

“detained from them, in certain cases,” it shall be lawful for the parties to any such suit or action to plead and establish all or any of the matters specified in this Act, and a Judge of the Circuit Court in vacation, a Judge of the Superior Court in vacation, or a Circuit Court, as the case 5 may be, as well as the Superior Court, in the event of such suit or action being removed to the Superior Court, as is in said recited Act provided, shall be empowered and are hereby required to adjudicate therein as fully to all intents and purposes as if such suit or action had been originally instituted in the Superior Court.

10 V. And whereas in the first section of the Act hereinbefore cited, the following sentence, namely, “It shall be lawful for any such proprietor or
 “proprietors as aforesaid, by a summons issued from the office of the Clerk
 “of the Circuit Court, in any Circuit within the District where such lands
 “or tenements are situated, to summon such occupier or occupiers,” &c.,
 15 is incorrectly expressed in the version of the said Act published in the French language, so as to occasion doubts as to whether the real property sought to be recovered under this Act, must be situated within the limits of the Circuit within which such summons is issued: Be it therefore declared and enacted, that it is not necessary that the real property sought
 20 to be recovered under the said Act, should be situated within the Circuit when the summons issues, provided such real property is situated within the District of which such Circuit forms a part.

Meaning of certain expressions in Sect. 1. of 14 and 15 V. C. 92, declared.

VI. And be it enacted, That nothing in this Act contained shall be
 25 construed to deprive any person of title to land which he may have acquired by prescription, by the laws now in force in Lower Canada, nor shall it be construed to enable any person to recover from the proprietor or proprietors of any land or lands, any compensation for ameliorations made by him upon lands of which he has voluntarily abandoned the possession and occupation, nor shall any person in the occupation and possession
 30 of land without title thereto, be entitled to recover from the proprietor or proprietors thereof, any compensation for ameliorations made by him upon such land, so long as he is permitted to retain the undisturbed possession thereof.

Act not to affect title by prescription, &c.

VII. And be it enacted, That this Act shall apply to lands held in free
 35 and common soccage in Lower Canada only, and that it shall be a Public Act.

Extent of this Act.