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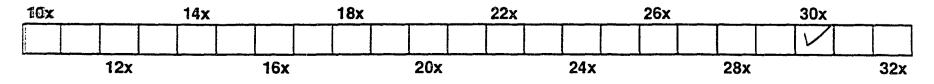
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4th Session, 6th Parliament, 24 Victoria, 1861.

BILL.

An Act to confirm certain surveys in the Townships of Lingwick, Bury and Orford.

(PRIVATE BILL.)

Received and read, first time, Tuesday, 16th April, 1861. Second Reading, Wednesday, 17th April, 1861.

MR. POPE.

QUEBEC: PRINTED BY THOMPSON, HUNTER & CO., ST. URSULE STREET.

[1861.

No. 188.7

BILL.

An Act to confirm certain Surveys in the Townships of Lingwick, Bury and Orford.

WHEREAS the British American Land Company acquired from the Preamble. Crown and became the proprietors originally of all the lands in the Township of Bury, in Lower Canada, with the exception of that certain lot of land numbered sixteen in the eighth range of the ranges 5 of said Township, as delineated in the original survey by the Government of this Province, of the North quarter of said Township; And whereas the said British American Land Company acquired of the Crown and became originally the proprietors of the whole of the Township of Lingwick, in Lower Canada, except five hundred acres of land 10 therein situate in that part of said last-mentioned Township as yet unsurveyed; And whereas the said British American Land Company acquired from the Crown and became originally the sole proprietors of a large proportion of the lands in the eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and 15 eighteenth ranges in the Township of Orford, in Lower Canada, as delineated in the original survey of said Township of Orford by the Government of this Province; And whereas the said lands in the aforesaid Townships are now held in fee simple to said British American Land Company and their assigns; And whereas the said British 20 American Land Company, prior to the alienation of such portions of said lands in said Townships as were held by them as proprietors as aforesaid, for the purpose of facilitating the settlement of said lands, caused a survey and surveys thereof to be made, with figurative plans thereof by Provincial Land Surveyors, by accurate measurement, 25 dividing and subdividing the portions of said Townships so surveyed by

- them into ranges and lots differing in quantity of land and allocation of lots and denomination of ranges and lots, from the method adopted by the plans of the original surveys by the Government, of said lands, so far as such original surveys had been made; And whereas the said 30 British American Land Company have conveyed and alienated divers
- lots and tracts of such lands to settlers thereon, whereof the description in the deeds of alienation and conveyance is based upon the surveys of said lands and figurative plans made at the instance of said Company, and to obviate doubts and set at rest all questions of titles respecting
- 35 said lands, it is expedient to ratify and confirm said surveys, measurements and figurative plans of said lands, made at the instance of said British American Land Company; Therefore Her Majesty, by and with the advice of the Legislative Council and Legislative Assembly, enacts as follows:
- 40 I. The survey and measurement of such portions of the Township Survey of of Bury in Lower Canada, as hath been heretofore made by Joseph Bury by Pen-Pennoyer, Esquire, and John Sullivan, Esquire, Provincial Land Survey-ors, for the British American Land Company, of the lands in said Town-firmed. ship, belonging to said Company at the time such survey and measure-
- 45 ment was made, whereof the original field notes and figurative plan were deposited and now remain in the office of said British American

Proviso : Copy to be deposited with Crown Lands.

Survey of Lingwick by Pennoyer and Sullivan confirmed.

Proviso: copy to be deposited with Crown Lands.

Surveys of Pennoyer and Wales in Orford confirmed.

Land Company, at the Town of Sherbrooke, in Lower Canada, is hereby confirmed and ratified, and the denominations of the lots and ranges, the measurement and allocation thereof is hereby declared to have, and to have had, respecting the said Company, and all persons deriving title in any manner from them, all the force and effect, and authentic 5 of a survey made by and at the instance of the Government of this Province, and it is further enacted, that the original survey of the North quarter of said Township of Bury, by the Provincial Government, save and except of lot numbered sixteen, in the eighth range of said Township of Bury, is hereby annulled and set aside, and the sur- 10 vey of said Joseph Pennoyer and John Sullivan is hereby substituted in the place thereof: Provided also, that a true copy of the field notes, and figurative plan of said survey of Joseph Pennoyer, and John Sullivan, certified to be such, by said Joseph Pennoyer, shall be deposited and remain with the Commissioner of Crown Lands, and extracts or 15 copies thereof may be obtained from said Commissioner of Crown Lands, which shall have the same force and authentic, and be verified in the same manner in all Courts and places, as original surveys and figurative plans made at the instance of the Government of this Province, have 20. and are verified.

II. The survey and measurement of such portions of the Township of Lingwick, in Lower Canada, as hath been made by Joseph Pennoyer, Esquire, and John Sullivan, Esquire, Provincial Land Surveyors for the British American Land Company, of the lands in said Township, helonging to said Company, at the time such survey and measurement 25 was made, whereof the original field notes and figurative plan were deposited and now remain, in the office of the said British American Land Company, at the Town of Sherbrooke, in Lower Canada is hereby confirmed and ratified, and the denominations of the lots and ranges the measurement and allocation thereof, is hereby declared to have, 30 and to have had, respecting said Company, and all persons deriving title in any manner from them, all the force and effect and authenticity of a survey made by and at the instance of the Government of the Province; And it is further enacted, that the original survey of the West quarter of the said Township of Lingwick by 35 the Provincial Government, is hereby annulled and set aside, and the survey of the said Joseph Pennover and John Sullivan aforesaid is substituted in the place thereof: Provided also, that a true copy of the field notes and figurative plan of said survey of Joseph Pennoyer and John Sullivan, certified to be such by said Joseph Pennoyer, shall be deposited 40 and remain with the Commissioner of Crown Lands, and extracts or copies thereof may be obtained from said Commissioner of Crown Lands, which shall have the same force and authenticity and be verified in the same manner, in all Courts and places, as original surveys and figurative plans made at the instance of the Government of this Province 45 have and are verified.

III. The surveys, measurements and figurative plan of Joseph

made of portions of the eighth, ninth, tenth, eleventh, twelfth, thir- 50

Pennoyer, Esquire, and Oliver Wells, Esquire, Provincial Land Survey-

ors, at the instance of the British American Land Company, heretofore

teen, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth ranges

surveys and measurements were made, to the British American Land Company, whereby certain lots as in the original survey of said township

of the township of Orford, in Lower Canada, belonging at the time such

described, were reversed, subdivided and included within certain larger 55 limits designated as respectively ranges A. B. C. D. E. and F., are here-

by confirmed and ratified, and the denominations of ranges and lots in the figurative plan of said surveys and measurements are hereby declared to be and to have been authentic, and the field book of notes of survey and figurative plan made by said Provincial Surveyors, shall

- 5 have the same authenticity and binding force respecting titles based upon said surveys and plan, as the field book of notes and figurative plan indicating the original survey of said township have, respecting titles based upon such original survey: Provided also, that a copy of the Proviso; field notes, and of the figurative plan of said surveys and measurements copy to be deposited
- 10 of said Joseph Pennoyer, and Oliver Wells, certified to be such by said with Grown Joseph Pennoyer, shall be deposited with the Commissioner of Crown Lands. Lands, and there remain, and extracts or copies can be obtained therefrom in the same manner, and be authenticated in the same way as extracts or copies of field notes and plans of any originial survey had by
- 15 the Government, may be obtained and authenticated : Provided neverthe- Provise. less, that nothing herein contained shall be construed to have the effect of annulling or setting aside the original survey or any portion thereof, of said township of Orford as descriptive of the general divisions of said townships into ranges and lots, or in any manner to affect the titles of
- 20 any person or corporate bodies, save and except such as are based upon the measurements and description contained in the said surveys and figurative plan of Joseph Pennoyer and Oliver Wells, and held by the British American Land Company, or derived from them.
- IV. The surveys made at the instance of the British American Land The said sur-25 Company as aforesaid, of the Townships of Lingwick and Bury, so far as the same have been surveyed, shall be held and considered to all Bury to serve intents and purposes the original surveys of said Townships, and par- for the offiticularly for the purposes mentioned in the seventy-second section of cial plans, the thirty-seventh chapter of the Consolidated Statutes for Lower Can- c. 37, s. 72 of
- 30 ada, and the reversed lots and subdivisions of original lots in the Town- Con. Stat. ship of Orford aforesaid, contained in the survey of Joseph Pennoyer L.C. and Oliver Wells, hereinbefore confirmed shall appear in the plans referred to in said seventy-second section of said cited Act, under the same denominations as to ranges and lots as thesame are in
- 35 the figurative plan of said survey of said Joseph Pennoyer and Oliver Wells, whereof a copy is to be deposited as aforesaid with the Commissioner of Crown Lands; and, while the original survey of said Township of Orford remains as descriptive of the general division of said Township into lots and ranges, the survey of said Joseph Pennoyer
- 40 and Oliver Wells, as indicated by their said figurative plan as forming certain ranges of reversed lots, namely, Ranges A, B, C, D, E and F, is hereby held and declared to be recognized as a true and correct survey and measurement of the lands therein designated, and as determining
- the identity, locality and quantity of any parcel of land within these 45 last named ranges, whenever questioned respecting any title held by said British American Land Company, or any person or party deriving directly or indirectly from them.
- V. The portions of said Townships of Bury and Lingwick remaining As to poras yet unsurveyed, may at any time hereafter be surveyed at the in-50stance of said British American Land Company, by a duly licensed wick now an-Provincial Land Surveyor or Surveyors, and copies of the field notes surveyed. and figurative plans of such surveys, certified by the Provincial Land Surveyor or Surveyors, making the same, shall be deposited with the Commissioner of Crown Lands, and the originals thereof shall be de-
- 55 posited and remain in the office of the British American Land Company at the Town of Sherbrooke, in Lower Canada, and if such surveys, so

veys of Lingwick and etc., under

tions of Bury and Lingto be made, shall be approved by the Commissioner of Crown Lands, and when and so soon as the same shall be so approved by said Commissioner of Crown Lands, the said proposed surveys, and the portions measurements, field notes, and figurative plans thereof, shall have the same force and authenticity, and be verified in the same manner as the 5 surveys, field notes, and figurative plans already made of said Townships, are by this Act declared to have, and are to be verified.

Public Act. IV. This Act shall be deemed a public Act.