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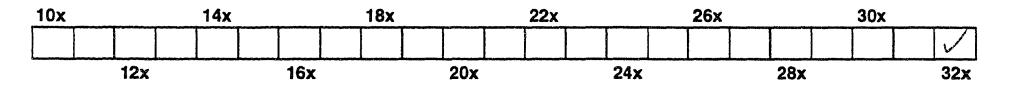
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1856.]

BILL.

[No. 2.

An Act to change the tenure of the Indian Lands in the Township of Durham.

THEREAS an extent of eight thousand four hundred and ninety Preamble. acres of land, in the Township of Durham in Lower Canada, was granted, in the year one thousand eight hundred and five, to divers Indians, for them and their legal successors, under and by virtue of Letters Patent 5 issued under the hand and seal of SIr Robert Shore Milnes, at that time Lieutenant Governor, on the condition that they should settle thereon and be incapable of selling, alienating, or even leasing the said Lands; And

- whereas the said Indians, or their legal successors or representatives, have in certain cases sold, leased or alienated all their rights in respect of such 10 lands, for fixed sums of ground rents, and have all abandoned the said
- lands after having so conveyed them; And whereas the parties to whom such lands were so conveyed, have cleared and improved the same, erected buildings thereon and made agricultural settlements thereof, of great value, and the doubts which have arisen respecting the legality of such transactions
- 15 are a great obstacle to the further progress of the said settlements, and it is desirable, both in the interest of the Indians who do not reside any more on the said lands, and in that of the public of the said locality, that the said transactions should be rendered legal, in order to secure a just compensation to the former, and incontestable titles to the parties now in
- 20 possession of the said lands: And whereas the Act passed in the eighteenth year of Her Majesty's Reign, and chaptered one hundred and sixty-seven, is insufficient for the object intended; therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:
- I. The Act intituled, An Act to alter the Tenure of the Indian Lands in 18 V. c. 187, re-25 the Township of Durham, is hereby repealed.

II. All conveyances, sales, promises of sale or emphyteotic leases in Emphyteotic respect of the said lands by the said Indians, their successors or legal representatives, shall hereafter be considered as having been made by persons ed legal. 30 legally qualified to lease, alienate, sell, cede and convey their property.

notwithstanding any thing to the contrary contained in the Letters Patent of such lands, provided always, that an annual ground rent of not less Proviso. than ten dollars for each lot of two hundred acres shall have been stipulated in favor of the Indian to whom any such lot of land was originally granted, 35 or of his heirs or legal representatives.

- III. Any purchaser of any lot or part of a lot of the Indian Lands in the Purchasers in Township of Durham, now in possession of the same, may, if he thinks in the Jackson of redeem the rent attached to such land or lot of land by any instrument deared there within the provisions of the preceding section, and payable to the Indians on, and how. 40 or their legal representatives, by paying the capital thereof at the rate of six per cent., to the Superintendent General of Indian Affairs, who is
- hereby authorized to receive every such deposit and give a receipt therefor, according to Schedule A of this Act.

Becept for re-demption money to be equivalent Registry Office of the County of Drummond, shall be equivalent to a title to a Patent under Letters Patent of the Government and shall discharge every such under Letters Patent of the Government, and shall discharge every such lot or part of a lot designated in such receipt, from all rents or other charges which may have theretofore been payable on the same in favor of the Indian or Indians to whom such lands were granted by the Government.

Interest of rc-Indians

V. The said Superintendent General of Indian Affairs shall keep an demption money account of all sums deposited in his hands, and shall pay the interest thereon annually to the Indians, their legal representatives or assigns 10 according to the proportion to which they are entitled in respect of such property.

Provision where VI. In any case in which one or more of the aforesaid Indians shall, the tent charge ed on any such prior to the first day of January, one thousand eight hundred and fifty-land has been five, have sold the rent attached to such land, the party who shall have 15 sold by the line bona fide and for a valuable consideration purchased the second the bona fide and for a valuable consideration purchased the same, shall be entitled to be reimbursed the sum which he may have paid to such Indian or Indians, as and for the purchase money of such rent, or the sum so paid shall be deducted from the capital which he shall have to 20 pay for the redemption of the said tent.

Act not to affect claims of parties to the lands, &c

in any manner the merits of conflicting titles of parties having claims to the said Indian lands in Durham, or of rendering valid contracts made by any parties with any others than the Patentee or Patentees, or his or their 25 heirs or representatives.

VII. Nothing in this Act contained shall have the effect of determining

Public Act.

VIII. This Act shall be deemed a Public Act.

SCHEDULE A.

I hereby certify that , now in possession , in the of range of the Township of Durham (here give a description of the lot or part of lot occupied by the person to whom the receipt shall have been given : If a whole lot, or the one half of a lot is in question, it shall be sufficient to describe it by the numbers of the lot and range, but if a smaller part than one half be referred tr. the limits and bounds must be set forth) has, this day, paid to me the sum of , being the capital of a ground rent attached to said lot (or part of lot) of land, and that the said sum has been paid to me for the purpose of redeeming the said land from all rent, as provided by the Act intituled, An Act to change the Tenure of the Indian Lands in the Township of Durham, and to avail him as in law may appertain.

Done in duplicate, at , this , one thousand eight hundred and

day of

A. B., Superintendent General of Indian Affairs.