

C H A P . 67

An Act to guarantee to certain inhabitants of the district of Gaspé the peaceable possession and enjoyment of their lands

[Assented to 29th May, 1909]

WHEREAS by the act 59 George III, chapter 3, passed by Preamble. the Legislature of Lower Canada in 1819, certain provisions were enacted in order to ensure the inhabitants of the interior district of Gaspé the possession and enjoyment of the lands which they had cleared and improved in good faith, without regular title from the Crown ;

Whereas, in virtue of the said act, commissioners were appointed with instructions to inquire upon the spot into the different circumstances, and to report in favor of such persons as, in their opinion, ought to be considered entitled to a concession or concessions ;

Whereas, the said commission reported only upon a certain limited number of claims, and a limited number of persons only, being persons in whose favor they had adjudged, have received the advantage offered to them of obtaining grants of letters-patent ;

Whereas in most cases the said commission were unable to complete their work ;

Whereas serious inconveniences result from the fact that certain inhabitants of the district of Gaspé have not regular original titles for the lands, which they or their predecessors in title, in good faith improved and put under cultivation ;

Whereas it is expedient to recognize the continuous, peaceable, uninterrupted and public possession by persons holding, or claiming to hold, lands granted to their predecessors in title in the district of Gaspé, under the Great Seal of the Province, before the year 1820 ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The Lieutenant-Governor in Council may grant letters L.-G. in patent to persons holding or claiming to hold lands granted Council may grant letters in the district of Gaspé, under the Great Seal of the Province, patent to certain persons, before the year 1820, provided that such persons, their predecessors in title, heirs or representatives, have had, until the production of their claims, made after the coming into force of this act, continuous, peaceable, uninterrupted and public possession of the lands for which they claim letters patent.

Preliminary formalities.

2. The letters patent authorized by this act, shall be issued only after the performance of the following formalities :

Notice in *Quebec Official Gazette*, &c.

a. Notice in the *Quebec Official Gazette* for three consecutive weeks, calling upon all persons interested, to file within three months from the date of the publication of the last notice, with the person or persons therein mentioned, their titles, documents, or other evidence showing their rights to the lands which they claim ;

Posting up notice.

b. Posting up the notice at the door of the church nearest the land in question, previous to the filing of the documents referred to in the foregoing paragraph.

Enquiry.

c. Such enquiry as the Lieutenant-Governor in Council may think proper, into the nature of the possession of the claimant or claimants.

Letters patent to be indisputable title, &c.

3. The letters patent so granted by the Lieutenant-Governor in Council, shall constitute in favour of the persons therein mentioned, an indisputable title to the lands therein described, but shall in no way affect the dowers, hypothecs, gifts, sales, with right of redemption or other charges which may affect the said lands, and the said charges shall continue to affect the said lands and the documents evidencing them shall continue to govern the parties thereto.

Coming into force.

4. This act shall come into force on the day of its sanction.

C H A P . 6 8

An Act respecting the expropriation of lands required for the development and utilization of certain water-powers

[Assented to 7th May, 1909].

Preamble.

WHEREAS the development and utilization of the falls and waters-powers of the Province is a matter of public utility as they tend to the advancement of industries already established and the creation of new ones by allowing of the utilization of their motive power :

Whereas certain conditions hinder the development and utilization of such falls and powers and it is important to cause the same to disappear, while at the same time safe-guarding the private interests affected ;

Therefore His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Owners of

1. Every water-power formed by a lake, pond, watercourse