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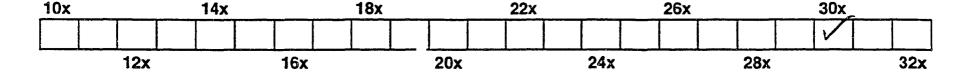
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2nd Session, 5rd Parliament, 12 Victoria, 1849.

## BILL.

An Act to define the Division Line between Upper and Lower Canada.

Received and Read a first time, Thursday, 29th March, 1849:

Second Reading Tuesday, 3rd April, 1849.

Mr. DRUMMOND.

PRINTED BY LOVELL AND GIBSON.

## BILL.

An Act to declare and establish the division line between Upper and Lower Canada, from the River St. Lawrence to the River Ottawa.

WHEREAS the Proclamation issued by His Excel-Presemble. lency Alured Clarke, Esquire, Lieutenant Governor of the then Province of Quebec, bearing date the eighteenth day of November one thousand seven hundred 5 and ninety one, for the purpose of determining and fixing the division line between the Provinces of Lower and Upper Canada, cannot be carried into execution, inasmuch as it is contradictory in its terms and inconsistent with the laws in force in the said then Province of 10 Quebec, nor without a violation of the vested rights of individuals who, under the said laws, held peaceable possession of property under the titles granting the same, for more than sixty years anterior to the date of the said Proclamation; Be it therefore enacted, &c.

15 And it is hereby enacted by the authority of the same, Boundary be-That the Division Line between the two said late Pro- tween Upper and Lower vinces of Lower and Upper Canada, is and shall be taken Canada desto have been as follows; commencing on the northerly cribed. bank of Lake St. Francis at the Cove West of Pointe au 20 Baudet, at the point where the said Cove is intersected by

the south-western boundary line of the Seigniory of Nouvelle Longueuil, as established agreeably to the 28th article of the Arrêt et Règlement du Conseil Supérieur de Québec, pronounced and enacted on the eleventh day of

25 May, one thousand six hundred and seventy-six, by the procès verbal of the late Joseph Bouchette, in his lifetime Surveyor General of Lower Canada, bearing date the 19th day of July, 1806; proceeding thence along the said south western boundary line of the said Seigniory of Nouvelle 30 Longueuil, to a stone boundary erected at the westernmost

angle of the said Scigniory, and mentioned in the said procès verbal; running thence along a straight line to be drawn from the said westernmost angle of the said Seigniory of Nouvelle Longueuil, to a stone boundary erected at

35 the south westerly angle of the Seigniory of Rigaud, by the said late Joseph Bouchette, at the time of the survey made by him of the western boundary line of the said Seigniory of Rigaud, and described in his proces verbal, of the last mentioned survey, (which also bears date on the 19th day

40 of July, 1806,) and running thence along the western boundary line of the said Seigniory of Rigaud, as established by the said late Joseph Bouchette, to the Ottawa River:

II. Provided always, and be it enacted, That any Grantees from person or the legal representative of any person, who at lands in New 45 any time before the eighth day of April which was in the Longueuil, but year of Our Lord one thousand eight hundred and six; supposed when granted to be in Lancaster.

shell ohtain deeds of Concession thereof from the tions.

paid to the Seignior on taking such decd.

Proviso; the deed must be applied for and arrears paid within a certain time. or the right to such deed will be lost, and the possession of the party who might have obtained it shall be held to have been in bad faith.

may have obtained from the Crown a grant of any part of the said tract of land (namely of that part of the said Seigniory of New Longueuil formerly erroneously sup-Seignior on certain condi- posed by some persons to be included within the limits of the Township of Lancaster) as being part of the said 5 Township of Lancaster, shall be entitled to have, demand and receive from the Seignior of the said-Seigniory of New Longueuil. (who is hereby required and rendered liable to grant the same and whose obligations in this respect may be enforced by any Court 10 having competent jurisdiction,) a deed of concession of the piece of land for which such person or persons or his or their predecessors shall so have obtained a grant from the Crown, and the concession deed to be so granted, shall be made and granted on the same terms 15 What shall be and conditions as the other Lands in the same range or concession of the said Seigniory have usually been conceded; and the person or persons demanding such concession deed shall pay to the said Seignior of the said Seigniory of New Longueuil at the time of the passing 20 of the said deed of concession, in lieu of arrears or past revenue, such a sum of money as the cens et rentes on the land to be so conceded would have amounted to had the party claiming such concession deed, or his predecessors. obtained such concession deed upon the terms aforesaid 25 at the time of the making of the grant under and in consequence of which such concession deed may by virtue of the present Act be demanded, but the sum of money to be so payable at the time of the passing of such concession deed, shall not in any case exceed the sum that 30 twenty nine years arrears of the cens et rentes to be imposed on the piece of land to be so conceded would amount to, nor shall the person or persons claiming concession deeds from the Seignior of the said Seigniory of New Longueuil under the present Act be liable to pay 35 any sum of money as arrears of lods et ventes or as arrears of any Seigniorial dues other than cens et rentes as aforesaid; Provided always, that the Seignior of the said Seigniory of New Longueuil shall not be liable to grant any such concession deed, unless the person or 40 persons entitled to the same by virtue of this Act shall have demanded such concession deed and complied with the conditions hereby imposed in that respect within twelve months from the passing of the present Act, and any person or persons entitled to demand any such con- 45 cession deed under the present Act, who shall fail to demand the same or to comply with the conditions aforesaid within the said period of twelve months from the passing of this Act, shall from and after the expiration of the said period of twelve months cease to have any 50 right to demand a deed of concession of the land for which under the provisions of the present Act he or they might within the said last mentioned period have demanded a deed of concession, and shall immediately after the expiration of the said period of twelve months be 55 bound and liable to deliver up to the Seignior of the said Seigniory of New Longueuil, possession of the land for

which he or they might so have demanded a deed of concession on the conditions and within the period aforesaid. and no person or persons so entitled to demand any such concession deed under the present Act and failing to do 5 so, or to comply with the conditions aforesaid, shall be entitled to hold, have or claim the piece of land for which he might have demanded, but shall have failed to demand a deed of concession, by reason or on account of any possession which his or their representatives may have 10 had of such piece of land, even when such possession shall have been for a longer period than thirty years, but such possession shall in all suits at law and in all other matters be considered and held to have been in bad faith; And provided also, that nothing in this Act Provise; con-15 contained shall defeat, impair or otherwise prejudice any cossions here-tofore made by concession deed heretofore made by the Seignior of the the Seignior Seigniory of New Longueuil of any part of the said fected. tract of land, and the Seignior of the said Seigniory of New Longueuil shall not by reason of any thing in this 20 Act contained, be liable or be obliged to grant a concession deed of any part of the said tract of land which has heretofore been conceded by the present or any former Seignior of the said Seigniory of New Longueuil.

III. And whereas in consequence of the doubts created 25 and difficulties caused by the said error in the said Proclamation, the owners of the said tract of land forming part of the said Seigniory of New Longueuil, but so emoneously supposed by some parties to form a part of the said Township of Lancaster, have been prevented M from exercising their just rights as owners of the said tract of land, and divers persons have taken or obtained possession of part thereof without having either through themselves or their predecessors, obtained any grant thereof from the Crown or lawful authority from the Seignior 35 of the said Seigniory of New Longueuil: Be it therefore The possession enacted, That any person or persons in possession of any holding lands part of the said tract of land without any grant thereof in the said from the Crown, either through themselves or their pregrant either decessors, or without lawful authority from the Seig-from the form the Seigniory of New Longueuil, shall not Seignior shall be entitled to held to be seld to be seld to be seld to be held to be seld t be entitled to hold, have or claim the parts of the said bo held to bo in bad faith. tracts of land so possessed by them by reason of any possession which they or their predecessors may have had thereof, even where such possession shall have been 45 for a longer period than thirty years, but such possession shall in all suits at law and other matters be considered

IV. Provided also and be it enacted. That should any Compensation party in consequence of the establishment of the present out of the 50 line suffer any loss or damage, either by having their public moneys lands transferred from free and common soccage into the certain ca-Seignioral tenure, or by being deprived of improvements, by the line or of lands for which the said parties had deeds from, or hereby estaderived from the Crown or from the adjoining Seigniors, it 55 shall be lawful for the Governor-in Council to direct adequate compensation to be inade to the said parties either in money or lands for any loss that shall be estab-

and held to have been in bad faith.

lished to have been so sustained.