

Rules of practice may be made under this Act.

proceedings on Forced Licitations, which may be inconsistent with this Act, is hereby repealed; but no provision of law not inconsistent with this Act shall be affected by it; and such rules of practice as may be requisite for carrying out its provisions in matters unprovided for, and such alterations in any form of notice, judgment, or otherwise, as they may think necessary for that purpose, may be made by the Judges of the Superior Court. 5

Act not to affect pending cases.

IX. The foregoing provisions of this Act shall not apply to any case in which proceedings for confirmation of title or for forced licitation shall have been commenced, or the property shall have been seized by the Sheriff before the passing of this Act. 10

Act 9 G. 4, c. 20, made permanent as amended.

X. The said Act of Lower Canada, ninth George the Fourth, chapter twenty, as hereby amended, is hereby made permanent, and shall remain in force until repealed by the Legislature. 15

Declaratory clause as to effect of Sheriff's sales or forced licitation.

XI. And for the avoidance of doubts; it is hereby declared and enacted, that no adjudication of any real property by the Sheriff, or in any case of Forced Licitation, has vested or shall vest in the *adjudicataire* any greater or better title to such property than was vested in the party or parties upon whom it was seized, or as belonging to whom it was put up for sale in such case of Forced Licitation; and that no such adjudication did or shall remove or discharge any servitude to which the property was theretofore subject, nor shall any opposition to preserve any such servitude be allowed, and if any be made, it shall be dismissed with costs; and that all servitudes in favor of any property so adjudged, have passed and shall pass with it and be enjoyed by the *adjudicataire* and his *ayant cause*. 20 25

Purchaser troubled by hypothecary or revendicatory action may delay payment, &c. Exception.

XII. If the purchaser of any real property is troubled or has just cause to fear that he will be troubled by any hypothecary or revendicatory action, he shall be entitled to delay the payment of the purchase money until the vendor shall have removed such trouble, unless the vendor shall prefer to give security, or unless it shall have been stipulated in the Contract of Sale that the purchaser should pay notwithstanding such trouble. 30