

An Act respecting the Indian Lands in the Township of Durham, in the County of Drummond.

WHEREAS, by the Act hereinafter mentioned, it was and is in effect provided, that certain descriptions of deed or instrument therein enumerated affecting any portion of the lands in the Township of Durham, in the County of Drummond, granted by Letters Patent in the year one thousand eight hundred and five to divers Indians, should be held valid, notwithstanding any thing in such Letters Patent to the contrary, provided a certain amount of ground rent should have been stipulated thereby, but no provision was made as to the validity of any other description of deed or instrument affecting such lands, or whereby any ground rent or other right thereon might have been, in whole or part, redeemed, ceded or released; and whereas it is expedient to remedy this omission, and in other respects to make better provision than by the said Act is made for assuring, so far as may be possible, the titles and rights of all the parties interested in such lands: Therefore, Her Majesty, &c., enacts as follows:

Preamble.

1. The Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's Reign intituled, "An Act to change the tenure of the Indian Lands in the Township of Durham," is hereby repealed, but the repeal thereof shall not revive any act thereby repealed.

19 & 20 Vic.,
cap. 4, repealed.

2. No deed or instrument in writing whatsoever, for the passing of title to such lands or any thereof, or in any wise affecting the same, or having reference to any ground rent or other right whatsoever, on, to or in respect of the same, whenever or by whomsoever executed, shall be held for null, either as a whole or as touching any stipulation or matter therein set forth, by reason of any restriction whatsoever in the premises imposed by the said Letters Patent granting the said lands, or of any provision or clause whatsoever in the said Letters Patent contained, or of any disability or supposed disability of the Indians, grantees thereunder, or of their heirs or other representatives, as being Indians, to contract in any wise in the premises.

Conveyances
of the said
lands not
valid for cer-
tain causes.

3. Any contestation whatsoever between Indians, or whereto any Indian may be a party, as to, or arising out of, any such deed or instrument, may by the parties, or by any Court seized of such contestation, be deferred for the decision of the Superintendent General of Indian Affairs; and his decision thereon shall be final and conclusive.

Whenever
Indians are
parties, Su-
perintendent
to decide.

4. The Superintendent General of Indian Affairs, if satisfied of the right of property in any such land, under any such deed or instrument, of any person being in lawful possession of such land, may accept payment from such person, of the capital, or of any unredeemed remainder of the capital, of all ground rent which he may find to be secured thereon in favor of any Indian, calculated at the rate of six per centum per annum: and may thereupon grant to such person a certificate

Superinten-
dent if satis-
fied of title
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ficate.