

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except in so far as the said declaration or provisions respectively, or any part thereof, shall be expressly varied or repealed by any Act or Acts which may be passed by the legislative council and assembly of the said provinces respectively, and assented to by His Majesty, His Heirs or Successors, under the restriction hereinafter provided.

Sir Guy Carleton—

And the declaration and provision therein respecting the clergy of the church of Rome to continue in force.

(But tythes were abolished in U. C. by 2 G. 4, c. 32, and are not paid in L. C. by protestants, so that the section seems unlikely to have any effect except as maintaining the Roman Catholic Clergy in L. C. in their right to tythes from Roman Catholics.)

(Sections 36, 37, 38, 39, 40, 41, related to the reservation of lands for the support of a protestant clergy, and the endowment of rectories. The Imp. Act 3, 4 V. c. 78, s. 11, repeals so much of this Act as relates to any such reservation thereafter to be made;—and the Prov. Act 14, 15 V. c. 175, repeals ss. 38, 39 and 40 of this Act relating to the establishment of rectories, saving past rights if found valid, and directing how the presentation to any rectory which is found to have been legally established, shall thereafter be made. The said Provincial Act was passed under the authority given by s. 41 of the Act now under consideration.)

41. The several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a protestant clergy within the said provinces, and also respecting the constituting, erecting, and endowing parsonages or rectories within the said provinces, and also respecting the presentation of incumbents or ministers to the same, and also respecting the manner in which such incumbents or ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provisions for that purpose, contained in any Act or Acts which may be passed by the legislative council and assembly of the said provinces respectively, and assented to by His Majesty, His Heirs or Successors, under the restriction hereinafter provided.

Provisions respecting the allotment of lands for the support of a protestant clergy, &c., may be varied or repealed by the Legislative Council and Assembly.