

Certain parts of the Coast of Labrador and adjacent Islands re-annexed to Lower Canada. 49 G. 3. c. 27.—5 G. 4. c. 67.

IX. And whereas under and by virtue of a certain Act, passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled, "An Act for establishing Courts of Judicature in the Island of *Newfoundland*, and in the Islands adjacent; and for re-annexing part of *Labrador*, and the Islands lying on the said Coast, to the Government of *Newfoundland*;" and of the Act passed in the Fifth Year of the Reign of His present Majesty, intituled, "An Act for the better administration of Justice in *Newfoundland*, and for other purposes," the Coast of *Labrador*, from the River *Saint John* to *Hudson's* Streights and the Island of *Anticosti*, and all the Islands adjacent to the said Coast, except the Islands of *Madelaine*, are annexed to and form part of the Government of *Newfoundland*; and it is expedient that certain parts of the said Coast of *Labrador*, should be re-annexed to and form part of the Province of *Lower Canada*; Be it therefore enacted, That so much of the said Coast as lies to the Westward of a Line to be drawn due North and South from the Bay or Harbour of *Ance à Sablon*, inclusive, as far as the fifty-second degree of North Latitude, with the Island of *Anticosti*, and all other Islands adjacent to such part as last aforesaid of the Coast of *Labrador*, shall be and the same are hereby re-annexed to and made a part of the said Province of *Lower Canada*, and shall henceforward be subject to the Laws of the said Province, and to none other; and so much of the said recited Acts, passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, and in the Fifth Year of the Reign of His present Majesty, as relates to such part of the Coast of *Labrador* as last aforesaid, and the said Island of *Anticosti* and other adjacent Islands, shall be and the same is hereby repealed.

Court of Escheats may be constituted in the said Province to try Forfeitures of uncultivated Lands liable to Escheat to the Crown.

X. And whereas it is necessary to enable His Majesty more easily to resume from Time to Time such Uncultivated Lands within the said Province, holden in free and common Socage, as now are or hereafter may be liable to Escheat, and become Forfeited to His Majesty, by reason of the non-performance of the Conditions of Settlement and Cultivation, or other Conditions mentioned and contained in the Letters Patent or Grants thereof heretofore made, or which shall hereafter be made by His Majesty, either in Virtue of this Act or otherwise; Be it enacted, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the said Province, with the Advice of the Executive Council thereof, to constitute and appoint, by a Commission under the Great Seal of the said Province, one or more Person or Persons to be a Commissioner or Commissioners of Escheats and Forfeitures of Land within the said Province; which said Commissioner and Commissioners is and are hereby authorized and empowered, from time to time, on information being made and filed before him or them, by the Attorney General or Solicitor General of the said Province, or other Person appointed for that purpose, on behalf of His Majesty, His Heirs or Successors, concerning the performance or non-performance of the Conditions of any Grants or Letters Patent by which any such Land as aforesaid shall at any time have been held, to inquire on the part and behalf of His Majesty, by the Oaths of Twelve good and lawful Men, to be duly summoned for that purpose by the Sheriff, upon a Precept to be issued and directed to him from the Office of the Secretary of the Province, whether the Lands mentioned in the said information are or shall be liable to Escheat and be for-

feited to His Majesty, by reason of the non-performance of any of the Conditions of the respective Grants or Letters Patent thereof; and the said Commissioner or Commissioners shall proceed in the Cognizance of the Matters aforesaid, as nearly as circumstances will admit, according to the Rules, Course and Practice of the Law of *England* in the like Cases, and shall have Power and Authority to Summon Witnesses to attend and give Evidence before the said Inquest; and the Testimony on Oath of one or more competent Witness or Witnesses, either before the said Inquest, or taken in Writing before a Person or Persons to be appointed for that purpose, by the said Commissioner or Commissioners, and returned and exhibited before the said Inquest, shall be good and sufficient Evidence of the Matters alleged in such Information; and the said Commissioner or Commissioners shall duly return the Inquisitions which he or they shall from time to time take by Virtue of this Act, under his or their Seals, and the Seals of those by whose Oaths he or they shall have taken the same, into the Office of the Secretary of the Province within Thirty Days after the taking thereof; and also within the same time return a Transcript thereof, and of the whole Proceedings relating to the same, into the Supreme Court of Original Jurisdiction, holding Civil Pleas in the District in which the Lands and Premises comprized in the Information shall be situate; and thereupon such Lands and Premises as are thereby found to be forfeited to His Majesty, for non-performance of any of the Conditions on which the same shall have been granted, shall be, and they are hereby declared to be re-vested in His Majesty, His Heirs and Successors, any former Grant or Letters Patent thereof notwithstanding: Provided always, That no new Grant of such Lands shall be made for the space of One Year from the date of such Inquisition, except to the Person or Persons holding or claiming the same under the former Letters Patent thereof, or by a lawful Title derived under the same.

Court how to proceed.

Inquests to be returned.

No new Grant of Escheated Lands to be made for one year.

XI. And he it further enacted, That the Clerk of the said Court of Escheats and Forfeitures, to be appointed in like manner as the said Commissioner or Commissioners, shall within Fourteen Days after the filing of such Information, insert in the *Quebec* Gazette, published by Authority, a Notice signed by Him, and shall as soon thereafter as may be, cause the same to be posted upon a public Place, as near to the Lands mentioned in the said Information as Circumstances will admit, thereby notifying to all Persons interested in such Lands, that such Information has been filed for the purposes aforesaid; and of the Time and Place of holding an Inquest of Office before the said Commissioner or Commissioners, concerning the Matters therein alleged, which time shall not exceed Four or be less than Two Calendar Months from the publishing of such Notice; and such Notice being so published, and Proof thereof made to the satisfaction of the said Commissioner or Commissioners, shall be instead of all other Notice, Process, Writ, Summons or other Proceeding whatever, for the Notification and Appearance of the Person or Persons interested in such Lands, and shall conclude all such Persons for ever; Provided, that it shall be lawful for all Persons interested in or entitled to such Lands as are comprized in any Office or Inquisition so made and returned as aforesaid, to traverse the same in the Court into which it shall have been returned within Three Calendar Months from the Date thereof; and the Notice herein-before required, and the Inquisition so to be taken in pursuance thereof,

Notice to be given.

Parties interested may traverse Inquests.