

to be affected, until a Commutation thereof shall be obtained as hereinafter provided.

shall be made, upon and in respect of all and every the Lands held of him *à Titre de Cens* or *à Titre de Fief*, in *Arrière Fief* as aforesaid, making part of his, her, or their Fief or Seignior, on which a Commutation of the *Droit de Quint*, or *Droit de Relief*, shall have been obtained as aforesaid; but that all and every such Feudal, Seigniorial and other Rights shall continue and remain in full force upon and in respect of such Lands so held *à Titre de Fief*, in *Arrière Fief* as aforesaid, or *à Titre de Cens*, and the Proprietors and Holders of the same, as if such Commutation or Grant had not been made, until a Commutation, Release and Extinguishment thereof shall have been obtained in the manner hereinafter mentioned.

Persons holding Lands in Fief, and obtaining a Commutation as aforesaid, shall be bound to grant the like Commutation to those holding under them, if required.

III. And be it further enacted, That in all cases where any Seigneur or Seigniors, or Person or Persons holding Lands *à Titre de Fief*, in the said Province of *Lower Canada*, shall by reason or means of a Commutation with His Majesty, or of a surrender of his, her or their Fief or Seignior, or any part thereof to His Majesty, or by reason or means of a Commutation with his or their immediate superior Lord or Seigneur, or otherwise howsoever, have obtained or shall or may hereafter obtain, for himself, herself or themselves, his, her or their Heirs or Assigns, from His Majesty, or from the Governor, Lieutenant Governor, or Person administering the Government of the said Province of *Lower Canada*, or from his, her or their immediate superior Lord or Seigneur, a Release from and Extinguishment of the *Droit de Quint* or *Droit de Relief*, due and payable by him, her or them, his, her or their heirs and assigns, for or in respect of Lands so held *à Titre de Fief*, such Seigneur or Seigniors, Person or Persons aforesaid, his, her and their heirs and assigns shall be held and bound, when thereunto required by any of his, her or their *Censitaires*, or the Persons who now hold or hereafter may hold the said Lands or any of them, or any part thereof *à Titre de Fief*, in *Arrière Fief* as aforesaid, or *à Titre de Cens*, to consent to grant and allow to and in favour of such *Censitaire*, or other Person or Persons as aforesaid, requiring the same, a Commutation, Release and Extinguishment of and from the *Droit de Quint*, and *Droit de Relief*, or *Droit de Lods et Ventas*, as the case may be, and all other Feudal and Seigniorial Rights and Burthens to which such *Censitaire* or other Person or Persons, his or their heirs and assigns, and his and their Lands so held by him or them, may be subject or liable to such Seigneur or Seigniors, Person or Persons aforesaid, his, her or their heirs and assigns, for a just and reasonable Price, Indemnity or Consideration, to be paid for the same, which Price, Indemnity or Consideration, in case the Parties concerned therein shall differ respecting the same, shall be ascertained and fixed by *Experts*, to be in that behalf nominated and appointed, according to the due course of Law in the said Province of *Lower Canada*; regard being had to the Value of the said Lands so held *à Titre de Cens*, or *à Titre de Fief*, in *Arrière Fief*, as aforesaid.

For such price or indemnity as shall be fixed by *Experts*.

Seigniors or others refusing to grant such Commutation may be impleaded in a Court of Law, and

IV. And be it further enacted, That if any such Seigneur or Seigniors, Person or Persons holding Lands *à Titre de Fief*, who shall so as aforesaid have obtained a release of and from the *Droit de Quint*, or *Droit de Relief*, shall, when thereunto required by any Person or Persons holding any of the said Lands *à Titre de Fief*, in *Arrière Fief*, or by any *Censitaire* or *Censitaires* holding any of the said Lands *à Titre de Cens* as aforesaid, upon

the payment or lawful Tender of the Price, Indemnity, or Consideration in that behalf herein-before provided, refuse or neglect to consent to grant and allow to and in favour of such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief*, as aforesaid, or of such *Censitaire* or *Censitaires*, a Commutation, Release and Extinguishment of the *Droit de Quint*, and *Droit de Relief*, or of the *Droit de Cens* and *Droit de Lods et Ventas*, as the Case may be, and of all other Feudal and Seigniorial Rights and Burthens as aforesaid, or shall refuse or neglect to join in the Nomination of *Experts* to ascertain and fix the Price, Indemnity, or Consideration to be paid for such Commutation, Release, and Extinguishment, or shall refuse or neglect to make and execute, to and in favour of such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief* as aforesaid, or of such *Censitaire* or *Censitaires*, as the Case may be, an Instrument in Writing, before Two Notaries, or a Notary and Two Witnesses, containing such Commutation, Release, and Extinguishment, as aforesaid, it shall and may be lawful to and for such Person or Persons holding such Lands *à Titre de Fief*, in *Arrière Fief*, as aforesaid, or for such *Censitaire* or *Censitaires*, as the Case may be, to Implead such Seigneur or Seigniors, Person or Persons as aforesaid, in any of His Majesty's Courts of competent Jurisdiction in the said Province of *Lower Canada*, for the purpose of compelling him or them, to accept the Price, Indemnity, or Consideration herein-before provided, to be ascertained and fixed as aforesaid, for the Commutation, Release, and Extinguishment of the *Droit de Quint* and *Droit de Relief*, or *Droit de Cens* and *Droit de Lods et Ventas*, as the Case may be, and of all other Feudal and Seigniorial Rights and Burthens required and demanded by such *Censitaire* or *Censitaires*, or other Person or Persons as aforesaid, and to obtain the full and entire Benefit of such Commutation, Release, and Extinguishment; and upon the Payment or lawful Tender and Deposit of the Price, Indemnity, or Consideration payable by such Person or Persons as aforesaid, or such *Censitaire* or *Censitaires*, in the Hands of the Prothonotary or Clerk of such Court, for the Use of the said Seigneur or Seigniors, Person or Persons so impleaded as aforesaid, it shall and may be lawful for the said Court, and the said Court is hereby required by their Judgment in that behalf, to award and adjudge to such Person or Persons as aforesaid, or to such *Censitaire* or *Censitaires*, the benefit of the said Commutation, Release and Extinguishment, for and in respect of the Lands for which such payment or tender and deposit shall have been made, as fully and effectually, to all intents and purposes whatsoever, as if such Commutation, Release and Extinguishment had been voluntarily consented to be granted and allowed by the said Seigneur or Seigniors, Person or Persons so impleaded as aforesaid.

such Commutation may be awarded by such Court to the party requiring the same on payment of the price or indemnity.

V. And be it further enacted, That in all cases where such Commutation, Release and Extinguishment as aforesaid, shall have been voluntarily agreed upon, by and between any Seigneur or Seigniors, Person or Persons holding Lands *à Titre de Fief*, who shall have obtained a Release of the *Droit de Quint*, or *Droit de Relief*, as aforesaid, and his or their *Censitaire* or *Censitaires*, or other Person or Persons as aforesaid, in and by any Written Agreement or Instrument in Writing, executed before two Notaries, or a Notary and two Witnesses, and also in all cases where such Commutation, Release and Extinguishment shall have been declared, awarded

Such Commutation having been voluntarily agreed upon or awarded by a Court of Law, all Feudal rights and burthens shall cease upon the