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No. 225.

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3rd Session, 5th Parliament, 20 Victoria, 1857.

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**B I L L .**

An Act to amend the Public Lands Act  
of 1853.

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Received and read first time, Friday, 17th April,  
1857.

Second reading, Tuesday, 21st April, 1857.

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Hon. Mr. CAUCHON.

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S. Derbishire & G. Desbarats, Queen's Printer.

## An Act to amend the Public Lands Act of 1853.

**W**HEREAS it is expedient to amend the Laws concerning the sale and settlement of the Public Lands: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows : Preamble.

5 I. The twentieth and twenty-seventh sections of the Public Lands Act of 1853, Chapter 159, are hereby repealed. Certain sections repealed.

10 II. The certificate of the Commissioner of Crown Lands, or his Officer authorized to that effect, of the purchase and payment of the whole or of part of the purchase money of any lands of which the legal estate is or shall be in the Crown, as well as any Location Ticket or License of occupation given by the said Commissioner or his authorized Agent, shall bear date on the day on which it is actually signed, and shall, until the sale is revoked, authorize the purchaser, location ticket or license holder, 15 to take immediate possession of the land so sold, located or licensed, subject to the terms and conditions of the sale, location or license, and to maintain actions and suits in Law or Equity, against any wrongful possessor of or trespasser on such land, as fully and effectually as if Letters Patent granting the said 20 land to such purchaser, locatee or licensee had issued on the day of the date of such certificate, location ticket or license : and the production of such certificate, receipt, location ticket or license of occupation, purporting to be signed by the Commissioner or his authorized Agent, shall be *prima facie* evidence 25 of its genuineness.

Certificate of Commissioner &c., to be evidence of right to possession of land and to maintain actions, for protecting it.

30 III. But the foregoing clause shall in no way affect the rights of Timber license holders, acquired under such license, during the term thereof; And any extension of the period of time granted by Order in Council for the renewal of such license, shall be deemed, for the purposes of this Act, as part of such original term. Not to affect timber license holders.

35 IV. In all cases wherein by reason of false survey, the land supposed to be conceded, has been or shall be found to be deficient, the Governor in Council may order a free grant of land equal in value to that of the ascertained deficiency at the time when the land so deficient was sold or granted, with interest on such value from the date of sale to the period when compensation is made; but no claim for compensation under this section, shall be entertained, unless the deficiency be equal to 40 one-tenth of the whole quantity described to be contained in the land sold or granted, and such claim be made within

What compensation may be made for deficiency of land, and in what cases.

five years from the date of the Letters Patent granting the same. All Letters Patent previously granted, shall be computed for the purposes of this Act, from the passing of the same.

**Word**  
 "License of  
 occupation,"  
 in amended  
 Act, how to be  
 construed.

V. The words "License of Occupation," wherever they are found in the sixth, eleventh, twelfth and other sections of the Act sixteenth Victoria, chapter one hundred and fifty-nine, shall for the purposes of those sections mean equally receipt or Location Ticket.