

HOMESTEAD RIGHTS.

Entry for
homestead
rights: area
limited.

27. Any person, male or female, who is the sole head of a family, or any male who has attained the age of eighteen years, shall, on making application in the form A in the schedule to this Act, be entitled to obtain homestead entry for any quantity of land not exceeding one quarter section, and being of the class of land open, under the provisions of this Act, to homestead entry;

Pre-emption
entry there-
with.

2. Such person shall also, in connection with such homestead entry, be entitled to the privilege of obtaining at the same time, but not at a later date, a pre-emption entry for an adjoining unoccupied quarter-section or part of a quarter-section of land of the said class;

Effect of such
homestead
and pre-emp-
tion entry.

3. The entry for a homestead and for its attached pre-emption, if any, shall entitle the recipient to take, occupy and cultivate the land entered for, and hold possession of the same to the exclusion of any other person or persons whomsoever, and to bring and maintain actions for trespass committed on the said land; the title to the land shall remain in the Crown until the issue of the patent therefor, and the said land shall not be liable to be taken in execution before the issue of patent;

Exemption
from execu-
tion.

To apply only
to agricultu-
ral and sur-
veyed lands.

4. The privilege of homestead and pre-emption entry shall only apply to surveyed agricultural lands; no person shall be entitled to such entry for land valuable for its timber, or for hay land, or for land on which there is a stone or marble quarry, or coal or other mineral having commercial value, or whereon there is any water power which may serve to drive machinery, or for land which by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station, it will be in the public interest to withhold from such entry.

As to rights of
persons hav-
ing settled on
lands before
survey

28 Whenever the survey of any township has been finally confirmed and such township opened for homestead entry, any person who has *bonâ fide* settled and made improvements before such confirmed survey on land in such township, shall have a prior right to obtain homestead entry for the land so settled on, provided such right be exercised within three months after the land is open for settlement; and provided that such land has not been reserved or the right to homestead entry is not excepted under the provisions of this Act. No homestead entry shall be granted to any other person in respect of such land until three months after notice in writing shall have been given by the Local Agent to such *bonâ fide* settler that such land is open for settlement.

Proviso.

As to home-
stead entry
thereafter.