

14. Nothing herein contained shall be construed as giving a right to any claimant to exclude free miners from searching for any of the precious minerals or working the same upon the conditions aforesaid.

15. The Government shall, notwithstanding any claim, record, or conveyance aforesaid, be entitled to enter and take such portion of the land pre-empted or purchased as may be required for roads or other public purposes.

16. Water privileges and the right of carrying water for mining purposes may, notwithstanding any claim recorded, purchase, or conveyance aforesaid, be claimed and taken upon, under, or over the said land so pre-empted or purchased as aforesaid, by free miners requiring the same, and obtaining a grant or licence from the Gold Commissioner, and paying a compensation for waste or damage to the person whose land may be wasted or damaged by such water privilege or carriage of water, to be ascertained in case of dispute in manner aforesaid.

17. In case any dispute shall arise between persons with regard to any land so acquired as aforesaid, any one of the parties in difference may (before ejectment or action of trespass brought) refer the question in difference to the nearest magistrate, who is hereby authorized to proceed in a summary way to restore the possession of any land in dispute to the person whom he may deem entitled to the same, and to abate all intrusions, and award and levy such costs and damages as he may think fit.

*No. III. Dated 20th Jan. 1860.*

WHEREAS by virtue of an Act of Parliament made and passed in the 21st and 22nd years of the reign of Her most gracious Majesty the Queen, and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, in conformity therewith, I, JAMES DOUGLAS, Governor of the Colony of British Columbia, have been authorized by Proclamation, issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same.

And whereas it is expedient that town lots, suburban lots, and surveyed agricultural lands in British Columbia, which have been or which hereafter may be offered for sale at public auction, and remain unsold, should be sold by private contract.

Now, therefore, I, JAMES DOUGLAS, Governor of British Columbia, by virtue of the authority aforesaid, do proclaim, order, and enact as follows:—

The Chief Commissioner of Lands and Works for the time being for British Columbia, and all magistrates, Gold Commissioners, and Assistant Gold Commissioners, by the said Chief Commissioner authorized in writing in that behalf, may sell by private contract any of the lots and lands hereinafter mentioned, at the prices and on the terms hereinafter respectively stated, viz:—

(a.) Town and suburban lots which have been or hereafter may be offered