

*The Provincial Statutes of Canada*, passed in the year 1843. Kingston: Stewart Derbshire & George Desbarats, 1843.

7 Victoria – Chapter 48

**An Act to confer certain powers on the Bishop of Montreal, in the transfer of certain Lands. 9th December, 1843.**

Whereas, by an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the sixth year of the reign of His late Majesty George the Fourth, intituled, *An Act to provide for the extinction of Feudal and Seignioral [Seigneurial] Rights and Burthens on Lands held à Titre de Cens, in the Province of Lower Canada; and for the gradual conversion of those Tenures into the Tenure of Free and Common Soccage; and for other purposes relating to the said Province*, it is enacted, that whenever and so often as it should appear to the Governor, Lieutenant-Governor, or other person administering the Government of the late Province of Lower Canada, that the Surrender and Cession of any part of the Lands appropriated within the said late Province for the maintenance of a Protestant Clergy in the said Province, was necessary for quieting the Titles of any of His Majesty's subjects to Lands held or claimed by them, by occupancy, lawful prescription, transfer, or by doubtful titles, or was necessary, or would be convenient for the carrying on of any Public Buildings or Works, or for the more effectual settlement of any District or tract of Land within the said Province, or otherwise, for His Majesty's service, or for the benefit of the said Province, or of His Majesty's subjects therein resident; then, and in any or either of the cases aforesaid, it should and might be lawful for the Bishop of Quebec for the time being, on behalf of the said Protestant Clergy, in compliance with any requisition in writing to him for that purpose made by such Governor, Lieutenant-Governor or the person administering the Government of the said late Province, and he was thereby required, by a Deed under his hand and seal, duly attested by two or more credible witnesses, to surrender, yield up, and convey to His Majesty, His Heirs and Successors, the Lands comprised and described in any such requisition as aforesaid, in exchange for other Lands situate in the said late Province, of equal extent and value, to be by His Majesty appropriated and set apart for the support and maintenance of a Protestant Clergy therein; and that such Deed, so executed by the said Bishop of Quebec for the time being, should be valid and effectual in Law, to vest in His Majesty, His Heirs and Successors, all the Lands therein included and comprised; and that such Lands should and might, by His Majesty, His Heirs and Successors, be re-granted and re-conveyed to any other person or persons, for quieting their possession and titles, or otherwise, as might from time to time be expedient or necessary, without any further appropriation of Land being thereupon made for the support of a Protestant Clergy; And whereas there has not been appointed any successor to the late Bishop of Quebec, now deceased, and by reason thereof no effect can be given to the provisions aforesaid; 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, 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, that the duties, powers and authority conferred by the said Act, or by any other Act or Acts, or by any other

authority whatsoever, on the Bishop of Quebec for the time being, shall devolve on the Bishop of Montreal for the time being, so long as there shall not be appointed a successor to the said late Bishop of Quebec; and whenever there shall not be a Bishop of Quebec resident or being within the said Diocese of Quebec, and all Acts whatsoever on the part of the said Bishop of Montreal, executed in his official capacity of Bishop as aforesaid, shall be valid and effectual in as full and ample a manner as if he were Bishop of Quebec aforesaid.