

**ACTS, ORDERS AND  
REGULATIONS RESPECTING  
CROWN LANDS IN  
ONTARIO; PP. 6-190**

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Acts, Orders and Regulations Respecting Crown Lands in Ontario; pp. 6-190 by Various

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**VARIOUS**

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ACTS, ORDERS AND REGULATIONS

RESPECTING

*Dept. of*

1 CROWN LANDS IN ONTARIO.—



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1888.

eighteen, or the head of a family with children, is entitled to 160 acres only; that is, a full quarter section or a half lot, as the case may be; and he may purchase an additional 160 acres at the rate of fifty cents per acre, cash.

Upon receipt of the necessary affidavits, the agent will, if the land selected be open for location, and there be no adverse claim thereto, enter the locatee for it on the records of his office, and at the end of the current month he will return the location to the Department of Crown Lands.

In case a party has settled on Government land before the township has been surveyed, or appropriated under the Free Grants Act, he should, immediately after it is opened for location, apply to the local agent and get located, as he will have no recognized title, and his occupation of the land will not count until this action has been taken.

4. Upon completion of his location, the locatee may enter upon and occupy his land, and may commence his improvements; and the Regulations require him to do so within one month.

5. The locatee will not be entitled to his patent until the expiration of five years from the date of location, and he must then make proof that the settlement duties have been fully completed. The settlement duties required on each location are as follows, viz. :—

(1) *To have at least fifteen acres cleared and had under cultivation, of which two acres at least are to be cleared and cultivated annually during the five years;*

(2) *To have built a habitable house, at least 16 by 20 feet in size;*

(3) *And to have actually and continuously resided upon and cultivated the land for five years after location.*

A locatee is not bound to remain on the land all the time during the five years; but may be absent on business or at work for, in all, not more than six months in any one year. He must, however, make it his home, and clear and cultivate the quantity of land required (two acres at least) each year.

Where a locatee holds two lots (200 acres) he may make the requisite improvements on either one or both, as he finds it most convenient.

A locatee who purchases an addition 100 acres under the Regulations must, within five years from the date of sale, clear fifteen acres thereon, and cultivate the same, before he will be entitled to the patent; but he is not required to build a house or reside on the purchased lot, where he holds it in connection with a Free Grant.

The proof of the performance of the settlement duties must be: the affidavit of the locatee himself, supported by the testimony of at least two disinterested parties, which affidavits are to be filed with the local agent—who, if satisfied as to the correctness of the statements contained therein, recommends the issue of the patent, and transmits the application to the Department. (See Form No. 4, in Appendix.)

6. In case a locatee has, after the issue of his patent, absolutely and in good faith parted with the land patented to him as a Free Grant, he may take up another location by applying to the local agent, and making affidavit setting out the facts.

7. In case the locatee fails to perform the settlement duties required by law, his location is liable to forfeiture, and may be cancelled by the Commissioner of Crown Lands. Applications for cancellation must be made through the local agent, and be supported by the affidavits of the applicant and at least two credible witnesses, who will show what the present position of the lot is: whether the locatee ever occupied or improved, and, if so, to what extent, and the value

of the improvements; when he ceased to occupy; and his address, if known. Upon receipt of this evidence the agent will, if he can ascertain the address of the locatee, notify him of the application, and call upon him to disprove the allegations, or show cause why his location should not be cancelled within thirty days. At the expiration of that time the agent will transmit the evidence, with anything he may have received from the locatee in reply, and his own report to the Department. (See Form No. 5.)

8. The assignment or mortgage of a homestead from a locatee to another party before the issue of his patent is invalid, and cannot be recognized by the Department. This does not, however, apply to the devise of a Free Grant lot by will, nor to transfers of land by a locatee for church, cemetery or school purposes, or the right of way of railroads.

9. All pine trees and minerals on land located or sold under the Free Grants Act are reserved from the location or sale, and are the property of the Crown; and the Commissioner of Crown Lands may at any time issue a license to cut the pine on such land. The locatee may, however, cut and use such pine trees as he requires for building and fencing on his land, and may also cut and dispose of any pine trees he meets within the actual process of clearing his land for cultivation; but any trees so disposed of are subject to the payment of the same dues as are payable by license-holders.

Holders of timber licenses have the right to haul their timber over the uncleared portion of any land located or sold, and to make such roads as may be necessary for the purpose, and to use all slides, portages and roads, and to have free access to all streams and lakes.

10. The Crown reserves the right to construct on any land located or sold, any Colonization Road, or deviation from the Government allowance for road; and to take from such land, without compensation, any timber, gravel or material required for the construction or improvement of any such road.

11. Any conveyance, mortgage or alienation (except a will) of the land located, by a locatee after the issue of patent, and within twenty years from location, will be invalid unless it be by deed in which his wife is one of the grantors, and unless it be duly executed by her.

12. The land while owned by the locatee, his widow or heirs, shall be exempt from liability for debt during twenty years from the date of location. This exemption does not, however, extend to a sale for taxes legally imposed.

13. When a Free Grant locatee dies before the completion of his title, his representatives may continue the settlement duties and obtain a patent at the proper time upon filing the requisite proof. If he dies before the 1st July, 1886, intestate, evidence is required of the date of death and that he died intestate, giving the name of his widow, and the number and names of all his children, and if he left no wife or children, the name of his heir must be given; if he made a will, it must be sent in with proper proof of due execution according to law. If he died after the 1st July, 1886, probate or letters of administration to the real and personal estate, as the case may be, must be sent.

Where a locatee dies, whether before or after issue of patent, leaving a widow, she is entitled to the land during her widowhood in lieu of dower, unless she prefers to take her dower instead.

14. In making application for land, and in filing proof in support of applications for cancellation of a location, or for issue of patent, the applicant will save time and unnecessary trouble by filing his papers with, or mailing them to,

the Crown Land Agent in whose agency the land is situated, as on account of the agent's local knowledge of the lands he has to deal with, the Department requires that his certificate be attached to all such applications.

15. Lands located or sold under the Free Grants and Homesteads Act, or the regulations made thereunder, are liable to taxation from the date of such location or sale, and where taxes assessed on such land are in arrears for three years, the interest of the locatee or purchaser may be sold in the manner prescribed by law. When the tax-purchaser receives his deed, unless legal proceedings be taken to question it by some person interested within two years from the date of sale, he acquires the right and interest of the locatee or purchaser, and may obtain a patent on completion of the original conditions of location or sale.

16. In order to have his claim recognized, a tax-purchaser should file his deed in the Department, and two years after the date of the sale for taxes, should file evidence showing that no action has been taken to question his title, that there is no adverse claim on the ground of occupation or improvements, and that all arrears of taxes have been paid since he purchased. (See Revised Statutes (1887), Cap. 193, sections 159, 160 and 171, and Cap. 24, section 18.) And in order to obtain a patent for the land, as a free grant, the tax-purchaser must also show that he has performed the settlement duties required by the Free Grants and Homesteads Act, and that he has not already received the benefit of the said Act, or if he has received a grant of all the land which it allows him, that he has *bona fide* and absolutely parted with the same.

#### TOWNSHIPS OPEN FOR LOCATION UNDER THE FREE GRANTS AND HOMESTEADS ACT.

There are now 133 townships open for location as free grants, divided into eighteen agencies. The following is a list of the said townships, with the names and addresses of the local agents and directions how to reach the agencies:

##### 1. MUSKOKA AGENCY.—20 TOWNSHIPS.

Baxter,	Monck,	Sinclair,
Brünel,	Morrison,	Sherborne,
Chaffey,	Muskoka,	Stephenson,
Draper,	McLean,	Stisted,
Franklin,	Oakley,	Watt,
Macaulay,	Ridout,	Wood.
Medora,	Ryde,	

*Agent*—Theo. C. Taylor, Bracebridge.

The route is from Toronto to Bracebridge by the Northern, and the Northern and Pacific Junction Railways.

##### 2. PARRY SOUND AGENCY.—14 TOWNSHIPS.

Cardwell,	Hagerman,	Mackenzie,
Carling,	Humphry,	McKellar,
Christie,	Monteith,	Shawanaga,
Fergusson,	McConkey,	Wilson.
Foley,	McDougall,	

*Agent*—Mrs. Theresa Mackay, Parry Sound.

In summer, the best route is from Toronto to Penetanguishene or Midland, by



the Northern or Midland Railways and thence to Parry Sound by steamer. In winter, from Toronto to Utterson by the Northern Railway, and thence by stage to Parry Sound, a distance of 48 miles.

### 3. MAGANETAWAN AGENCY.—11 TOWNSHIPS.

Chapman,	Lount,	Ryerson.
Croft,	Machar,	Spence,
Ferrie,	Mills,	Strong.
Gurd,	Pringle,	

*Agent*—S. G. Best, Maganetawan, which is situated on the Rosseau and Nipissing Road, in Chapman Township.

The route is from Toronto to Burk's Falls by railway, in summer, from there to Maganetawan, 20 miles, by steamer. In winter, from Burk's Falls to Maganetawan by stage, 14 miles.

### 4. EAST PARRY SOUND AGENCY.—6 TOWNSHIPS.

Armour,	Joly,	Perry,
Bethune,	McMurrich,	Proudfoot.

*Agent*—E. Handy, Emsdale, which is situated in the Township of Perry.

The route is by railway, Emsdale being a station on the Northern & Pacific Junction Railway.

### 5. NIPISSING AGENCY.—5 TOWNSHIPS.

Hardy,	Nipissing,	Patterson.
Himsworth,	Laurier,	

*Agent*—J. S. Scarlet, Nipissing.

The route from Toronto is by Northern Railway to Powassan, and thence to Nipissing (9 miles) by stage, which runs tri-weekly. From the east by the Canadian Pacific Railway to CaHender, thence by steamer, in summer, to Nipissing (15 miles).

### 6. MATTAWA AGENCY.—5 TOWNSHIPS.

Bonfield,	Ferris,	Papineau.
Calvin,	Mattawan,	

*Agent*—B. J. Gilligan, Mattawa.

The route to Mattawa is by the Northern & Pacific Junction Railway, or the Canadian Pacific Railway.

### 7. MINDEN AGENCY.—7 TOWNSHIPS.

Anson,	Lutterworth,	Stanhope,
Glamorgan,	Minden,	Snowdon.
Hindon,		

*Agent*—William Fielding, Minden.

The route is from Toronto to Coboconk by the Midland Railway, and thence

to Minden by stage; or from Toronto or Port Hope to Kilmount by the same railway, and thence to Minden by stage.

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8. HALIBURTON AGENCY—4 TOWNSHIPS.

Galway,	McClure,	Wicklow.
Bangor,		

*Agent*—Charles R. Stewart, Haliburton.

The route is from Port Hope or Toronto to Haliburton by the Midland Railway.

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9. PETERBOROUGH OR BURLEIGH ROAD AGENCY—4 TOWNSHIPS.

Anstruther,	Cardiff,	Monmouth.
Chandos,		

*Agent*—D. Anderson, Apsley, in the Township of Anstruther.

The route is from Toronto or Port Hope to Lakefield by the Grand Trunk, Midland Division, thence to Apsley (30 miles) by stage, which runs tri-weekly. In summer steamers run from Lakefield to Julian's Landing, thence to Apsley (16 miles) by daily stage.

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10. NORTH HASTINGS AGENCY—9 TOWNSHIPS.

Carlow,	Faraday,	Mayo,
Cashel,	Herschel,	Monteagle,
Dungannon,	Limerick,	Wollaston.

*Agent*—J. R. Tait, L'Amable, in the Township of Dungannon.

The route is from Trenton by the Central Ontario Railway to Rathbun station, and thence by the daily mail stage to L'Amable, a distance of 11 miles.

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11. FRONTENAC AND ADDINGTON AGENCY—7 TOWNSHIPS.

Abinger,	Clarendon,	Miller,
Canoto, South,	Denbigh,	Palmerston.
“ North,		

*Agent*—G. W. Dawson, Plevna, in the Township of Clarendon.

The route is from Kingston, by the Kingston and Pembroke Railway, to Lavant station, or from Toronto by the Canadian Pacific Railway to Sharbot Lake, thence by the Kingston and Pembroke to Lavant station, and from Lavant station to Plevna (21 miles) by stage, which runs tri-weekly.

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12. NORTH RENFREW AGENCY—9 TOWNSHIPS.

Alice,	Head,	Petewawa,
Buchanan,	McKay,	Rolph,
Fraser,	Maria,	Wylie.

*Agent*—J. D. Kennedy, Pembroke.

The route is from Ottawa or Brockville to Pembroke by the Canadian Pacific Railway.

## 13. CENTRE RENFREW AGENCY—7 TOWNSHIPS.

North Algona,	Grattan,	Richards.
South " "	Hagarty,	Wilberforce,
Brougham,		

*Agent*—James Reeves, Eganville.

The route is from Brockville to Cobden by the Canadian Pacific Railway, and thence to Eganville by stage.

## 14. SOUTH RENFREW AGENCY—8 TOWNSHIPS.

Brudenell,	Lyndock,	Raglan,
Griffith,	Matawatchan,	Sebastopol,
Radcliffe,	Sherwood.	

*Agent*—John Whelan, Brudenell, in the Township of Sebastopol.

The route is from Brockville or Ottawa to Cobden by the Canadian Pacific Railway, and thence to Brudenell by stage.

## 15. BRUCE MINES AGENCY.

Plummer.

*Agent*—John F. Day, Bruce Mines.

The route is from Toronto to Collingwood or Owen Sound by railway, and thence by steamer to Bruce Mines, and in winter by the Northern and Pacific Junction Railway and the Algoma Branch of the Canadian Pacific Railway.

## 16. ST. JOSEPH ISLAND AGENCY.

St. Joseph Island.

*Agent*—A. G. Duncan, Marksville.

The route is the same as to Bruce Mines.

## 17. SAULT STE. MARIE AGENCY—4 TOWNSHIPS.

Aweres,	Parke,	Prince.
Korah,		

*Agent*—Charles P. Brown, Sault Ste. Marie.

The route is from Toronto to Collingwood or Owen Sound by railway, and thence to the Sault by steamer, or by the Algoma Branch of the Canadian Pacific Railway.

## 18. THUNDER BAY AGENCY—8 TOWNSHIPS.

Blake,	Gillies,	Oliver,
Crooks,	Lybster,	Paipoonge.
Dawson Road,	O'Connor,	

*Agent*—Wm. Margach, Port Arthur.

The route is from Toronto to Collingwood, Owen Sound or Sarnia by railway, and thence by steamers to Port Arthur, or by the Canadian Pacific Railway to Port Arthur.