

Descent shall always be traced from the purchaser, but the last owner shall be considered to be the purchaser, unless the contrary be proved.

Great Britain, entitled, “An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty’s Reign, entitled, ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province;” and by the authority of the same, That in every case descent shall be traced from the purchaser; and to the intent that the pedigree may never be carried farther back than the circumstances of the case and the nature of the Title shall require, the person last entitled to the Land shall for the purposes of this Act be considered to have been the purchaser thereof, unless it shall be proved that he inherited the same, in which case, the person from whom he inherited the same, shall be considered to have been the purchaser, unless it shall be proved that he inherited the same; and in like manner, the last person from whom the land shall be proved to have been inherited, shall in every case be considered to have been the Purchaser, unless it shall be proved that he inherited the same.

Heir entitled under a will shall take as devisee, and a limitation to the grantor or his heirs shall create an Estate by purchase.

II. *And be it further enacted by the authority aforesaid,* That when any Land shall have been devised by any Testator, who shall die after the first day of July, one thousand eight hundred and thirty-four, to the heir or to the person who shall be the heir of such Testator, such heir shall be considered to have acquired the Land as a Devisee and not by descent; and when any Land shall have been limited by any assurance, executed after the said first day of July, one thousand eight hundred and thirty-four, to the person, or to the heirs of the person who shall thereby have conveyed the same Land, such person shall be considered to have acquired the same as a purchaser, by virtue of such assurance, and shall not be considered to be entitled thereto, as of his former estate or part thereof.

When heirs take by purchase under limitations to the heirs of their ancestor, the land shall descend as if the ancestor had been the purchaser.

III. *And be it further enacted by the authority aforesaid,* That when any person shall have acquired any land by purchase, under a limitation to the heirs, or to the heirs of the body of any of his Ancestors, contained in an assurance, executed after the said first day of July, one thousand eight hundred and thirty-four, or under a limitation to the heirs, or to the heirs of the body of any of his Ancestors, or under any limitation having the same effect, contained in a Will of any Testator who shall depart this life after the said first day of July, one thousand eight hundred and thirty-four, then, and in any of such cases, such land shall descend, and the descent thereof shall be traced, as if the Ancestor named in such limitation had been the purchaser of such land.