



ANNO DECIMO ET UNDECIMO
VICTORIÆ REGINÆ.

CAP. XXX.

An Act for the relief of certain Landholders in the District of Gaspé.

[23th July, 1847.]

WHEREAS an assurance was graciously given by His Excellency Sir James Kempt, administrator of the Government of Lower Canada, bearing date at the Castle of St. Louis, Quebec, the twenty-sixth day of September, one thousand eight hundred and twenty-eight, that "those who then were actually and *bonâ fide* settled and had made improvements upon the waste lands of the Crown in the District of Gaspé, should be allowed grants thereof in proportion to the extent of those improvements upon the usual scale of grants to actual settlers;" And whereas it is expedient to confirm by an Act of the Legislature the aforesaid pledge, and to adopt measures for the fulfilment thereof: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "*An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,*" and it is hereby enacted by the authority of the same, That free grants of all such Crown Lands in the District of Gaspé as were and had been previous to the aforesaid twenty-sixth day of September, one thousand eight hundred and twenty-eight, actually and *bonâ fide* settled upon, and improved, shall, upon the usual scale of grants at that time to actual settlers, that is to say, a tract or lot not exceeding in all one hundred acres in superficies, including the tract occupied and improved, to any one person or family accordingly in proportion to the extent of those improvements, be made and given to every such one person and family respectively, as then were actually settled and had made such improvements upon the same, or to their lawful representatives, or to the person or persons in good faith holding of him or them upon satisfactory proof being submitted to the Governor in Council at any time within two years next after the passing of this Act, of the occupation and improvement aforesaid anterior to the period aforesaid of the said land claimed by the person or family petitioning for a grant thereof pursuant to the said assurance and to this Act, the grantee paying such fee for the Letters Patent thereof as may be payable for Letters patent whereby any waste lands of the Crown are or shall be granted, and which, in cases where His Excellency may see fit, may also be dispensed with: Provided always, that in all cases in which the land originally settled upon and occupied, shall extend beyond the frontage usually at the time aforesaid established for such grants, and that such excess is or shall be in the actual possession of such original settler

Preamble.
Sir James Kempt's declaration of 26th Sept. 1828, cited.

Free grants may be made to persons who were actual Settlers before 26th Sept. 1828. Limitation of such grants.

Such grants may be made to such persons or their Representatives. Upon what proof.

And on payment of what fees.

Proviso: persons whose holdings extend beyond the li-

mits of the
free grants, to
have a right of
pre-emption
for the rest.

Proviso: to-
tal extent limi-
ted.

Recital.

The Governor
may call in
all claims un-
der this Act,
and if then
the same be
not made
within the
time he shall
appoint, they
shall be barred.

settler or his lawful representative, it shall be lawful for such settler or representative to claim and have a grant for such excess by pre-emption, upon payment by him to the Commissioner of Crown Lands for such excess at the rate or price required to be paid for *bonâ fide* occupied lands, under the regulations of the thirteenth of February last, published by the Department of Crown Lands; Provided that the entire extent of such grant so claimed shall not as aforesaid exceed the said superficial extent of one hundred acres.

II. And whereas it is expedient to ascertain with as little delay as possible the extent of lands that may have been so occupied and in good faith improved upon anterior to the time first aforesaid, and the applicants or claimants therefor: Be it enacted That it shall be lawful to and for the Governor of this Province for the time being, at any time within a twelve month next after the passing of this Act, by proclamation, or in such other manner as he shall deem most expedient, to call in all claims within the true intent and meaning of the aforesaid assurance and of this Act to be supported and accompanied by the proof aforesaid, and that such claims as shall not be so presented within the time appointed shall for ever afterwards be barred and of none effect.

MONTREAL :—Printed by STEWART DERBISHIRE & GEORGE DESBARATS,
Law Printer to the Queen's Most Excellent Majesty.