

Proviso.

cluded in such pre-emption entry, on payment of the price fixed in accordance with the provisions of this Act by the Governor in Council; but such pre-emption right, if not exercised and payment made within six months after the settler shall have become entitled to claim a patent under his homestead entry, shall be forfeited, and such pre-emption shall not thereafter be open to homestead entry without the consent of the Minister of the Interior;

Other conditions on which a patent may be obtained.

Construction of and residence in a house; residence with relations; and cropping and breaking land on homestead. Clause 2, 47 Vic, Cap. 25.

6. In addition to the cases hereinbefore mentioned, any person claiming a patent for a homestead, or for a homestead and pre-emption, shall be entitled thereto upon proving that he has erected upon his homestead a habitable house and has *bonâ fide* resided therein for not less than three months next prior to the date of his application for his patent; that for the period between the time within which, by clause thirty-one of this Act, it is provided that a homesteader shall perfect his entry, and the commencement of his said three months' residence upon his homestead, he has been *bonâ fide* resident within a radius of two miles from his homestead quarter section; that within the first year after the date of his homestead entry he had broken and prepared for crop not less than ten acres of his homestead quarter section; that within the second year he had cropped the said ten acres and broken and prepared for crop not less than fifteen acres additional—making not less than twenty-five acres; and that within the third year after the date of his homestead entry, he had cropped the said twenty-five acres and broken and prepared for crop not less than fifteen acres additional, making in all not less than twenty-five acres of the said homestead cropped, and fifteen acres additional thereof broken and prepared for crop, within three years of the date of perfecting his homestead entry; and the residence described in this sub-clause shall be sufficiently fulfilled if the applicant has not been absent from his residence for more than six months in any one year.

Forfeiture of right by non-residence.

31. In case it is proved to the satisfaction of the Minister of the Interior that a settler has not resided upon and cultivated his homestead, except as herein provided for, at least six months in any one year, the right to the land shall be forfeited, and the entry therefor shall be cancelled; and the settler so forfeiting his entry shall not be eligible to obtain another entry except in special cases in the discretion of the Minister of the Interior;

Proviso: in case of sickness, &c.

2. Provided, that in cases of illness, vouched for by sufficient evidence, or in the cases of immigrants requiring to return to their native land to bring out their families to their homesteads, or in other special cases, the Minister of the Interior may, in his discretion, grant an extension of time, during which a settler may be absent from his homestead, without prejudice to his right therein; but the time so granted shall not count as residence.