

III. Provided always, that nothing in the two preceding sections of this Act, shall affect any case pending at the time of its passing, or any case in which there is then any actual and open possession under a title adverse to their provisions or those 5 of the Act therein mentioned, but such cases shall be adjudged upon as if this Act had never been passed.

Preceding sections not to affect pending cases.

IV. The Laws which shall hereafter apply to and govern lands held in free and common soccage in Lower Canada, as well with regard to descent, inheritance, incumbrance, alienation, dower, and the rights of husbands and of married 10 women, as with regard to all other incidents and matters whatsoever, shall be the same with those which apply to and govern lands held by the tenure of *franc aleu roturier*, in like matters, except only in so far as such Laws may have been expressly 15 altered as regards lands held in free and common soccage, by the Act above cited or any other Act of the Legislature of Lower Canada or of Canada; and as regards the rights of married women and their representatives, this section shall apply to cases where the husband shall die after the passing of this Act, 20 whatever be the date at which the marriage may have taken place, but nothing herein contained shall prevent the effect of any marriage contract or settlement made either in the English or French form.

What Laws shall hereafter govern lands in free and common soccage, as to certain matters.

As to marriage rights.

Act not to affect marriage contracts.

V. The Laws which have governed lands held in Free and 25 Common Soccage in Lower Canada in matters other than alienation, descent and rights depending upon marriage, are hereby declared to have always been the same with those which governed lands held in *franc aleu roturier*, except in so far only as it may have been otherwise provided by any Act of 30 the Legislature of Lower Canada, or of this Province; but nothing in this section shall be construed as a declaration that such lands held in Free and Common Soccage, have or have not at any time been governed by any other Law as regards alienation, descent or rights depending on marriage.

What Laws have governed such lands, in matters other than alienation, descent or marriage.

Proviso.

35 VI. The word "Lands" in this Act shall include any immoveable property or hereditament capable of being held in free and common soccage, and any estate or interest therein, and the word "Deed," shall include any instrument by which 40 any lands can be conveyed, hypothecated or incumbered by the Laws of Lower Canada.

Interpretation clause.