



No. 15.

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2d Session, 5th Parliament, 19 Victoria, 1856.

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**BILL.**

An Act for the protection of Squatters in the  
Townships of Lower Canada.

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Received and read, first time, Thursday, 28th  
Feb., 1856.

Second reading, Monday, 3rd March, 1856.

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MR. J. B. E. DORTON.

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TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

## An Act for the protection of Squatters in the Townships of Lower Canada.

**C**ONSIDERING that the permanent settlement of wild lands is of the very highest importance and that extensive tracts of land in the Townships of Lower Canada were formerly granted to certain individuals with the view of facilitating such settlement, and that many of these persons have never fulfilled the conditions stipulated in the letters patent ;

Preamble.

Considering that a large number of these grants of land have fallen into the hands of persons who are absent from the country and who do not make themselves known ;

Considering that the lines separating these grants of land from the Crown Domain are very imperfect and in many cases imperceptible, and that a great number of the inhabitants of Lower Canada and of the British Isles have settled upon wild lands the proprietors of which were unknown, under the impression that they were settling upon the lands of the Crown ;

Considering that these settlers have cleared large tracts of land, have improved them and adapted them for cultivation, have opened roads, erected houses and barns, and constructed drains, bridges, &c., &c., &c., of great value, that they have paid the local taxes and developed the resources of their respective localities ;

Considering that the laws as they at present exist do not afford any protection to these settlers, and that they are unjustly deprived of the fruits of their labor without any compensation therefor, and that no one is justified in enriching himself at the expense of another ; Therefore Her Majesty, &c., enacts as follows :

I. Any settler or individual who shall have established himself upon any lot or part of a lot of land in the townships of Lower Canada, who shall have enjoyed undisturbed possession thereof for a period of five years previous to the passing of this Act, and who shall have improved the same with the view of becoming the *bonâ fide* proprietor thereof, and to settle permanently thereon, shall be entitled to all the improvements made upon such lot or part lot of land.

Settlers holding possession *bonâ fide* of lands to be entitled to all improvements.

II. Any person who shall thus have held possession of any lot of land, shall have cleared the same or any part thereof, and followed the rules of good husbandry in cultivating the same, shall be deemed to be a holder in good faith for all the purposes of this Act.

Who shall be deemed a holder in good faith.

III. In all cases in which the settler and the proprietor shall not be able to come to an amicable understanding with respect to the conditions of purchase or sale or to any transactions whatsoever in relation to such

Arbitration to ascertain value of im-

provements in lots of land, the value of the improvements shall be ascertained by certain cases. arbitration in due course of law, and it shall not be lawful for the proprietor to eject the settler until he shall have paid him the value so determined of all his improvements.

This Act may be pleaded in suits now pending. IV. In all suits pending before the Courts for the ejectment of settlers, it shall be lawful for the latter to plead and avail himself of the whole or any part of the provisions of this Act, and the Judges before whom such causes shall be pleaded shall be bound to give judgment in accordance with the provisions of this Act. 5

Possession by prescription not affected. V. This Act shall not affect the possession of property by virtue of 10 prescription.

Public Act and extent of application. VI. This Act shall be a public Act and shall apply to Lower Canada only.