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No. 117.

5th Session, 8th Parliament, 29-30 Victoria, 1866

BILL.

**An Act to provide for the sale of the Rec-
tory Lands in this Province.**

**Received and read first time, Tuesday,
26th June, 1866.**

**Second reading, Wednesday, 27th June,
1866.**

Hon. Mr. CAMERON.

OTTAWA :

**PRINTED BY HUNTER, ROSE & CO.,
SALLY STREET.**

An Act to provide for the sale of the Rectory Lands in this Province.

WHEREAS the Provincial Synod of the United Church of Eng- Preamble.
land and Ireland in Canada, have by their petition prayed for
the passing of an Act to give permission to the incorporated Synods
and Church Societies of the different Church of England dioceses in this
5 Province, to sell the Rectory Lands held in such dioceses, by grant
from the Crown: and whereas it is desirable to grant the prayer of
such petition; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

- 10 **1.** The incorporated Synod of any Church of England diocese, or the Incorporated
Church Society of any such diocese of this Province, with the consent synods, or
of the Synod of such diocese, where such Synod is not incorporated, church socie-
shall have full power and authority to sell and absolutely dispose of any ties with con-
lands granted by the Crown in such diocese, as a glebe of, or as appor- sent of synod,
15 tioned or belonging to, or appropriated for, any Rectory of the Church tory lands in
of England in said diocese, by whatever name the same may be called, their re-
or in whomsoever the title thereto may be vested; and any deed executed by spective
such incorporated Synod or by such Church Society, shall vest in the dioceses.
purchaser, a full, clear and absolute title to the said lands, subject only
20 to any leases thereof or rights granted therein, by competent authority
prior to such sale, and also to any mortgage that may be executed
thereof, to secure all or any of the purchase money thereof.
- 2.** The proceeds of such sales, as the same may be from time to time Application
paid, or as the same may come in for any investment, shall be invested of proceeds.
25 in government securities or county municipal debentures, and the inter-
est arising from the said proceeds, shall be paid to the Incumbent of
the Rectory to which such lands belonged at the time of such sale,
during the term of his incumbency.
- 3.** The proceeds of such sale shall be held by such incorporated Such proceeds
30 Synod or Church Society in trust, first to pay all expenses attending to be held in
the management thereof; secondly, to pay the interest of the moneys ar- trust for cer-
ising from each sale to the Incumbent of the Rectory to which such tain purposes.
lands belonged at the time of such sale, during the term of his incum-
bency; and thirdly, after the death, retirement, or removal of such Incum-
35 bent, to pay such interest in such proportion and to such persons as such
incorporated Synod, or Church Society with the consent of such Synod,
where not incorporated, shall by resolution, by-law or canon, order and
direct; Provided always, that the township, parish or place in which
such Rectory to which such land belonged, is situate, shall have the
40 first claim to a provision, for the Incumbent of such Rectory, out of
such interest as aforesaid.
- 4.** Nothing in this Act contained shall affect the right of presenta- Right of pre-
tion to any Rectory, but such right of presentation shall continue to be sentation not
exercised as it was before this Act was passed. affected.
- 45 **5.** The right to exercise the power of sale granted by this Act, must Sales to be
be exercised within ten years from the passing thereof. made within
a limited
time.