

## Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- |  |  |
|--|--|
| <p><input type="checkbox"/> Coloured covers / Couverture de couleur</p> <p><input type="checkbox"/> Covers damaged / Couverture endommagée</p> <p><input type="checkbox"/> Covers restored and/or laminated / Couverture restaurée et/ou pelliculée</p> <p><input type="checkbox"/> Cover title missing / Le titre de couverture manque</p> <p><input type="checkbox"/> Coloured maps / Cartes géographiques en couleur</p> <p><input type="checkbox"/> Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)</p> <p><input type="checkbox"/> Coloured plates and/or illustrations / Planches et/ou illustrations en couleur</p> <p><input checked="" type="checkbox"/> Bound with other material / Relié avec d'autres documents</p> <p><input type="checkbox"/> Only edition available / Seule édition disponible</p> <p><input checked="" type="checkbox"/> Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.</p> <p><input type="checkbox"/> Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.</p> <p><input checked="" type="checkbox"/> Additional comments / Commentaires supplémentaires: <b>Cover title page is bound in as last page in book but filmed as first page on fiche.</b></p> | <p><input type="checkbox"/> Coloured pages / Pages de couleur</p> <p><input type="checkbox"/> Pages damaged / Pages endommagées</p> <p><input type="checkbox"/> Pages restored and/or laminated / Pages restaurées et/ou pelliculées</p> <p><input checked="" type="checkbox"/> Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées</p> <p><input type="checkbox"/> Pages detached / Pages détachées</p> <p><input checked="" type="checkbox"/> Showthrough / Transparence</p> <p><input checked="" type="checkbox"/> Quality of print varies / Qualité inégale de l'impression</p> <p><input type="checkbox"/> Includes supplementary material / Comprend du matériel supplémentaire</p> <p><input type="checkbox"/> Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.</p> <p><input type="checkbox"/> Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.</p> |
|--|--|

This item is filmed at the reduction ratio checked below /  
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x	14x	18x	22x	26x	30x																	
																				/		
	12x		16x		20x		24x		28x		32x											

---

2nd Session, 3rd Parliament, 12 Victoria, 1849.

---

## B I L L .

An Act to amend an Act passed in the eighth year of Her Majesty's Reign, intituled, "*An Act the better, to facilitate optional Commutation of the Tenure of Land en roture, in the Seignories and Fiefs in Lower Canada, into that of franc aleu roturier.*"

---

Received and Read a first time, Monday, 12th February, 1849.

Second Reading, Monday, 19th February, 1849.

---

MR. CHRISTIE.

77.

---

## BILL.

An Act to amend the Act passed in the eighth year of Her Majesty's Reign, intituled "*An Act the better to facilitate optional Commutation of the Tenure of Lands en roture, in the Seignories and Fiefs in Lower Canada, into that of franc aleu roturier.*"

**W**HEREAS, by the Law of Lower Preamble.  
Canada, a fine has always been payable to the Sovereign, upon the acquisition, by any Religious or Ecclesiastical Community, or other Corporate Body, of any Seignior  
5 nory or Fief therein, as an indemnity for the loss of the casual profits of such Seignior  
or Fief, in consequence of the same being thereafter held in mortmain; And whereas it  
10 is neither just nor expedient that such Religious or Ecclesiastical Community, or other  
Corporate Body, after having paid such fine or indemnity, or after the same having been  
graciously remitted to them by Her Majesty  
15 or any of Her Royal Predecessors or Successors, should be liable to pay a further fine  
or indemnity upon the Commutation of the Tenure of any land held *en roture* in any such  
Seignior or Fief; And whereas it is expedient to amend an Act passed in the eighth  
20 year of Her Majesty's Reign, intituled "*An* Act 8 Vict. c. 42 cited.  
*Act the better to facilitate Optional Com-*  
*mutation of the Tenure of Lands en roture,*  
*in the Seignories and Fiefs in Lower Ca-*  
25 *nada, into that of franc-aleu roturier,*" in this particular, and also in so far as the same  
unnecessarily imposes upon the vassals ( *censitaires*) of such Religious or Ecclesiastical  
Communities or other Corporate  
30 Bodies, holding Seignories or Fiefs in mortmain in Lower Canada, conditions and

restrictions as to Commutation of the Tenure of their Lands, more onerous than those imposed upon the vassals (*censitaires*) of other Seigniories ; Be it therefore enacted, &c.,

Certain parts of the said Act relating to religious communities and corporate bodies repealed.

And it is hereby enacted by the authority of 5  
the same, That so much of the said Act as requires, or may be construed to require, that any Religious or Ecclesiastical Community, or other Corporate Body in Lower Canada, holding in mortmain Seigniories or Fiefs 10  
therein, should give in to the Receiver General of this Province any authentic copy of any notarial agreement executed in virtue of the provisions of the said Act, or be liable to pay over into the hands of the said Receiver 15  
General, any portion of the indemnity, commutation money, or consideration received or to be received in pursuance of any such agreement, or incur any penalty or forfeiture for neglecting or refusing so to do, and also so 20  
much of the said Act as enacts that the commutation of any Seigniorial rights held in mortmain shall be accompanied by the same formalities as the alienation of any immovable property of the same party, and provides that such commutation shall be made 25  
for an annual rent, and not otherwise, be and the same are hereby repealed.

Further provision as to commutation of Seigniorial rights held in mortmain.

II. And be it enacted, that the commutation of any Seigniorial rights held in mort- 30  
main, or by any Corporation in Lower Canada, may be made without having previously obtained authority for so doing, and that no other formality need be observed than such as is required in the transfer of real property 35  
from one person to another ; and that such commutation may be made for any consideration that may be agreed upon ; and that no portion of such consideration shall be payable to Her Majesty, Her Heirs or Suc- 40  
cessors.