

such application within three months after due notice has been received at the Local Office of such land having been surveyed and the survey thereof confirmed; and proof of settlement and improvement shall be made to the Local Agent at the time of filing such application.

A person applying for leave to be entered for lands with a view of securing a Homestead Right therein, must make affidavit before the Local Agent (Form B.), that he is over eighteen years of age, that he has not previously obtained a Homestead under the provisions of the Dominion Lands Act; that the land in question belongs to the class open for Homestead entry; that there is no person residing or having improvements thereon; and that his application is made for his exclusive use and benefit and with the intention to reside upon and cultivate the said lands.

Upon making this Affidavit and filing it with the Local Agent (and on payment to him of an office fee of *ten dollars*—for which he shall receive a receipt from the Agent) he shall be permitted to enter the land specified in the application.

No Patent shall be granted for the land until the expiration of *three years* from the time of entering into possession of it except as hereinafter provided.

At the expiration of three years the settler or his widow, her heirs or devisees—or if the settler leaves no widow, his heirs or devisees—upon proof to the satisfaction of the Local Agent that he or his widow, or his or her representatives as aforesaid, or some of them, have (except in the case of entry upon contiguous lands as hereinbefore provided) resided upon and cultivated the land for the three years next after the fying of the affidavit for entry, or in the case of a settler on unsurveyed land, who may, upon the same being surveyed, have fyled his application as provided in sub-section five, upon proof as aforesaid, that he or his widow, or his or their representatives, as aforesaid, or some of them, have resided upon and cultivated the land for the three years next preceeding the application for patent, shall be entitled to a patent for the land, provided such claimant is then a subject of Her Majesty by birth or naturalization.

Provided always, that the right of the claimant to obtain a patent under the said sub-section as amended shall be subject to the provisions of section fifteen herein lastly quoted.

Provided further, that in case of settlements being formed of immigrants in communities (such for instance as those of Mennonites or Icelanders), the Minister of the Interior may vary or waive, in his discretion, the foregoing requirements as to residence and cultivation on each separate quarter-section entered as a Homestead.

When both parents die, without having devised the land, and leaving a child or children under age, it shall be lawful for the executors (if any) of the last surviving parent, or the guardian or guardian^s of such child or children, with the approval of a Judge of a Superior Court of the Province or Territory in which the lands lie, to sell the lands for the benefit of the infant or infants, but for no other purpose; and the purchaser in such case shall receive a patent for the lands so purchased.

The title to lands shall remain in the Crown until the issue of the Patent therefor; and such lands shall not be liable to be taken in execution before the issue of the Patent.