

without this section such right could have been validly acquired, saving however in the case last mentioned, the recourse of the other heirs against such heir.

What laws
have applied
and shall apply
to lands in free
and common
soccage in
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III. And be it declared and enacted, That 5
except in so far as it is otherwise expressly
provided by the said Act or by this Act, or
by some other Act in force in Lower Canada,
the rights of all parties in, to or respecting,
or arising out of, or affecting lands or immo- 10
vable property held in free and common
soccage in that part of this Province, and all
matters and incidents relative to such lands
or property, are and shall be governed by the
same laws and rules as if such lands or pro- 15
perty were held in *franc aleu roturier*, and
shall be deemed to have been so governed at
any time heretofore, except in so far as it
may have been otherwise expressly provided
by some Act or Law in force at such time in 20
Lower Canada.