

greater convenience in the establishment of schools and churches, and to the attainment of social advantages of like character, ask to be allowed to settle together in a hamlet or village, the Minister of the Interior may, in his discretion; vary or dispense with the foregoing requirements as to residence, but not as to the cultivation of each separate quarter-section entered as a homestead.

33. At the expiration of three years from the date of his perfecting his homestead entry, the settler, or in case of his death, his legal representatives, upon proving to the satisfaction of the Local Agent, that he, or they, or some of them have resided upon and cultivated the land during the said term of three years, shall be entitled to a patent for the land, provided such proof is accepted by the Commissioner of Dominion Lands, or the Land Board; Provided also, that the patent therefor shall not issue to any person not then a subject of Her Majesty by birth or naturalization;

When and on what conditions a settler may obtain his patent.

Provide: must be subject of H. M.

2. Provided, that in the case of a settler who may have obtained homestead entry for land occupied by him previous to survey thereof, in manner hereinbefore mentioned, residence upon and cultivation of the land for the three years next preceding the application for patent, shall, for the purpose of the issue of patent, be held equivalent to that prescribed in the foregoing sub-clause, if such residence and cultivation be otherwise in conformity with the provisions of this Act;

Case of settler obtaining entry before survey.

3.-Any person proving that he has resided on the land for which he has homestead entry, for twelve months from the date of his perfecting his entry therefor, and that he has brought under cultivation at least thirty acres thereof, may, before the expiration of the three years defined in sub-clause one, of this clause, obtain a patent by paying the Government price at the time for the land;

Or: residing 12 months and performing other duties before end of three years.

4. Proof of the residence, erection of a habitable house and cultivation required by this clause, shall be made by the claimant by affidavit and shall be corroborated by the evidence on oath of two disinterested witnesses, resident in the vicinity of the land affected by their evidence, and accepted as sufficient by the Commissioner of Dominion Lands or the Land Board: such affidavit shall be sworn and such testimony given before the Local Agent or some other person named for that purpose by the Minister of the Interior;

How proof of compliance with conditions is to be made. Clause 3, 47 Vic., Cap. 25.

5. And if, in connection with the homestead entry, the settler has heretofore obtained, or hereafter obtains, a pre-emption entry in accordance with the provisions of this Act, he shall, on becoming entitled to a patent for his homestead, be also entitled to a patent for the land in-

Right of settler who has also obtained pre-emption entry and pays the price.