

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, as follows :

Reading, publication, insinuation and transcription of such Acts abolished.

I. From and after the passing of this Act, such reading and publication, in the said Courts of Civil Jurisdiction in Lower Canada, of Acts containing substitutions, is, and shall be abolished, and the insinuation or transcription thereof in the Registers of the Courts is and shall be also abolished ; any law, usage or custom to the contrary notwithstanding.

Registration in the proper Registry Office substituted for reading, &c.

II. The registration of the said Acts in the Registry Offices for the locality within the limits of which the immoveables substituted shall be situate, and in case of substitution created by Act of Donation *à cause de mort*, if the domicile of the testator be situate within the limits of a Registration Division, other than that in which the property substituted is situate, the additional registration in the Registry Office for the locality within the limits of which, the domicile of the said Testator was or shall be situate, shall be equivalent for all purposes of law to the insinuation or transcription in the Registers of the Courts accompanied by reading and publication in open Court. The delays for registration shall be the same as those established by law for the transcription and the publication in Court, and no legal provision having reference to substitutions not specially repealed, shall be affected by this Act, the sole object of which is to substitute the formality of registration in the Registry Offices for transcription and publication in the Courts of Acts containing substitutions.

Within what period such registration must be effected.

Extent of Act.

III. This Act shall apply to Lower Canada only.

## C A P . C I I .

### An Act to abolish the right of *Retrait Lignager*.

[Assented to 30th May, 1855.]

Preamble.

**W**HEREAS it is expedient to abolish the right of *Retrait Lignager* now existing in Lower Canada, and also all rights of action resulting therefrom or contingent thereupon : 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, as follows :

I. The right of *Retrait Lignager* and all rights of action resulting therefrom or contingent thereupon, are abolished, and the seventh title of the Custom of Paris and the thirty-one articles composing the same, are and shall remain annulled and repealed; any law, usage or custom to the contrary notwithstanding.

*Retrait Lignager and all its incidents abolished.*

II. Proceedings arising out of the right of *Retrait Lignager* now pending before Courts of Justice shall not however be affected by this Act.

*Pending proceedings continued as to costs only.*

C A P. C I I I.

An Act to amend the Seigniorial Act of 1854.

[Assented to 30th May, 1855.]

WHEREAS it is expedient to amend *The Seigniorial Act of 1854*, so as to facilitate the operation thereof: 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, as follows :

*Preamble.*  
18 V. c. 3.

I. Notwithstanding any thing in the twenty-eighth and twenty-ninth Sections or in any other part of the said Act contained, any constituted rent (*rente constituée*) established by virtue thereof in any Seignior, in relation to which an opposition shall have been filed under any of the provisions of the said Act, may, at any time be redeemed by payment to the Receiver General of the capital thereof with interest computed up to the date of such redemption :

*Rente constituée in Seigniories in respect of which oppositions are filed may be redeemed, and how.*

2. And the Receiver General shall dispose of all such moneys as follows :

If they accrue in a Seignior in relation to which opposition has been made on the ground that such Seignior is entailed (*substituée*) or held by a curator, tutor or other person holding in trust for others, and not as absolute proprietor (*jure proprietario*), the Receiver General shall, on the day in each year on which the *rente* would have become due if it had not been redeemed, and so long as such entail (*substitution*) or tenancy in trust (*fidéicommiss*) shall subsist, pay to the person entitled

*If the opposition be founded on a substitution.*