

And whereas the permission by law granted to the Recital.  
Seignior to reserve by express stipulation with his *censitaires*, the right of pre-emption upon (*retraire*) immovable property, sold within his *censive*, was only intended to furnish him with the means of protecting himself against losses which he might incur through fraudulent sales, and whereas the exercise of the said right in the case of sales in which there is no fraud is equally unjust and contrary to the spirit of the law, be it declared and enacted :

10 XXXII. That the right of conventional pre-emption (*re-* *Retrait con-*  
*trait conventionnel*), shall not be exercised in respect to the *ventionnel*.  
sale of any immovable under a writ of execution, *par décret*  
or other judicial authority in any case whatsoever, and it  
shall not be exercised in the case of the sale of any  
15 immovable in any other manner than by judicial author-  
ity, unless the Seignior shall prove that the said sale is  
tainted with fraud.

XXXIII. Any sum of money or other valuable thing Recovery of  
which, after the passing of this Act, shall be paid or given to money in cer-  
20 any Seignior, either directly or indirectly to induce him to tain cases.  
refrain from exercising the right of *retrait* in the case of  
any sale or mutation effected within his *censive*, shall be  
recoverable, with costs, by action before any Court of com-  
petent jurisdiction.

25 And whereas it was provided in and by the above cited Recital.  
*arrêt*, that the Seigniors of New France or Canada  
should be required to concede the lands in their Seignio-  
ries, subject to the same rights as were imposed on other  
lands conceded in the said Seigniories ; and whereas di-  
30 vers Seigniors, proprietors of Seigniories in Lower Ca-  
nada, have since the cession of the country imposed on the  
conceded lands by them in their Seigniories, rights greatly  
exceeding those to which lands conceded before that  
period were subject, and in and by deeds of concession  
35 and new title deeds, have made divers reservations and  
stipulated divers charges and conditions unauthorised by  
law, and whereas it is just and expedient to remedy the  
abuses which retard the settlement of the country and  
prevent the progress of its inhabitants, be it enacted :

40 XXXIV. That hereafter all stipulations in any contract, Stipulations  
new title, or acknowledgment (*titre nouvel ou recognitif*) for rents  
made before the passing of this Act, and which tend to higher than a  
establish on any land conceded *à titre de cens*, any rights, certain rate,  
charges, conditions or reservations other than those al- to be null.  
45 lowed by the fourth section of this Act to be imposed on  
lands to be hereafter conceded, are hereby declared to  
be null and of none effect.

XXXV. No *censitaire* or occupier of land in any seignio- Rent reduced  
ry shall be required to pay as an annual seigniorial rent, to twopence.