

Provincial Statutes of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 43

An Act to empower the Seigniors of the Fiefs Nazareth, Saint Augustin and Saint Joseph, in the City of Montreal, or either of them, to invest the monies arising from any commutation of Tenure granted by them, in real property and other securities. (29th March, 1845.)

Whereas difficulty has occurred in giving effect to the Act passed in the seventh year of Her Majesty's Reign, and intituled, "An Act to empower the Seigniors [Seigneurs] of the Fiefs Nazareth, St. Augustin and St. Joseph in the City and County of Montreal, to commute the tenure of the lands now held en censive in the said Fiefs respectively," owing to the want of power in the Religious Communities who are proprietors of the said Fiefs, to invest the commutation money in real property and other securities, and it is expedient to give them such power in order that the said Act may have effect: 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, 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 it shall be lawful for any Religious Community being the Seignior or entitled to any Seigniorial Rights in or with regard to the Fiefs Nazareth, St. Augustin and St. Joseph in the said Act mentioned, or of any of them, to invest any monies to be received as the consideration or indemnity for the commutation of any such Seigniorial rights under the provisions of the said Act either as a redeemable ground rent on the land of which the tenure shall be commuted, with the same privilege for the security thereof, as they would have had for the rights commuted, or in real property lying within this Province, or in any stocks or public securities in this Province or in any part of the United Kingdom of Great Britain and Ireland, and to hold such real property, stocks, or securities, and to alienate and dispose of the same and acquire others in their stead, without Her Majesty's Letters of Mortmain, or other authority than this Act; any law, statute or usage to the contrary notwithstanding: Provided always, that no other monies than such as shall arise from the commutation aforesaid, or from the alienation of property purchased with such monies, shall be so invested under the authority of this Act: And provided also, that nothing in this Act shall be construed to exempt any such Religious Community, or other Seignior of any of the said Fiefs, from the operation of any general law which may be hereafter passed for effecting a general commutation of Seigniorial Tenure throughout Lower Canada.