

(Section 42, requiring that certain Bills respecting ecclesiastical rights and waste lands of the Crown, should be reserved and laid before Parliament before being assented to, applied only to Bills of the Parliament of U. C. or of L. C., and the section of the Union Act (42,) making like provision as to Bills of the Legislature of Canada, is repealed by the Imp. Act 17, 18 V. c. 118, s. 6, which enables Her Majesty to assent to any Bill of the Canadian Legislature, without its being laid before the Imp. Parliament, and the Governor to assent to any Bill without reserving it for the signification of Her Majesty's pleasure.)

Lands in Upper Canada to be granted in free and common soccage, and also in Lower Canada, if desired.

43. All lands which shall be hereafter granted within the said province of Upper Canada, shall be granted in free and common soccage, in like manner as lands are now holden in free and common soccage, in that part of Great Britain called England; and in every case where lands shall be hereafter granted within the said province of Lower Canada, and where the grantee thereof shall desire the same to be granted in free and common soccage, the same shall be so granted; but subject nevertheless to such alterations, with respect to the nature and consequences of such tenure of free and common soccage, as may be established by any law or laws which may be made by His Majesty, His Heirs or Successors, by and with the advice and consent of the legislative council and assembly of the province.

Persons holding lands in Upper Canada may have fresh grants thereof.

44. If any person or persons holding any lands in the said province of Upper Canada, by virtue of any certificate of occupation derived under the authority of the governor and council of the province of Quebec, and having power and authority to alienate the same, shall, at any time, from and after the commencement of this Act, surrender the same into the hands of His Majesty, His Heirs or Successors, by petition to the governor or lieutenant governor, or person administering the government of the said province, setting forth that he, she, or they, is or are desirous of holding the same in free and common soccage, such governor, lieutenant governor, or person administering the government, shall thereupon cause a fresh grant to be made to such person or persons of such lands, to be holden in free and common soccage.

Such fresh grants not to avoid or bar any title to the said lands.

45. Provided nevertheless, that such surrender and grant shall not avoid or bar any right or title to any such lands so surrendered, or any interest in the same, to which any person or persons, other than the person or persons surrendering the same, shall have been entitled, either in possession, remainder, or reversion, or otherwise, at the time of such surrender; but that every such surrender and grant shall be made subject to every such right, title and interest, and that every such right, title or interest, shall be as valid and effectual as if such surrender and grant had never been made.