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No. 19.

1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

An Act to change the tenure of the Indian lands in the Township of Dundee in the County of Huntingdon.

Received and read, first time, Friday, 9th April, 1858.

Second reading, Monday, 12th April, 1858.

MR. SOMERVILLE.

TORONTO:
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to change the tenure of the Indian lands in the Township of Dundee, in the County of Huntingdon.

WHEREAS the Township of Dundee in Lower Canada, containing an area of eleven thousand one hundred and eighty-one acres of land, was set apart for the use and benefit of the Indians of the Tribe Iroquois of St. Regis at an early period of the Government of Canada, as an Indian Reservation; And whereas the said Indians have, through their representatives appointed by Her Majesty's Government, leased all their rights to such lands for fixed ground rents, and have given up possession of the same, after having so leased and conveyed them, and the parties to whom such lands were so conveyed have at great expense cleared the same, erected buildings thereon and otherwise improved them, thereby greatly enhancing their value; And whereas doubts have arisen respecting the legality of the said leases or conveyances, and such doubts tend to obstruct the further improvement of such lands, and it is desirable, and for the interest of the said Indians as well as of the individuals holding such lands, and for the community generally, that all such doubts be removed and the said Indians duly compensated, and that the purchasers and lessees shall have the right of redemption of such lands: Therefore Her Majesty, &c., enacts as follows:

I. All leases, *baux emphytéotiques* or *baux à longues années* granted by the St. Regis Indians or their representatives, of the said lands of the Township of Dundee, passed before the first day of April, one thousand eight hundred and fifty-eight, and which at the time the same were executed or prior to the date above mentioned, were approved by a recognized Agent of the Indian Department, shall be considered to have been legally made; Provided always, that an annual ground rent of not less than five dollars for each lot of one hundred acres French measure, shall have been stipulated in favor of the said Indians.

II. All persons who are now in possession of any of the Indian lands in the said Township, and who by themselves or their *auteurs*, have paid to the Indians or the Indian Department an annual rent of at least five dollars for every hundred acres, French measure, for a period of at least five years, shall have the right to redeem such rents in the same manner as those holding leases are permitted to do under this Act.

III. Any purchaser or lessee, or the heirs, representatives, assignee or assignees of any purchaser or lessee of any lot or part of a lot of the Indian lands in the Township of Dundee, now in the possession of the same, may redeem the rent annually accruing upon such land or lot or part of lot of land under the leases mentioned in the preceding sections

of this Act, by paying to the Indians the capital represented by such rent at the rate of six per cent., which payment shall be made to the Superintendent General of Indian Affairs, who is hereby authorized to receive the same and grant a receipt therefor according to Schedule A of this Act, provided such redemption shall be made within five years after the passing of this Act; and all holders of such leases, who shall not within that period redeem the same, under the provisions of this Act, shall forfeit all rights by virtue thereof, and the lands not so redeemed, shall revert to and become thereafter the absolute property of the said Indians, as fully as if such leases had not been executed.

Forfeiture for non-redemption.

Receipt for redemption money to be a title.

IV. Every such receipt, after the enregistration thereof in the Registry Office of the County of Huntingdon, shall, as between the person obtaining the same and the said Indians, be equivalent to a title 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 have theretofore been payable on the same in favor of the said Indians for whose benefit such lands were reserved by the Government.

Accounts to be kept.

V. The said Superintendent General of Indian affairs shall keep an account of all sums deposited in his hands, and shall invest the same for the benefit of the said Indians in such manner as Her Majesty shall direct.

Public Act.

VI. This Act shall be deemed a public Act.

SCHEDULE A.

I hereby certify that _____, now in possession of _____, in the _____ range of the Township of Dundee (*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 to, 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 the 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 intitled, *An Act to change the tenure of the Indian lands in the Township of Dundee, in the County of Huntingdon*, and to avail him as in law may appertain.

Done in duplicate, at _____, this _____ day of _____, one thousand eight hundred and _____

A. B.,
Superintendent General of Indian Affairs.