

And it is hereby enacted by the authority of the same, That the said Act of the Legislature of Lower Canada, passed in the ninth year of the Reign of His late Majesty, King George the Fourth, and intituled, *An Act for rendering valid conveyances of Lands and other immovable property held in free and common soccage within the Province of Lower Canada, and for other purposes therein mentioned*, shall be and is hereby confirmed and declared to be in force within that part of this Province which formerly constituted the said Province of Lower Canada, (hereinafter called Lower Canada,) and shall be deemed to have been in force therein as law, since the first day of September, in the year of Our Lord one thousand eight hundred and thirty-one, being the day on which the Royal Assent to the said Provincial Act was so signified by proclamation as aforesaid, and which shall be held to be the day of the passing thereof.

The said Act of
L. C. 9 G. 4
c. 77, declared
to have been in
force since 1st
Sept. 1831

II. And be it enacted, That when any proprietor of land or immovable property granted or held in free and common soccage in Lower Canada, shall have died since the passing of the Provincial Act hereinbefore cited and confirmed, and either before or after the passing of this Act, without having partitioned the same, either by last will or testament or otherwise, the heirs of such proprietor shall be held to partition such land or immovable property according to the old Laws of Lower Canada, unless the said heirs should or shall have agreed among themselves on a different partition: Provided always, that nothing in this section shall be construed to invalidate any right acquired by prescription, or acquired before the passing of this Act by any heir or other party, under the judgment of any competent Court, or acquired *bond fide*, for a valuable consideration, and before the passing of this Act, by any third party, from or through any heir from or through whom

How free and
common soc-
cage lands of
persons dying
intestate after
1st Sept 1831,
shall be par-
titioned among
the heirs

Proviso
rights of third
parties &c
saved