

10. The proofs required may be by, or in the form of, affidavits or Form of certificates; or may be given *viva voce*; or may be in any other manner Proofs. or form that under the circumstances of the case is satisfactory to the Judge in regard to the matters to which the same relate.

5 **11.** If the Judge is not satisfied with the evidence of title produced Further proof if Judge is not satisfied. in the first instance, he shall give a reasonable opportunity of producing further evidence, or of removing defects in the evidence produced.

12. Before giving a certificate or conveyance under this Act, the Judge shall direct to be published in the *Canada Gazette*, and if he sees Judge may order notice to be published. 10 fit in any other newspaper or newspapers, and in such form and for such period or periods as the Judge thinks expedient, a notice either of the application being made, or of the order or decision of the Judge thereon; and the certificate or conveyance shall not be signed or executed until after the expiration of at least *four weeks* from the 15 first publication of such notice, or such other period as the Judge may appoint.

13. When the Judge is satisfied respecting the title, and considers Or grant certificate without notice. that the certificate of title can safely be granted without any other notice of application than the published notice so required, he shall grant the 20 certificate accordingly.

14. In case there is any adverse claim to or in respect of any part of Notice to adverse claimant. the land, the Judge shall direct such notice as he deems necessary to be mailed to or served on the adverse claimant, his solicitor, attorney, or agent.

25 **15.** In all cases he may require from time to time any further publication to take place, or any other notice to be mailed or served, that he deems necessary before granting his certificate. Further publication or service of notice.

16. Before a certificate of title is granted, satisfactory evidence shall Taxes must have been paid. be given by certificate, affidavit or otherwise, that all taxes, rates and 30 assessments, for which the land is liable, have been paid, or that all except those for the current year have been paid.

17. Every claim of title under this Act shall be presumed to be Claims of to be presumed to be made with certain exceptions: subject to the following exceptions and qualifications, unless the petition for investigation expressly alleges the contrary.

35 **1.** The reservations (if any) contained in the original grant from the crown.

2. Any municipal charges, rates or assessments theretofore imposed for local improvements, and not yet due and payable.

40 **3.** Any title or lien which, by possession or improvements or other means, the owner or person interested in any adjoining land has acquired to or in respect of the land mentioned in the certificate.

4. Any lease or agreement for a lease, for a period yet to run, of not exceeding *three years*, where there is actual occupation under the same.

45 **18.** But if the applicant desires the certificate to declare the title to be free from the said particulars, or any of them, his petition shall so state, and the investigation shall proceed accordingly. But claim may be without exceptions.

19. Any person having an adverse claim, or a claim not recognized Adverse claimants to file statements. in the Applicant's petition, may at any time before the certificate of 50 title is granted, file and serve on the applicant, his solicitor or agent, a short statement of his claim, which may be in the form set forth in Schedule C.