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respectively, together with such executive council as shall be appointed by his Majesty for the affairs of such province, shall be recourt 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.

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, Esq. 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, amongst 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 tythes for lands or possessions occupied by a protestant, but that such tythes should be received by such persons 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,