

that he, or his widow or his or her representatives as aforesaid, or some of them, have resided upon or cultivated the land for the three years next after the filing of the affidavit for entry, the settler or such claimant shall be entitled to a patent for the land, provided such claimant is then a subject of Her Majesty by birth or naturalization.

12. 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 guardians 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 acquire the homestead right by such purchase, and on carrying out the unperformed conditions of such right, shall receive a patent for the land, upon payment of the office fees.

When parents die without devising.

13. 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.

Title before patent.

14. In case it is proved to the satisfaction of the Local Agent that the settler has voluntarily relinquished his claim, or has been absent from the land entered by him, for more than six months in any one year, then the right to such land shall be forfeited; and the settler so relinquishing or abandoning his claim shall not be permitted to make more than a second entry.

Settler abandoning his claim.

15. Any person who has availed himself of the foregoing provisions may, before the expiration of the three years, obtain a patent for the land entered upon by him, including the wood lot, if any, forming an addition to the grant thereof, as hereinafter provided, on paying the Government price thereof at the date of entry, and making proof of settlement and cultivation for not less than twelve months from the date of entry.

Patent before three years on payment of price, &c.

16. Proof of actual settlement and cultivation shall be made by affidavit of the claimant before the Local Agent, corroborated on oath by two credible witnesses.

Proof of improvement.

17. All assignments and transfers of homestead rights before the issue of the patent shall be null and void, but shall be deemed evidence of abandonment of the right; and the person so assigning or transferring shall not be permitted to make a second entry.

Assignments void.

18. The above provisions relating to homesteads shall only apply to agricultural lands, and shall not be held to apply to lands set apart as timber lands, or to those lands on which coal or minerals are at the time of entry known to exist.

Provisions to apply only to homesteads.

GRAZING LANDS.

34. Leases of unoccupied Dominion lands may be granted for grazing purposes to any person or persons whomsoever being *bonâ fide* settlers in the vicinity of the land sought to be leased, at such rent and for such term as the Secretary of State shall deem expedient; but every such lease of grazing land shall, among other things, contain a condition making such land liable for settlement

Unoccupied Dominion lands may be leased to neighboring settlers for grazing purposes. Conditions.