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No. 236.

5th Session, 8th Parliament, 29-30 Vict., 1866.

BILL.

An Act to enable compensation to be made to the heirs of Mrs. Elizabeth McKay, for the erroneous issue by the Crown of Letters Patent for lands to which she was entitled.

Received and read first time, Friday, 27th
July, 1866.

Second reading, Friday, 28th July, 1866.

Hon. Mr. Atty. Gen. MACDONALD.

OTTAWA:

PRINTED BY HUNTER, ROSE & CO., SALLY ST.

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No. 236.]

BILL.

[1866.

An Act to enable compensation to be made to the heirs of the late Mrs. Elizabeth McKay for the erroneous issue by the Crown of Letters Patent for lands to which she was entitled.

WHEREAS under the authority of the Heir and Devisee Commis- Preamble.
 sioners of Upper Canada, Letters Patent were issued on the eighth
 October, one thousand eight hundred and twenty-nine, to Elizabeth
 McKay, as the daughter and heiress at law of Lieutenant Duncan Mur-
 5 ray, of the eighty-first regiment of foot, for lots numbers fifteen, six-
 teen, seventeen, eighteen, nineteen, and twenty, in the fifth concession,
 and seventeen in the sixth concession of the Township of Grantham,
 in the County of Lincoln, in fee simple; and whereas, after the issuing
 10 of the said Letters Patent it was discovered that Letters Patent had al-
 ready been issued by the Crown for the same lands, to one Robert
 Hamilton, in fee simple, and five years and upwards had elapsed from
 the said discovery before the passing of any of the Public Lands Acts,
 providing for the allowance of compensation in such cases, and it is
 15 doubtful whether the case of the said Elizabeth McKay can be dealt
 with under the said Public Lands Act, and it is expedient to enable the
 Commissioner of Crown Lands to deal with the case of the said Eliza-
 beth McKay, who is now dead, under the twenty-third section of the
 Act passed in the twenty-third year of Her Majesty's reign, chaptered
 two, and intituled, "An Act respecting the sale and management of
 20 the Public Lands;" Therefore, Her Majesty, by and with the advice
 and consent of the Legislative Council and Assembly of Canada, en-
 acts as follows :

1. For and notwithstanding anything in the said twenty-third section
 of the said recited Act contained, it shall be lawful for the Com-
 25 missioner of Crown Lands, should he see fit, to assign lands or grant
 certificates to purchase Crown Lands, to the heirs of the said Elizabeth
 McKay, of such value, and to such extent, as shall to him seem just
 and equitable under the circumstances.

Commission-
 er of Crown
 Lands may
 assign lands
 or grant land
 scrip to heirs
 of Elizabeth
 McKay.