

for sale to be published. may deem most advisable for giving general information on the subject.

Governor may appoint Agents under this Act. XIV. The Governor may from time to time appoint, during pleasure, all such Agents as he shall find necessary to carry out the provisions of this Act and the Orders in Council made under it, which Agents shall be paid in such manner and at such rates as the Governor in Council may direct. 5

Erroneous Patents may be cancelled and correct ones issued, when there is no adverse claim. XV. That whenever a Patent has been or may hereafter be erroneously issued or which shall contain any clerical error or wrong description of the land thereby granted or intended to be granted, the Governor in Council may upon the Report of the Commissioner of Crown Lands, (there being no adverse claim,) direct the defective Patent to be cancelled and a correct one to be issued in its stead, which said corrected Patent shall relate back to the date of the one so cancelled, and shall have the same legal effect as if it had been issued at the date of such cancelled Patent. 10 15

In cases of double grant of the same Land, an equivalent may be granted to the loser. XVI. In all cases in which Grants or Letters Patent have issued or may hereafter issue for the same land inconsistent with such other through error or mistake, and in all cases of sales or appropriations of the same land inconsistent with each other, the Governor in Council may order a new grant equivalent to the land of which any grantee or purchaser may thereby be deprived : Provided always, that no such claim shall be entertained unless it be preferred within five years after discovery of the error. 20 25

Proviso.

Free grant as compensation for loss by erroneous survey. XVII. In all cases wherein by reason of false survey, any grant, sale or appropriation of land has been or may be found to be deficient, the Governor in Council may order a free grant equal in value to the ascertained deficiency ; Provided always, that no such claim shall be entertained unless application was or shall be made within five years from the discovery of such deficiency, nor unless the deficiency is equal to one of the whole quantity described to be contained in the particular lot or parcel of land granted. 30 35

Proviso.

Court of Chancery in U. C. and Superior Court in L. C. may avoid Patents issued in error. XVIII. It shall and may be lawful for the Court of Chancery in Upper Canada, and for the Superior Court in Lower Canada, upon action, bill or plaint to be exhibited in either of the said Courts respecting grants of land situate within their jurisdiction, and upon hearing of the parties interested, or upon default of the said parties after such notice of proceeding as the said Courts shall respectively order, in all cases wherein Patents for lands have or shall have issued through fraud or in error or mistake or improvidence, to decree the same to be void : and upon the registry of such decree in the office of the Provincial Registrar such Patents shall be deemed void and of none effect to all intents and purposes 40 45