

registration of any deed, instrument or writing at full length in any book, except that kept for the registration of memorials, shall not affect the validity of such registration although the Registrar may have mistaken the class to which such deed, instrument or writing properly belongs.

Deputy Registrars may resign or be removed.

Others to be appointed within a certain time.

III. And be it enacted, That for and notwithstanding any thing in the said Ordinance, any Deputy Registrar may resign or be removed from office by his Principal, and in the event of such resignation or removal, it shall be incumbent on such Principal to appoint another Deputy in his place within twenty days after the occurrence of such resignation or removal. And if any such Registrar shall neglect to appoint a Deputy Registrar as hereinbefore is prescribed, he shall forfeit five pounds current money of this Province, for each and every day during which he shall have neglected to make such appointment; which penalty shall and may be recovered in any Court of Record in Lower-Canada, and one half thereof shall go and be paid to Her Majesty, Her Heirs and Successors, and the other half thereof to the informer.

C A P . X L I X .

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 Land en roture, in the Seigniories and Fiefs in Lower-Canada, into that of franc-alleu roturier.*

[30th May, 1849.]

Preamble.

WHEREAS by the Law of Lower-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 Seigniority or Fief therein, as an indemnity for the loss of the casual profits of such Seigniority or Fief, in consequence of the same being thereafter held in mortmain; And whereas it 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 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 Seigniority or Fief; And whereas it is expedient 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 Lands en roture, in the Seigniories and Fiefs in Lower-Canada, into that of franc-alleu 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 Bodies, holding Seigniories 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 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, and 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 so much of the said Act as requires, or may

Act 8 Vict. c. 42 cited.

Certain parts of the said Act

may be construed to require, that any Religious or Ecclesiastical Community, or other Corporate Body in Lower-Canada, holding in mortmain Seigniories or Fiefs 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-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 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 immoveable property of the same party, and provides that such commutation shall be made for an annual rent, and not otherwise, be and the same are hereby repealed.

relating to Seigniories and Fiefs held by religious communities and corporate bodies repealed.

II. And be it enacted, That the commutation of any Seigniorial rights held in mortmain, 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 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 Successors.

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

C A P. L.

An Act to amend the School Law of Lower-Canada.

[30th May, 1849.]

WHEREAS it is necessary to amend a certain Act passed in the ninth year of Her Majesty's Reign, intituled, *An Act to repeal certain enactments therein mentioned, and to make better provision for Elementary Instruction in Lower-Canada*: 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, and 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 from and after the passing of this Act, it shall be lawful for the Governor in Council, from time to time, to alter the limits of existing School Municipalities, to subdivide the same, or to establish new ones for School purposes, of all which public notice shall be given by the Superintendent of Schools for Lower-Canada, in such manner as the Governor shall direct.

Preamble.
Act 9 Vic. c. 27 cited.

Governor in Council may alter School Municipalities, and make new ones, &c.

II. And be it enacted, That from and after the first day of July next, the monthly School fees, in each School Municipality, shall not be demandable except for each child of from seven to fourteen years of age capable of attending School: Provided always, that children of from five to sixteen years of age residing in any School District, shall have a right to attend the School thereof, upon payment of the said monthly fees.

For what children School fees must be paid. Proviso.