He says also, "said Meehan never lived or had any improvements on said Lot nine."

In view of what he said in his first declaration, when there were no disputants, the above declaration is not worth much. He said Meehan "built himself a house and additions and lived continuously on the land in question."

David Goudon is equally unfortunate in being against himself, although not so clear or explicit in his opposing statements as in his first.

Richard Terrot says: "I have frequently seen the site of said house, and it is at least one-half mile north of the northerly boundary of lot number nine (9) aforesaid." It is quite clear the "site" could be seen as Terrot says, and if so, then the surveyor (Martin) saw it, and Joseph Goudon saw it and pointed it out to the surveyor, and it would seem clear that the surveyor's evidence as to whether it was on Lot 9 or not is conclusive as against the evident guage work of anyone who makes it *three-quarters* of a mile north of lot 9, and the other *half* a mile. Since the location or site of the building could be examined, surveyors' testimony is conclusive as against the uncertain and clearly unreliable testimony of men who spoke for the side which sought their evidence every time. The evidence of Alexander Scott is too glaringly erroneous to make it worth anything. It contradicts every person and every established thing, and may be dismissed without further notice.

There is, therefore, nothing made out by the Hudson Bay Company to throw any doubt upon the case of the applicant.

There was occupation, possession, a residence, a cultivation and a living on lot 9 by Mike Meehan, and he sold that lot, with the house, stables and improvements, and Clarke *continued that possession*, occupation and cultivation. This is possession of the lot in question—"peaceable possession," on the 12th May, 1870, and at the time of the transfer (15th July, 1870) as there was and is no adverse claimants, *claiming through possession or any other right* only the negative right that the claimant is not entitled. Meehan occupied, possessed, built upon, cultivated and improved the lot 9 sufficient and more than sufficient to give him title under the Statute. He improved it at both ends. I venture to say that thousands of acres in Manitoba have been granted by the Crown under the Statute in question on much less evidence of possession than there is in this case. Take for illustration the extent to which the equities of possession are carried under the Order in Council of 25th February, 1881, as to what may be termed "staked claims"; without any other or any actual possession, and without any cul-