

**An Act to change the tenure of the Indian Lands in the Township of Durham.**

**W**HEREAS an extent of eight thousand four hundred and ninety Preamble.  
 acres of land, in the Township of Durham in Lower Canada, was  
 granted, in the year one thousand eight hundred and five, to divers Indians,  
 for them and their legal successors, under and by virtue of Letters Patent  
 5 issued under the hand and seal of Sir Robert Shore Milnes, at that time  
 Lieutenant Governor, on the condition that they should settle thereon and  
 be incapable of selling, alienating, or even leasing the said Lands; And  
 whereas the said Indians, or their legal successors or representatives, have  
 in certain cases sold, leased or alienated all their rights in respect of such  
 10 lands, for fixed sums of ground rents, and have all abandoned the said  
 lands after having so conveyed them; And whereas the parties to whom  
 such lands were so conveyed, have cleared and improved the same, erected  
 buildings thereon and made agricultural settlements thereof, of great value,  
 and the doubts which have arisen respecting the legality of such transactions  
 15 are a great obstacle to the further progress of the said settlements, and it  
 is desirable, both in the interest of the Indians who do not reside any  
 more on the said lands, and in that of the public of the said locality, that  
 the said transactions should be rendered legal, in order to secure a just  
 compensation to the former, and incontestable titles to the parties now in  
 20 possession of the said lands: And whereas the Act passed in the eighteenth  
 year of Her Majesty's Reign, and chaptered one hundred and sixty-seven,  
 is insufficient for the object intended; therefore Her Majesty, by and  
 with the advice and consent of the Legislative Council and Assembly of  
 Canada, enacts as follows:

25 I. The Act intituled, *An Act to alter the Tenure of the Indian Lands in the Township of Durham*, is hereby repealed. 18 V. c. 187, repealed.

II. All conveyances, sales, promises of sale or emphyteotic leases in  
 respect of the said lands by the said Indians, their successors or legal repre- Emphyteotic leases, &c., by Indians declared legal.  
 30 sentatives, shall hereafter be considered as having been made by persons  
 legally qualified to lease, alienate, sell, cede and convey their property,  
 notwithstanding any thing to the contrary contained in the Letters Patent  
 of such lands, provided always, that an annual ground rent of not less  
 than ten dollars for each lot of two hundred acres shall have been stipulated  
 in favor of the Indian to whom any such lot of land was originally granted,  
 35 or of his heirs or legal representatives. Proviso.

III. Any purchaser of any lot or part of a lot of the Indian Lands in the  
 Township of Durham, now in possession of the same, may, if he thinks fit, Purchasers in possession of lots, may redeem the rent charged thereon, and how.  
 redeem the rent attached to such land or lot of land by any instrument  
 within the provisions of the preceding section, and payable to the Indians  
 40 or their legal representatives, by paying the capital thereof at the rate of  
 six per cent., to the Superintendent General of Indian Affairs, who is  
 hereby authorized to receive every such deposit and give a receipt therefor,  
 according to Schedule A of this Act.