

Manitoba have always viewed the question in a liberal spirit, in favour of the settler, and not adversely to him or harshly towards him. This is evidently the spirit and the meaning of the Act. The possession was to be "peaceable." Michael Meehan had no dispute with anyone, although he lived there for some time, and presuming in his case as it has been, I suppose, in numbers of others that he held with the sanction and under the license and authority of the H. B. Company his title would be complete. There was no adverse claim when Clarke bought, nor for several years afterwards. There was no adverse claim filed anywhere at the time he bought from Meehan; nor has there been any since based on "possession" or any right or title in direct connection with the land. The opposition to the claim to lot 9 is simply denial of possession, or of right. The possession as far as it went was certainly "peaceable," as there were no adverse claimant—no person claiming adverse possession. There is no length of time required to bring persons in possession within the Act. All they needed was to be in occupancy with the sanction and under the license and authority of the H. B. Company on the 8th March, 1869. The gist of the contention now made, as it appears, on behalf of the Hudson Bay Company is, as I judge from the nature of the declarations put in on their behalf, that Meehan had not "peaceable possession" of lot 9; or had no such "possession" of lot 9 as is contemplated by the Act to entitle him to claim under the Act. There is no doubt he was a "settler," and that he settled on lot 9, and that he was in possession on the 8th March, 1869, and on the 12th May, 1870, and on 15th July, 1870; but was that settling as is shown by the declarations such possession of lot 9 as brings him within the Act? To determine that the evidence must again be briefly referred to.

*Henry Joseph Clarke says :—*

"That one Michael Meehan was settled on the rear of the lot of land now known in the Dominion survey as Lot 9, in the Parish of St. Agathe, or in a line with the present front of the said lot.

"That Meehan had a good log building erected on the land in question, and had been in occupation of the said lot and buildings for two years before and on the 15th day of July, 1870, and was in possession and occupation of the same when I bought the same from him on the 28th March, 1871."

*Joseph Goudon says :—*

"At least two years before the 15th day of July, 1870 the said Meehan took up the land the subject of this application and settled on it, built himself a house and additions and lived continuously on the land in question.