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No. 222.

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1st Session, 6th Parliament, 21-2 Victoria, 1858.

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**BILL.**

An Act to amend the Acts relating to the  
abolition of Feudal Rights and Duties  
in Lower Canada.

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Received and read first time, Thursday, 10th  
June, 1858.

Second reading, Friday, 11th June, 1858.

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Hon. Mr. Atty. Genl. CARTIER.

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S. Derbishire & G. Desbarats, Queen's Printer.

An Act to amend the Acts relating to the abolition of Feudal rights and Duties in Lower Canada.

**W**HEREAS under the Act passed in the Eighteenth year of Her Majesty's Reign, intituled, *An Act for the abolition of Seignorial Rights and Duties in Lower Canada*, and the Acts amending the same, the principal sum coming to any Seignor out of the Special Fund arising from the Provincial aid to the *Censitaires* provided by the said Act, cannot be paid to such Seignor until the Schedules of all the Seignories entitled to the benefit of the said Special Fund shall be deposited with the Receiver General; And whereas it is desirable to remove the inconvenience arising from the said provision: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. Notwithstanding any thing in the said Acts or any of them, the Receiver General, with such assistance and information as he may think proper to require of the Commissioners under the said Acts, or any of them, may, from time to time and so soon as may be after the passing of this Act, make an approximate estimate of the sum coming out of the Special Fund aforesaid, to the Seignor or Seignor Dominant of each Seignory of which the Schedule shall then have been deposited with the Receiver General, and otherwise as by the said Act required, taking care to retain a sufficient amount to pay the sums which according to the best estimate he can make (with such assistance and information as aforesaid) will be coming to the Seignors and Seignors Dominant of those Seignories whereof the Schedules have not then been so deposited as aforesaid, and all other sums which will be payable out of the said Special Fund: and the sum so approximately determined from time to time as coming to any Seignor or Seignor Dominant, shall be paid to him or otherwise dealt with, in the manner provided by the said Acts with regard to money coming to any Seignor or Seignor Dominant out of the said Special Fund, and shall be subject in all respects to the provisions of the said Acts, as if the Schedules of all the Seignories to be deposited as aforesaid under the said Act, had been so deposited—as shall also any further sum which may be found to be coming to any such Seignor or Seignors, after the deposit of the Schedules of all the said Seignories and the final apportionment of the said Special Fund which shall be made by the Receiver General.

Preamble  
18 V. c. 3.

Receiver General may make an approximate estimate of the sum coming to any Seignor out of the Special Fund, and pay the amount of such estimate although all the Schedules are not deposited.

How such amount shall be dealt with.

And as to any further sum coming to the same Seignor.

Interest to be calculated.

No further payment to be made in such case under 19, 20 V. c. 53, s. 12.

II. In calculating the sum coming to any Seigneur or Seigneur Dominant, interest shall be debited or credited to him by the Receiver General as equity may require; but when the approximate sum coming to him shall have been paid to any Seigneur or Seigneur Dominant, or shall be ready to be paid to him by the Receiver General, or a certificate of the amount thereof shall have been deposited by the Receiver General in the hands of the proper Clerk of the Superior Court, no sum shall be payable to such Seigneur or Seigneur Dominant for the then current half year, or for any subsequent period, on 10 account of *lods et ventes*, *quint*, or other casual rights, under the Seigniorial Amendment Act of 1856. 5

Proper deduction to be made from the *rentes* payable by the *Censitaires* as commutation for mutation fines; and remainder only to be payable by them.

Further deduction in case of further payment.

Interest to be charged and credited.

Old districts to be those for the purposes of the said Acts.

Short title of this Act.

III. Whenever any sum shall under this Act have been paid to any Seigneur or Seigneur Dominant of any Seignior, or shall be ready to be paid to him, or a certificate of the amount thereof shall have been deposited in the hands of the proper Clerk of the Superior Court, the deductions to be made from the constituted rents payable by the *Censitaires* or by the Seigneur *servant* of such Seignior according to the Schedule thereof, shall be calculated by the Receiver General according to the 20 provisions of the Acts aforesaid, and such deductions shall be made by him from the said Constituted Rents, and the remainder (and the remainder only,) shall be payable by the *Censitaires* or Seigneur *servant* under such Schedule, in like manner as if the Schedules of all the Seignories to be deposited as aforesaid had 25 been so deposited; And a further calculation and deduction shall thereafter be made by the Receiver General in like manner and with like effect, if any further sum be coming to such Seigneur or Seigneur Dominant on the final apportionment of the said Special Fund, and shall be by him certified to the Clerk 30 of the Superior Court, and to the Commissioner (or other authority) having the custody of the other triplicates of the Schedule of the Seignior, in order that such deduction may be entered upon and made in such other triplicates by such Clerk, Commissioner or other authority; and in making such 35 calculation and deduction the Receiver General shall allow or charge interest to the Seigneur or Seigneur Dominant as equity may require.

IV. For the purposes of the ninth section of the Seigniorial Amendment Act of 1856, the districts of Montreal, Ottawa, 40 Three-Rivers, Quebec, Kamouraska and Gaspé, therein referred to, shall be the said districts as constituted and bounded when the said Act passed, notwithstanding any subsequent redivision of Lower Canada into districts.

V. This Act shall be called and known as "The Seigniorial 45 Amendment Act of 1858."