

CHAP. CXVII.

AN ACT to Naturalize certain persons therein named.

[Royal Assent promulgated by Proclamation, 20th April, 1838.]

Preamble.

WHEREAS Orson Kellog, John George Leavitt, Robert Bell, Samuel B. Whiting, Chester Gurney, Richard Wilkins, Gardner Warren, have by their several petitions prayed to be by law naturalized as Subjects of His Majesty: *Be it therefore enacted*, by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the titles of the said Orson Kellog, John George Leavitt, Robert Bell, Samuel B. Whiting, Chester Gurney, Richard Wilkins, Gardner Warren, or either of them, or their heir or heirs, or either of them respectively, to any real estate in this Province, shall not be impeached or held invalid, or such estate held liable to be resumed by His Majesty, His Heirs or Successors, on account of his or their being an alien or aliens, but all and every of the persons hereinbefore mentioned shall be deemed, adjudged and taken, so far as respects their capacity at any time heretofore, or now, or hereafter, to take, hold, possess, enjoy, claim, recover, convey, demise, impart or transmit, any real estate in this Province, or any right, title, privilege or appurtenances thereto, or any interest therein, to be and to have been natural-born Subjects of His Majesty, to all intents, constructions and purposes whatsoever, as if they and every of them had been born in this Province.

Orson Kellog, John George Leavitt, Robert Bell, Samuel B. Whiting, Chester Gurney, Richard Wilkins, and Gardner Warren, to be adjudged capable of holding real estate, as if natural-born Subjects.

After seven years residence, and taking the oath of allegiance, the same persons to be admitted to all the privileges of British birth within this Province.

II. *And be it further enacted by the authority aforesaid*, That after a residence of seven years in this Province, without being absent therefrom more than two months at any one time during the said seven years, so soon as the persons hereinbefore mentioned shall respectively have taken and subscribed the oath hereinafter inserted, or being of the persons allowed to affirm, have made the affirmation hereinafter mentioned, before some person duly authorised to administer the oath contained in an Act of the Parliament of this Province, passed in the ninth year of His late Majesty's reign, entitled, "An Act to secure and confer upon certain inhabitants of this Province, the civil and political rights of natural-born

Subjects," they, the persons hereinbefore mentioned, shall be, and are hereby admitted and confirmed in all the privileges of British birth within this Province.

III. *And be it further enacted by the authority aforesaid,* That the persons hereinbefore mentioned, shall severally take and subscribe the following oath or affirmation—"I, A. B., do sincerely promise and swear (or affirm, as the case may be,) that I will be faithful, and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, as dependant thereon.—So HELP ME GOD!" Oath to be taken

CHAP. CXVIII.

AN ACT to provide for the disposal of the Public Lands in this Province, and for other purposes therein-mentioned.

[Royal Assent promulgated by Proclamation, 17th May, 1838.]

WHEREAS it is expedient to provide greater facilities for the disposal of the Public Lands in this Province, and for the issuing of Patent Deeds for the same: *Be it therefore enacted,* by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the passing of this Act, no free grant shall be made of any of the Public Lands in this Province, to any person or persons whomsoever, except U. E. Loyalists and their children, and such other persons as are now entitled to a free grant of Public Land, under or by virtue of any Order in Council, or other regulation of Government now in force and effect. Preamble.
No free grant of public lands to be made except to U. E. claimants or others entitled under orders and regulations now in force.

II. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Surveyor General, so soon as conveniently may be after an Order in Council shall have been issued for the allowance of any claim for a free grant of land, to locate the party or parties entitled thereto, or the assignee or assignees of such party or parties, his, her or their heirs or assigns, on such lands open for location in any District within this Pro- Party entitled to free grant, or his assignee, to be located on any open lands he may select :