

"When Joseph Larocque left his place, now lot 7, his son-in-law, Joseph Goudon, was settled on what is now lot 5, and I know that the said Goudon for a great many years after used the building on what is now lot 7 as one of his stables."

"His stables were about 6 or 7 chains to the north of his house, on what is now known as lot 7. The stables in question were still standing when Goudon moved away."

Augustin Gosselin says in his second declaration for the Hudson's Bay Company: "All the information I gave at the time said declaration was made, was that said Goudon's house was built before the transfer."

Alexander Scott says, for the Hudson's Bay Company, that "The said house and stables were on said lot No. 5, but I cannot say whether the whole of said field was on said lot 5, as no survey lines were run at the time Goudon lived on said land."

There is nothing made out by the Hudson's Bay Company to throw even a doubt upon the case of the applicant. The worst statements in the declarations of Gosselin and Scott, the only outside evidence introduced, are that they do not know much about it, and what they do admit to know and state is in complete accord with all the other testimony.

There was a possession, a residence, a cultivation and a living on lot 7 by Joseph Larocque, sen., the father-in-law of Joseph Goudon. Joseph Larocque gave to his son-in-law, Joseph Goudon, that lot, with the house, stables and improvements, and Joseph Goudon continued that possession, occupation and cultivation up to and after "the time of the transfer" (15th July, 1870). This is possession of the lot in question—"peaceable possession," 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. Goudon himself, irrespective of any right through his father-in-law, which ought to be sufficient, had a right in himself. He occupied, possessed, built upon, cultivated and improved the lot 7 sufficient and more than sufficient to give him title under the statute. I venture to say 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 cultivation or improvements whatever—at least 45,000 acres are allowed of that kind—stakes were put down at the corners of lots, without residence, cultivation or improvements;