ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

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C A P. LXII.

An Act to authorize the Sale of a Part of the Clergy Reserves in the Provinces of *Upper* and *Lower Canada*. [2d *July* 1827.]

WHEREAS by an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal certain Parts of an Act passed in the* 31 G. 3. c. 31. *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 amongst 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 *Lower Canada* respectively, or the Person administering the Government therein, to make, from and 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, or 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 Appropriation of Land as aforesaid have from Time to Time been reserved

for the Purposes therein mentioned; which Lands are known within the said Provinces by the Name of *The Clergy Reserves*: And whereas the said Clergy Reserves have in great Part remained waste and unproductive, from the Want of Capital to be employed in the Cultivation thereof; and it is expedient to authorize the Sale of certain Parts of such Clergy Reserves, to the Intent that the Monies arising from such Sale may be employed in the Improvement of the remaining Part of the said Clergy Reserves, or otherwise, for the Purposes for which the said Lands are so reserved as aforesaid: Be it therefore enacted by the King'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, That it shall and may be lawful for the Governor and Lieutenant Governor, or Officer administering the Government of the said Provinces, or either of them, with the Consent of the Executive Council appointed within such Province for the Affairs thereof, in pursuance of any Instructions which may be issued to such Governor, Lieutenant Governor, or other Officer as aforesaid, by His Majesty, through One of His Principal Secretaries of State, to sell, alienate, 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 of the Reserves within such Province,) upon, under, and subject to such Conditions, Provisoes, and Regulations as His Majesty, by any such Instructions as aforesaid, shall be pleased to direct and appoint: Provided nevertheless, that the Quantity of the said Clergy Reserves so to be sold as aforesaid in any One Year, in either of the said Provinces, shall not in the whole exceed One hundred thousand Acres: Provided also, that the Monies to arise by or to be produced from any such Sale or Sales shall be paid over to such Officer or Officers of His Majesty's Revenue within the said Provinces respectively as His Majesty shall be pleased to appoint to receive the same, and shall by such Officer or Officers be invested in the Public Funds of the United Kingdom of *Great Britain* and *Ireland*, in such Manner and Form as His Majesty shall from Time to Time be pleased to direct: Provided also, that the Dividends and Interest accruing from such Public Funds, so to be purchased, shall be appropriated, applied, and disposed of for the Improvement of the remaining Part of the said Clergy Reserves, or otherwise, for the Purposes for which the said Lands were so reserved as aforesaid, and for no other Purpose whatsoever; save only so far as it may be necessary to apply the same, or any Part thereof, in or towards defraying the Expences of or attendant upon any such Sale or Sales as aforesaid; and which Appropriations shall be so made in such Manner and Form, and for such special Purposes, as His Majesty from Time to Time shall approve and direct.

Governor or Lieutenant Governor, &c. empowered to sell Part of Clergy Reserves in Canada.

Limiting the Quantity of Land to be sold in One Year.

Money to be invested in the Funds, and Dividends and Interest applied in Improvement of remaining Part.

II. And be it further enacted, That it shall and may be lawful for the Governor, Lieutenant Governor, or Officer administering the Government of the said Provinces, with the Consent of such Executive Council as aforesaid, in pursuance of any Instructions which may in manner aforesaid be issued to him, to give and grant, in exchange for any Part of the said Clergy Reserves, any Lands of and belonging to His Majesty within the said Provinces of equal Value with such

Governor, &c. may grant or accept Lands in exchange for Clergy Reserves.

Clergy Reserves so to be taken in exchange, or to accept in exchange for any such Clergy Reserves, from any Person or Persons, any Lands of equal Value; and all Lands so taken in exchange for any such Clergy Reserves shall be holden by His Majesty, His Heirs and Successors, in Trust for the several Purposes to which the said Clergy Reserves are appropriated by the said Act so passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, or by this present Act.

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