

and all that tract of territory situate in the county of Portneuf, to the north of an imaginary line, being the prolongation in a straight line of the south-east line of the said township of Mekinac to the point where this prolonged line would intersect the river Batiscan, and thence along the said river Batiscan to the point where the north-east line of the county of Portneuf, if prolonged, would intersect the said river, are hereby annexed to the district of Three Rivers, for judicial purposes only.

CAP. XVIII.

An Act to confirm the Survey of the Division Line between the Townships of Grantham and Upton.

[Assented to 28th January, 1874.]

WHEREAS the townships of Grantham and Upton have Preamble. been established by letters-patent, the first on the fourteenth and the latter on the twenty-first day of May, of the year eighteen hundred, according to the limits fixed after survey which was effectively made by deputy-surveyor James Rankin, in the years one thousand seven hundred and ninety-six and one thousand seven hundred and ninety-seven, under the authority of commissions issued by the government for the time being ;

And whereas in the year one thousand eight hundred and fifteen, certain lands situated in that part of the said township of Grantham contiguous to the township of Upton, were conceded by the government according to the said survey of deputy-surveyor James Rankin ;

And whereas the lands situated on both sides of the line dividing the said townships of Grantham and Upton, drawn and established according to the original survey aforesaid, having remained in a wild state, the said line had become lost, or there was reason to suppose that no trace of it remained, and that thereupon, Emmanuel Couillard Desprès, provincial surveyor, in the year eighteen hundred and twenty-four, received instructions, through an order of his excellency the governor of Lower Canada for the time being, to verify the said original survey ;

And whereas by reason of a grave error committed by the said Emmanuel Couillard Desprès in mistaking his point of departure, his operations, in so far as respects the said division line, as reported by him to the surveyor general in the year 1827, were never approved or homologated by the government ;

And whereas all the lands on that part of the township of Upton along the said division line, have been conceded to

the predecessors of the actual possessors, according to the plan of the said Emmanuel Couillard Desprès, rectified and corrected by himself in his own plan, but not on the land itself, to render it conformable to the plan drawn by the said James Rankin of his survey of the said township of Upton ;

And whereas the doubtful state of the said division line having given rise to various law-suits, questions of jurisdiction and other difficulties, the governor in council, in the year eighteen hundred and fifty-four, ordered the verification of the said line ;

And whereas on the thirtieth day of October, in the year eighteen hundred and fifty-five, W. W. O'Dwyer, provincial land surveyor, entrusted with the said verification, reported that he had found a line which he asserted was that drawn by the said James Rankin ;

And whereas the said pretended line, crooked throughout its whole length, has been ascertained to be incorrect, being in fact nothing else than a line drawn through the woods, to guide the first settlers from Acton to the river St. Francis ;

And whereas the said report was therefore disapproved by the government for the time being ;

And whereas on the report of the honorable George Etienne Cartier, then attorney-general for Lower Canada, the governor in council, on or about the third day of December, eighteen hundred and fifty-six, ordered that the said line should be drawn on the land, in such manner as to give, as far as circumstances and the nature of the case admitted, two hundred acres for each lot in the township of Grantham, with the usual reserve for public roads ;

And whereas in accordance with the instructions of the department of crown lands, given in conformity to the said order in council lastly referred to, the said W. W. O'Dwyer made his report, (*procès verbal*), respecting the survey and *bornage* of the said division line, bearing date the twentieth day of October, eighteen hundred and fifty-seven, in complete conformity with the said order in council lastly mentioned, and with the original plan of the original survey of the above-named James Rankin, and now filed in the archives of the department of the commissioner of crown lands of the province of Quebec ;

And whereas the proprietors of the lands in that part of the township of Upton, which is contiguous to the said township of Grantham, have prayed, by petition, that the said survey lastly mentioned of the said W. W. O'Dwyer, be confirmed by legislative authority ;

And whereas the public interest demands that all grave doubts be removed in relation to the said line, which divides not only two townships but two counties,—Bagot

and Drummond,—and two great judicial districts,—Three Rivers and *St. Hyacinthe*; and that it is just and advisable that the true division line between the said townships be forever settled and proclaimed; Therefore, Her Majesty, by and with the advice and consent of the Legislature of *Quebec*, enacts as follows:

1. The line which has been surveyed and established by the said *W. W. O'Dwyer*, as the same appears by the report above mentioned (*procès-verbal*) and on the accompanying plan, both bearing date the twentieth day of October, 1857, copies whereof are filed in the office of the clerk of the legislative council of this province, as part of the archives, shall be, and is hereby declared to be the south-west exterior line of the said township of *Grantham*, according to the original survey thereof, and the true and invariable division line between the said township of *Grantham* and the said township of *Upton*.

The line lastly drawn by O'Dwyer declared to be the true south-west exterior line of the township of *Grantham*.

2. The stones, posts and other boundaries placed by the said *W. W. O'Dwyer*, or verified by him, as marking the course of the said division line, shall be and are hereby declared to be the true and settled marks of the said division line between the said townships.

Stones, &c., placed or verified by him shall avail as marks

3. A copy of the said report, (*procès-verbal*) and of the plan accompanying the same, shall be deposited in the office of the registrar for the county of *Bagot*, and another copy in the office of the registrar for the county of *Drummond*.

Copies of his report to be registered in *Bagot* and *Drummond*.

4. Nothing contained in this act shall be understood as fixing or being intended to fix the division line between adjacent lands in such a manner as to affect in any way whatsoever the rights of individuals in relation to such lands, nor shall it in any manner prejudice the rights of individuals.

Rights of individuals not affected.

C A P. X I X.

An Act to remove all doubts respecting the limits of the Parish of *Saint-Basile le Grand*.

[Assented to 28th January, 1874.]

WHEREAS by proclamation issued, under the great seal of this province, the fifteenth day of June, one thousand eight hundred and seventy-one, the canonical decree of his lordship the Roman Catholic Bishop of *Montreal*, dated

Preamble.

