

An Act to afford relief to the occupants of land in certain cases.

WHEREAS the owners or proprietors of land who are non-residents of this Province, are, by the existing laws, placed in an unfair advantage over other owners or proprietors of land who have a stated residence within the Province; And whereas it is unfair to individuals, and often detrimental to the public growth and prosperity of whole settlements and communities, that any such preference or advantage should be permitted longer to continue; Therefore Her Majesty, &c. enacts as follows :

Preamble.

I. From and after the first day of January, which will be in the year of our Lord one thousand eight hundred and sixty, the owner or proprietor, or owners or proprietors, of all lands within this Province who may have no fixed or stated residence within the Province, shall be placed upon the same footing, and be subject to the same legal responsibilities, as the resident owner or owners, proprietor or proprietors, so far as relates to the tenure of the land of which he, or they, may be owner or owners, proprietor or proprietors, and so far as regards any remedy or relief which any occupant in possession may have or ought to have in law, against the owner or owners, proprietor or proprietors, of any lands or tenements of which any such occupant may be in possession.

After 1st Jan., 1860, absentees to have no advantage over residents, as regards title to land by prescriptive possession.

II. No occupant in possession of any lands or tenements within this Province shall be deprived of his right of occupancy or possession of such lands or tenements, or of any right thereto, or any interest therein, in consequence of the owner or proprietor of such lands and tenements being a non-resident of this Province; but all actions, suits, and interests whatever that may arise between the owner or proprietor and the tenant or occupant in possession of any such lands and tenements as aforesaid, shall be adjudicated and decided upon between the parties in all Courts of Law and Equity in this Province, as if such owner or owners, proprietor or proprietors, had been stated residents of the Province.

All actions, &c., to be decided as if the owner of the land were resident in the Province.