

provisions, may at any time, before the expiration of the five years, obtain a patent for the land entered upon by him, on paying the pre-emption price thereof, and making proof of settlement and cultivation from the date of entry to the time of payment.

Proof of actual settlement and cultivation is made by the affidavit of the claimant, made before the proper land officer, corroborated by testimony of two credible witnesses.

All assignments and transfers of homestead rights, prior to the issuing of the patent, are null and void, but will be deemed *prima facie* evidence of the abandonment, and give cause for the cancellation of the claim.

A settler relinquishing or abandoning his claim cannot thereafter make a second entry.

A person who has settled on a tract, and filed his application for pre-emption right, may, at any time, substitute therefor an application for homestead right.

Exemption of Certain Lands.

The following lands shall not be the subjects of pre-emption or homestead rights :—

Lands allotted to the Hudson's Bay Company under the terms of the transfer of the North-West Territory to Canada.

Lands reserved for schools.

Wood lands, set apart as such, for supplying settlers with fuel and fencing.

Portions of the public lands selected as the sites of towns or villages.