

have been preferred within five years from the period at which the said Act came into operation,—or, with reference to patents which have been completed since the thirtieth May, one thousand eight hundred and forty-two, claims for indemnity shall  
5 have been preferred within a period of five years after the completion of such patents.

LXI. No claim for indemnity for deficiency in the land granted or sold shall be entertained, unless the deficiency is equal to one tenth of the whole quantity described to be contained in the particular lot or parcel of land granted.  
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No claim for deficiency of less than one tenth.

LXII. Every person, or the representative of every person, who is, or may have been at any time prior to the passing of this Act, a purchaser of a tract of land sold by the Province, the purchase whereof is, or may be void, by reason of  
15 a prior sale or grant of the same by the Province, or for want of title thereto in the Province, or from any other cause whatsoever, shall be entitled to repayment of any sum of money paid for or on account of such tract of land, on making proof to the Commissioner of Public Land, that the same was sold erroneously and without right ; and the Commissioner is authorized  
20 after having obtained an order in Council, to repay such sum of money, with interest from the date of payment so made, and with twenty-five per cent for expenses incurred.

Indemnity in case of loss by prior grant, &c.

LXIII. Whenever a Patent has been or may hereafter be  
25 erroneously issued which shall contain any clerical error, misnomer or wrong description of the land thereby granted or intended to be granted, the Commissioner of Public Lands may, (there being no adverse claim,) direct the defective Patent to be cancelled and a correct one to be issued in its stead,  
30 which said corrected Patent shall relate back to the date of 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.

Erroneous Patent may be cancelled and new one issued: its effect.

LXIV. In all cases where patents for public lands have been  
35 or may hereafter be issued, in pursuance of any law or order in Council, or sale to a person who had died, or who shall hereafter die before the date of such patent, the title to the land designated therein shall enure to, and become vested in the heirs, devisees, or assignees, of such deceased patentee, as  
40 if the patent had issued to the deceased person during life ; and upon the production of satisfactory proof of the death of the original purchaser, or upon the production of a regular chain of title from the original purchaser, it shall be the duty of the Commissioner of Public Lands to cause the patent to be  
45 issued to the heirs and legal representatives, or to the assignees of the original purchaser, as the case may be.

Case of Patents to persons dying before they issue, provided for.

LXV. With a view to quiet the titles to certain lands, it is enacted, that the non observance and non fulfillment of the  
Non-observance of cer-