

said Provinces of Lower and Upper Canada, or either of them, in Fief and Seignior, and having legal Power and Authority to alienate the same, shall at any Time from and after the Commencement of this Act, surrender the same into the Hands of His Majesty, His Heirs or Successors, and shall by Petition to His Majesty, or to the Governor, Lieutenant Governor, or Person administering the Government of the Province in which the Lands so holden shall be situated, set forth that he, she, or they is or are desirous of holding the same in free and common Soccage, such Governor, Lieutenant Governor, or Person administering the Government of such Province as aforesaid in pursuance of His Majesty's Instructions, transmitted through his Principal Secretary of State for Colonial Affairs, and by and with the Advice and Consent of the Executive Council of such Province, shall cause a fresh Grant to be made to such Person or Persons of such Lands to be holden in free and common Soccage, in like Manner as Lands are now holden in free and common Soccage in that part of Great Britain called England; subject nevertheless to Payment to His Majesty, by such Grantee or Grantees, of such Sum or Sums of Money as and for a Commutation for the Fines and other Dues which would have been payable to His Majesty under the original Tenures, and to such Conditions as to His Majesty, or to the said Governor, Lieutenant Governor, or Person administering the Government as aforesaid, shall seem just and reasonable; Provided always, that on any such fresh Grant being made as aforesaid, no Allotment or Appropriation of Lands for the Support and Maintenance of a Protestant Clergy shall be necessary; but every such fresh Grant shall be valid and effectual without any Specification of Lands for the Purpose aforesaid; any Law or Statute to the contrary thereof in any wise notwithstanding.

His Majesty  
may commute  
with Persons  
holding Lands  
at Cens et  
Rentas.

XXXII And be it further enacted, That it shall and may be lawful for his Majesty, His Heirs and Successors, to commute with any Person holding Lands at *Cens et Rentas* in any *Censive* or *Fief* of his Majesty within either of the said Provinces, and such Person may obtain a Release from His Majesty of all feudal Rights arising by reason of such Tenure, and receive a Grant from His Majesty, His Heirs or Successors, in free and common Soccage, upon Payment to His Majesty of such Sum of Money as His Majesty, His Heirs or Successors, may deem to be just and reasonable, by reason of the Release and Grant aforesaid, and all such Sums of Money as shall be paid upon any Commutations made by virtue of this Act shall be applied towards the Administration of Justice and the Support of Civil Government of the said Province.

General Issue.

XXXIII. And be it further enacted, That if any person or Persons shall be sued or prosecuted, for any thing done or to be done in pursuance of this Act, such Person or Persons may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff or Plaintiffs, Prosecutor or Prosecutors, shall become nonsuit, or forbear the Prosecution, or discontinue his, her, or their Action, or if a Verdict shall pass against him, her or them, the defendants shall have Treble Costs, and shall have the like Remedy for the same as in Cases where Costs are by Law given to Defendants.

Treble Costs.