in which the same shall have been passed by them, have presented to the Governor, Lieutenant Governor, or Person administering the Government of such Provinces an Address or Addresses, specifying that such Act contains provisions for some of the said purposes herein before specially described, and desiring that, in order to give Effect to the same, such Act should be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of His Majesty's Assent thereto.

Lands in Upper Canada to be Granted in Free and Common Soccage, and also in Lower Canada if desired.

XLIII. And be it further enacted by the Authority aforesaid, That all Lands which shall be hereafter granted within the said Province of Upper-Canada, shall be granted in Free and Common Soccage, in like manner as Lands are now holden in Free and Common Soccage, in that part of Great Britain called England; and that in every case where Lands shall be hereafter granted within the said Province of Lower-Canada, and where the Grantee thereof shall desire the same to be granted in Free and Common Soccage, the same shall be so granted; but subject nevertheless to such Alterations, with respect to the nature and consequences of such Tenure of Free and Common Soccage, as may be established by any Law or Laws which may be made by His Majesty, His