

common soccage.

after be granted by his Majesty, his heirs and successors, to be holden in free and common soccage.

Owners of goods may alienate the same by will, &c.

X. Provided also, That it shall and may be lawful to and for every person that is owner of any lands, goods or credits, in the said province, and that has a right to alienate the said lands, goods, or credits, in his or her life-time, by deed of sale, gift, or otherwise, to devise or bequeath the same at his or her death, by his or her last will and testament; any law, usage, or custom, heretofore or now prevailing in the province, to the contrary hereof in any-wise notwithstanding; such will being executed, either according to the laws of Canada, or according to the forms prescribed by the laws of England.

If executed according to the laws of Canada.

Criminal law of England to be continued in the province.

XI. And whereas the certainty and lenity of the Criminal Law of England, and the benefits and advantages resulting from the use of it, have been sensibly felt by the inhabitants, from an experience of more than nine years, during which it has been uniformly administered; be it thereof further enacted by the authority aforesaid, That the same shall continue to be administered, and shall be observed as law in the province of Quebec, as well in the description and quality of the offence, as in the method of prosecution and trial; and the punishments and forfeitures thereby inflicted to the exclusion of every other rule of Criminal Law, or mode of proceeding thereon, which did or might prevail in the said province before the year of our Lord one thousand seven hundred and sixty-four; any thing in this Act to the contrary hereof in any respect notwithstanding; subject nevertheless to such alterations and amendments as the Governor, Lieutenant Governor, or Commander in Chief for the time being, by and with the advice and consent of the Legislative Council of the said province, hereafter to be appointed, shall from time to time, cause to be made therein, in manner herein-after directed.

His Majesty may appoint a Council for the affairs of the province;

XII. And whereas it may be necessary to ordain many regulations for the future welfare and good government of the province of Quebec, the occasions of which cannot now be foreseen, nor, without much delay and inconvenience, be provided for, without intrusting that authority, for a certain time, and under proper restrictions, to persons resident there; And whereas it is at present inexpedient to call an Assembly, be it therefore enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by warrant under his or their Signet or Sign Manual, and with the advice of the Privy Council, to constitute and appoint a Council for the affairs of the province of Quebec, to consist of such persons resident there, not exceeding twenty-three, nor less than seventeen, as his Majesty, his heirs and successors, shall be pleased to appoint; and upon the death, removal, or absence of any of the members of the said Council, in like manner to constitute and appoint such and so many other person or persons, as shall be necessary to supply the vacancy or vacancies; which Council, so appointed and nominated, or the major part thereof, shall have power and authority to make Ordinances for the peace, welfare and good government of the said province, with the consent of his Majesty's Governor, or in his absence, of the Lieutenant Governor, or Commander in Chief for the time being.

which Council may make ordinances, with consent of the Governor.

The Council are not empowered to lay taxes,

XIII. Provided always, That nothing in this Act contained shall extend to authorize or empower the said Legislative Council to lay any taxes or duties within the said province, such rates and taxes only excepted, as the inhabitants of any town or district within