

THE  
ACTS AND PROCEEDINGS  
OF  
THE SYNOD  
OF THE  
PRESBYTERIAN CHURCH OF CANADA,

IN CONNECTION WITH THE CHURCH OF SCOTLAND.

SESSION XXVI.  
HELD AT MONTREAL, 10<sup>TH</sup> JANUARY,  
1855.



MONTREAL:  
PRINTED BY JOHN LOVELL, ST. NICHOLAS STREET.

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# ACTS AND PROCEEDINGS

OF THE

Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, begun at Montreal the 10th day of January, and concluded the 11th day of January, 1855 years.

## SESSION XXVI.

### DIET I.

*At Montreal, and within St. Andrew's Church there :—  
Wednesday, the Tenth Day of January, One  
Thousand Eight Hundred and Fifty Five  
Years :—*

The which day, after sermon by the Rev. Dr. Mathieson, from Psalm xlvi. 12, 13, "Walk about Zion, and go round about her, tell the towers thereof; mark ye well her bulwarks, consider her palaces, that ye may tell it to the generation following," the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, met, *pro re nata*, and was constituted with prayer by the Moderator, the Rev. James Williamson, A. M.

Sederunt, Mr. James Williamson, *Moderator*; Mr. John McMurchy, Mr. John Barclay, Dr. Alexander Mathieson, Mr. James Anderson, Mr. James C. Muir, Dr. John Cook, Mr. William Simpson, Mr. Alexander Wallace, Dr. Robert McGill, Mr. James T. Paul, Mr. Thomas Haig, Mr. Archibald H. Milligan, Mr. John McDonald, Mr. John McKenzie, Mr. Hugh Urquhart, Mr. John McLaurin, Mr. Thomas McPherson, Mr. Æneas McLean, Mr. Donald Monro, Mr. Thomas Scott, Mr. Andrew Bell, Mr. Robert Dobie, and Mr. John Whyte, *Ministers* :—together with Mr. Alexander Morris, Mr. John Thompson, Mr. Thomas A. Gibson, and the Hon. Thomas McKay, *Elders*.

The Moderator laid before the Synod a requisition which had been addressed to him, calling on him to summon a meeting of Synod; also a copy of his circular calling the present meeting. The same were read, as follows :—

QUEBEC, 11th Dec., 1854.

REVEREND AND DEAR SIR,—I beg to intimate to you that it is the opinion of the Committee of Synod, appointed to watch the progress of legislation in respect of the Clergy Reserves, that, the Bill introduced by Government having now passed both Houses of the Legislature, it is desirable that a Meeting of Synod should be called as early as possible for the purpose of taking such steps as may be necessary

to take advantage of the Commutation clause in the said Bill, and in name of the Committee I beg very respectfully to request that you will call such meeting at the time and place you think most convenient.

I am, Reverend and dear Sir,  
Your faithful servant,  
JOHN COOK.

We, the undersigned, hereby concur in the necessity of calling a Special Meeting of Synod at the earliest period the forms of the Church will admit.

ALEX. MATHIESON.  
ROBERT MCGILL.

The Reverend  
The Moderator of the Synod of the  
Presbyterian Church of Canada,  
in connection with the Church of Scotland.

KINGSTON, 20th December, 1854.

REVEREND AND DEAR SIR,—In compliance with a request addressed to me by the Convener and other members of the Committee appointed to watch over the progress of legislation in respect to the Clergy Reserves, to call a Special Meeting of Synod as early as possible for the purpose of taking such steps as may be necessary to take advantage of the Commutation clause in the Act which has lately been passed by the Provincial Parliament, I have now to intimate to you that a Special Meeting of Synod will be held in St. Andrew's Church, Montreal, on 10th January, 1855, being the second Wednesday of the month, at half-past 6 P. M.

I am, Reverend and dear Sir,  
Yours faithfully,  
JAMES WILLIAMSON,  
*Moderator.*

P. S. It has been thought by several of my brethren with whom I have conferred on the subject, and I concur in the opinion, that in the circumstances of the case Montreal is, on the whole, the most suitable place for the Meeting of Synod on this occasion.

The Synod unanimously agreed to approve of the Moderator's conduct in calling this meeting.

The Synod then called for the Report of the Committee appointed to watch over the interests of the Church in regard to the Clergy Reserves, which was given in and read by Dr. Cook, the Convener,

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stating that the Bill for the secularization of the Clergy Reserves, which had been introduced into Parliament by the Government, had been carried in both Houses, and assented to by the Governor General:—that it contained a clause securing to all Ministers settled previous to the 9th May, 1853, the date of the passage of the Imperial Act, payment of their salaries from the Clergy Reserve Fund during their lives or incumbencies, and at the same time authorizing the Government to commute the claims of incumbents, with the consent of the parties and bodies severally interested,—and that the Committee, for reasons which they stated, had not considered it expedient to interfere in any way with the passing of the said Bill, but, feeling assured, from many considerations, that it would be for the benefit of the Church to take advantage of the Commutation clause of the Act, the Committee had requested the Moderator to call a *pro re nata* Meeting of Synod to take the matter into consideration, and make the necessary arrangements; and the Committee further, and at great length, recommended that the Synod should agree to commutation.

The Synod approved of the conduct of the Committee, and after some discussion agreed to defer the further consideration of the Report until tomorrow, and instructed the aforesaid Committee to draft Resolutions to be then laid before the Synod, for their consideration, as to their action in this matter.

The Synod agreed to spend a portion of time in the morning in devotional exercises.

The Synod then adjourned, to meet again at half-past Eleven o'clock tomorrow forenoon, and was closed with prayer.

#### DIET II.

*At Montreal, and within St. Andrew's Church there :—  
Thursday, the Eleventh Day of January, One  
Thousand Eight Hundred and Fifty-Five  
Years :—*

The which day the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, met, according to adjournment, and was constituted with prayer.

On the call of the Moderator, the Rev. Dr. Cook conducted the devotional exercises of the Synod in praise, reading the Scriptures, and prayer.

The Minutes of yesterday were read and approved.

The Clerk stated to the Synod that he had received, a considerable time ago, a letter from the Inspector General's Department of the Government, requesting him to make a Return, to be laid before

Parliament, of all persons connected with this Church, "who at the date of the passing of the Act of the Imperial Parliament to make provision concerning the Clergy Reserves of this Province, viz: 9th May, 1853, were receiving any income or allowance from such portion of the proceeds of the Clergy Reserves as had been granted to the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, specifying the names and ages of such persons, the annual amounts of their allowance, and through whom it is paid;" and that he had immediately issued a circular to the several parties, requesting a statement of their ages to be returned to him,—Mr. Allan of Montreal having kindly offered to furnish him with some other items;—but that he had been as yet unable to make the required Return in consequence of a considerable number of the Ministers having neglected to make Returns to him, although written to a second time on the subject; and that he had also, at the suggestion of some of the Clergy Reserve Commissioners, written to all of the parties whose names were on the Roll for salaries. The Synod, while approving of the conduct of the Clerk, directed him to use all diligence in procuring as soon as possible the whole of the required information, and, in transmitting to the Government the list of incumbents up to 9th May, 1853, to furnish, at the same time, the names of those since put upon the Roll, as having, in the estimation of the Synod, claims upon the Fund.

The Committee, appointed yesterday to arrange measures for the consideration of the Synod, reported certain Resolutions which the Synod proceeded to discuss at length.

The Synod, having heard the Report of the Committee appointed by the Synod to watch over the interests of the Church, in as far as these might be affected by the action of the Legislature on the Clergy Reserves,—and, also, the verbal reports of such members of the Committee as had been in communication with members of the Government on the subject,—and, having seriously and maturely considered that clause of the Clergy Reserves Act, lately passed by the Provincial Parliament at its present Session, by which His Excellency the Governor in Council is authorized, with the consent of parties interested, to commute the salaries or allowances of Ministers, chargeable for life or during their incumbencies on the Clergy Reserves Fund, for their value in money,—Resolved,

"1st. That it is desirable that such commutation, if upon fair and liberal terms, should be effected; and that the Rev. Alexander Mathieson, D. D., of Montreal, the Rev. John Cook, D. D., of Quebec, Hugh Allan, Esq., of Montreal, John Thompson, Esq., of Quebec, and the Hon. Thomas McKay, of Ottawa City, be the Synod's Commissioners with full power to give the formal sanction of the Synod to such commutation as they shall approve, the said Com-

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missioners being hereby instructed to use their best exertions to obtain as liberal terms as possible; the Rev. Dr. Cook to be Convener; three to be a quorum; the decision of the majority to be final, and their formal acts valid; but that such formal sanction of the Synod shall not be given except in the case of Ministers who have also individually given them, the said Commissioners, power and authority to act for them in the matter, to grant acquittance to the Government for their claims to salary to which the faith of the Crown is pledged; and to join all sums so obtained into one Fund, which shall be held by them till the next Meeting of Synod, by which all further regulations shall be made; the following, however, to be a fundamental principle, which it shall not be competent for the Synod at any time to alter, unless with the consent of the Ministers granting such power and authority; that the interest of the Fund shall be devoted, in the first instance, to the payment of £112 10s. each, and that the next claim to be settled, if the Fund shall admit, and as soon as it shall admit of it, to the £112 10s., be that of the Ministers now on the Synod's Roll, and who have been put on the Synod's Roll since the 9th May, 1853; and, also, that it shall be considered a fundamental principle that all persons who have a claim to such benefits shall be Ministers of the Presbyterian Church of Canada, in connection with the Church of Scotland, and that they shall cease to have any claim on, or be entitled to, any share of said Commutation Fund whenever they shall cease to be Ministers in connection with the said Church.

"2nd. That, so soon as said commutation shall have been decided upon, and agreed to by the said Commissioners, the Rev. John Cook, D. D., of Quebec, shall be fully empowered and authorized, and this Synod hereby delegate to the said Rev. Dr. John Cook full power and authority, to endorse and assent to the several powers of attorney from the individual parties on behalf of the said Synod, and in their name, and as their act and deed, as evidencing their assent thereto.

"3rd. That all Ministers be, and they are hereby enjoined and entreated, (as to a measure by which, under Providence, not only their own present interests will be secured, but a permanent endowment for the maintenance and extension of religious ordinances in the Church,) to grant such authority in the fullest manner, thankful to Almighty God that a way so easy lies open to them for conferring so important a benefit on the Church.

"4th. That the aforesaid Commissioners be a Committee to take the necessary steps to get an Act of Incorporation for the management of the General Fund, so to be obtained; the aforesaid Commissioners to constitute the said Corporation till the next Meeting of Synod, when four more members shall be added by the Synod."

The Synod ordered the Minutes of this meeting to be printed, and a copy sent to each Minister as soon as possible; and they further instructed their Commissioners, named above, to address a circular to the several Ministers, showing them the importance of commutation upon the plan agreed to at this meeting, and giving them full information on the subject.

The Synod requested their Moderator to convey to the Hon. John Hamilton, of Kingston, and the Hon. Thomas McKay, of Ottawa, the thanks of this Synod for the assistance afforded by them to the Clergy Reserve Committee of this Synod, when lately met at Quebec, and for their exertions on behalf of the interests of this Church, especially during the present Session of Parliament.

The business for which the Special Meeting of Synod had been called having been finished, the Rev. Dr. Mathieson stated "that he availed himself of the opportunity, which this Special Meeting of Synod afforded, to direct the attention of the congregations within the bounds to the call made by the General Assembly of the Church of Scotland, and generously responded to by every Parish in the land, to contribute to the National Patriotic Fund for the relief of the wives and children of the brave men who have been disabled or found a soldier's grave in fighting for the honour of their country, and the liberty, and (it is to be hoped,) the ultimate peace of the World, and the advancement of the Redeemer's Kingdom; and, also, to the circumstance, that several of the congregations in connection with this Synod have already contributed or were anxious to contribute their subscriptions through the channel thus afforded them, to the Patriotic Fund." Whereupon Dr. Mathieson moved to resolve, and it was resolved accordingly:

"That this Synod deeply sympathize with Her Majesty and her people in the great struggle, in which she has been constrained to engage, for the liberty and independence of nations. Sympathizing also with the numerous families whose hearts, in the inscrutable Providence of God, have been filled with sorrow for the loss of their natural protectors, or their friends who have fallen in the contest, and being deeply sensible of, and grateful for, the inestimable blessings, both civil and religious, which this Colony enjoys, under Her Majesty's gracious sway, and its connection with the parent state, this Synod strongly recommend to all the congregations within their bounds, not only as an expression of their gratitude and sympathy, but as a solemn duty, at the earliest convenient season, and in the way that to the Minister and Elders seems best, to make contributions to the National Patriotic Fund:—and that Hew Ramsay, Esq., Montreal, be appointed to receive from the respective congregations their several contributions, and transmit them to William Young, Esquire, W. S., Edinburgh, who has been appointed to receive the contributions of the Church.

The Synod was then closed with prayer.

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## APPENDIX.

1. ACT of the IMPERIAL PARLIAMENT, authorizing the Canadian Parliament to legislate on the Clergy Reserves, passed 9th May, 1853.

2. ACT of the CANADIAN PARLIAMENT, secularizing the Clergy Reserves, passed 18th December, 1854, and then assented to.

ANNO DECIMO SEXTO VICTORIÆ REGINÆ,  
CAP. XXI.

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.

[9th May, 1853.]

WHEREAS the Act of the Session of Parliament holden in the Third and Fourth Years of Her Majesty's Reign, Chapter Seventy-eighth, provides for the sale of and called Clergy Reserves, in the Province of Canada, and for the distribution of the proceeds thereof; and it is expedient that the Legislature of the said Province should be enabled to make further provision in relation to such Reserves and Proceeds: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

I. 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 Session of Parliament holden in the Third and Fourth Years of Her Majesty, Chapter Thirty-five, Sections Thirty-seven, Thirty-eight and Thirty-nine, in respect of Acts made and enacted by such Legislature, to vary or repeal all or any of the provisions of the said first-mentioned Act of Parliament, for and concerning the sale, alienation, and disposal of the said Clergy Reserves, and for or concerning the appropriation and application of such proceed and investments, the interest and dividends thereof, the interest accruing on sales on credit of such Reserves, the rent of such Reserves for the time being unsold, and all other the profits of or accruing from such Reserves, and (notwithstanding the said first-mentioned Act of Parliament) 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, interest, dividends, rents and profits, as to the said Legislature may seem meet.

II. Provided, 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 or 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, interest, dividends, rents and profits as may be required to provide for the payment of such stipends and allowances during such lives and incumbencies.

## ANNO DECIMO OCTAVO VICTORIÆ REGINÆ,

## CAP. II.

An Act to make better provision for appropriation of Moneys arising from the Lands heretofore known as the Clergy Reserves, by rendering them available for Municipal purposes.

[18th December, 1854.]

WHEREAS by the Act of the Parliament of Great Britain, passed in the Session held in the thirty-first year of the Reign of His Majesty King George the Third, and intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province," it is among other things enacted, that it shall and may be lawful for His Majesty, his Heirs or Successors, to authorize the Governor or Lieutenant Governor of each of the Provinces of Upper Canada and of Lower Canada respectively, or the person administering the Government therein, to make from out of the Lands of the Crown within such Provinces such allotment and appropriation of lands as therein mentioned, for the support and maintenance of a Protestant Clergy within the same; and it was further enacted, that all and every the rents, profits and emoluments, which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely for the maintenance and support of a Protestant Clergy within the Province in which the same should be situated, 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 purposes 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 intituled, "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 moneys 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 land 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 to 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

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Majesty's Reign, intituled, "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 farther 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 Principal Secretaries of State, and to other the 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 intituled, "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 Parliament passed in the Session thereof held in the third and fourth years of Her Majesty's Reign, and intituled, "An Act to re-unite 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 then made or thereafter to be made of such Reserves, and for or concerning the appropriation and application of such proceeds and investments, the interests 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 fourthly 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 of 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 intituled, "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 moneys 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 moneys arising from the Clergy Reserves in Lower Canada shall continue to form a separate Fund which shall be called The Lower Canada Municipalities Fund :

2. The Municipalities Fund for each section of the Province respectively shall consist of all moneys 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 moneys 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 incoming arising from Clergy Reserves therein, after deducting therefrom the actual and necessary expenses attending the sales of the said Clergy Reserves, and of managing the same and the Funds aforesaid; and the moneys 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, under 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 passed in the sixteenth year of Her Majesty's Reign, and cited in the Preamble to 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 receiving the same at the time of the passing of the said Act, 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 the annual allowances heretofore payable to the Roman Catholic Church in Upper Canada, and to the British Wesleyan Methodist Church for Indian Missions, shall continue to be payable during the twenty years next after the passing of this Act, and no longer.

III. And whereas it is desirable to remove all semblance of connection between the 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 and Bodies severally interested, commute with the said parties such annual stipend or allowance for the value thereof, to be calculated, at the rate of six per cent. per annum, upon the probable life of each individual; and in the case of the bodies above particularly specified in the second section of this Act, at the actual value of the said allowance at the time of commutation to be calculated at the rate aforesaid: and such commutation shall be paid accordingly out of that one of the Municipalities Funds upon which such stipend or allowance is made chargeable by this Act: Provided always, that no commutation shall take place but within one year next after the passing of this Act: Provided also, that in case of commutation with either of the said Bodies or Denominations, it shall not be lawful for them or either of them to invest the moneys paid for such commutation, or any part thereof, in Real property of any kind whatsoever, under penalty of forfeiting the same to Her Majesty; and that the said Bodies or Denominations shall lay before the Legislature, whenever called on so to do, a statement of the manner in which said moneys shall have been invested or appropriated.

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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 if not already invested shall be by him invested in Public British Securities, or in any Provincial Debentures or Securities which under the Act to establish freedom of Banking, or any Act amending the same, may be accepted by the Receiver General in exchange for registered Bank notes, as the Governor in Council shall from time to time direct; and the Receiver General, being thereunto authorized by order of the Governor in Council, shall have full power to dispose of any Securities in which such moneys are or shall be invested, and to invest the proceeds in any other such Securities as aforesaid, or to apply them to the payment of the commutation 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 moneys of such Municipality, without other authority than this Act, and shall make part of the General Funds of the Municipality, and be applicable to any purpose to which such Funds are applicable: Provided always, that, if at the time when such payment is to be made, any sum of money shall be payable by any such Municipality to the Receiver General for any cause whatever, and shall be overdue, he may retain in his hands, in satisfaction or part satisfaction thereof, the sum which would otherwise be payable to such Municipality, or so much thereof as may be equal to the sum so payable to him by the Municipality, and overdue, and shall deliver to the Treasurer, Chamberlain or other Officer as aforesaid, a discharge in favor of the Municipality for a sum equal to that so retained by him; and for the purposes of this section, each Municipality into which any County in Lower Canada may be at the time divided, and each Union of Counties for Municipal purposes in Upper or Lower Canada, shall be taken to be a County Municipality.

VI. So much of the Act thirdly cited in the Preamble of this Act as limits the quantity of lands forming part of the Clergy Reserves which may be sold in any one year without the previous approbation in writing of one of Her Majesty's Principal Secretaries of State, and so much of the said Act as makes any appropriation of any moneys forming part of the Clergy Reserves Fund, or arising from the sale of Clergy Reserves, other than such as is made by this Act, or as may be in any way inconsistent with this Act, shall be, and so much of the said Act is hereby repealed.

VII. Any lands which may have been, under the authority of the Act hereinbefore cited, or any of them, accepted in exchange for lands originally forming part of the Clergy Reserves in any part of this Province, shall be deemed to be Clergy Reserves for all the purposes of this Act.