

Hundred and One, certain of the said Grantees who were resident in the said Island, being convinced of the impossibility of effecting a division of said Grant, unanimously prayed the Government then existing in the said Island to cause the said Grant to be repealed, and the said tract of one hundred thousand acres to be escheated, so that the said Grantees thereof might obtain separate Grants of their original shares, and thereupon such proceedings were had before the then Governor, Lieutenant-General Despard and the Council of said Island, that upon the finding of a Jury empannelled to enquire whether the conditions of the said Letters Patent had been complied with, it was adjudged that the said tract of Land was liable to forfeiture, and was escheated. *And whereas* it is doubted whether the said escheat was legal, and whether certain Grants of portions of the said tract of Land subsequently passed founded upon the said Escheat, and passed by the Government of said Island, convey any legal titles to the grantees thereof. *And whereas* upwards of one thousand three hundred persons are settled on said tract of Land, and now claim to own fifty-five thousand and ninety acres of said tract, of which three thousand and sixty-four acres are cultivated, and there are thereon built and erected nearly six thousand houses and barns, and the said Settlers on the said tract have now thereon two thousand two hundred and three heads of neat cattle. *And whereas* from the situation of the said tract of Land, and the uncertainty attending the title and ownership thereof, the neglect of the Grantees and other causes, it has become of great importance to the settlers and actual occupants of different parts thereof that the claims of all parties interested in the said tract should be defined and settled, and that all persons actually settled on the said Lands for a certain period of time may be firmly and certainly established under legal titles in their just portions of the same, and that the remainder of the said tract may be placed in a situation for legal and useful settlement and cultivation, and tranquility be thereby established, and litigation and confusion avoided. *And whereas* the carrying into effect the provisions of a certain Act passed in the second year of Her present Majesty's Reign, for settling titles in the said tract, would be attended with enormous expense and other inconveniences, and it is therefore expedient to repeal the said Act, and to substitute other provisions in lieu thereof.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That the Act made and passed in second year of Her present Majesty's Reign entitled, An Act for settling titles in a certain tract of Land in Cape Breton called the Miré Grant, and every matter, clause and thing, therein contained shall be, and the same are hereby repealed.

Act 2 Vict.
repealed

II. *And be it enacted*, That all persons who shall have gone into, and now are in the actual possession of any Lands or Tenements in the said tract called the Miré Grant, under and by virtue of the said Letters Patent of the said Joseph Frederick Wallet Desbarres, and all persons who shall have gone into, and now are in the actual possession of any Lands or Tenements in the said Tract, under a Title derived from any of the Grantees under the said Letters Patent, shall respectively have, hold and enjoy, all such Lands and Tenements to them, their heirs and assigns forever, in fee simple, or in case of any such derivative title, then such Estate or Estates in any such Lands or Tenements as may have been conveyed, or passed, or intended to be conveyed or passed, under and by virtue thereof, any want of legal form in the said Letters Patent, or any conveyance thereunder, or any want of partition or division of the said Tract among the said Grantees, or any forfeiture by reason of non-compliance with the terms, conditions, or limitations of the Letters Patent, or any repeal thereof, and Escheat of the said Lands thereby granted, or any further or other proceedings whatsoever in relation thereto notwithstanding.

Person in possession of
Lands under
the Letters
Patent of
J. F. W. Desbarres to hold
the same

III. *And be it enacted*, That all Grants, Letters of License, Warrants of Survey, or other Titles whatsoever, in any Lands or Tenements in the said Tract, derived from the Crown, subsequently to the alleged repeal of the said Letters Patent of the said Joseph Frederick Wallet Desbarres, and Escheat of the said Lands, are hereby confirmed and made valid for the purpose for which they were respectively intended; and all persons claiming thereunder, are hereby declared to have a good, legal, and valid Title to such Lands or Tenements, any illegality or defect in the repeal of the aforesaid Letters Patent, or of the Escheat thereon as aforesaid, or any want of form in any such Title, or otherwise, to the contrary notwithstanding.

All Grants,
&c. derived
from the
Crown confirmed