

BRITISH
COLUMBIA.

as are mentioned in the said proclamation of the 4th day of January 1860, with regard to lands pre-empted without purchase.

British subjects, and aliens who shall take the oath of allegiance may acquire the right to hold land, and to purchase the same when surveyed, on certain conditions.

The settler shall enter into possession and record his claim to any quantity not exceeding 160 acres.

A holder of land may acquire additional land contiguous to the 160 acres, by paying an instalment of the purchase money.

Proposing purchaser shall hold and record.

Description of the land, how to be stated.

Rectangular shape or as nearly as possible proportion of the lines.

Natural boundaries may be adopted in certain cases.

Lines of adjacent claims may be adopted.

Enclosed spaces may be adopted, notwithstanding any irregularity of shape.

Boundaries to run as nearly as possible according to the points of the compass.

Purchase on survey.

Certificate of improvement to be issued when improvements have been made to the extent of 10s. per acre.

When certificate of improvement has been issued, the holder may sell or deal with the land.

Conveyance on payment of the purchase money.

Compensation to owner whose land may be taken or injured in certain cases.

Priority of title.

III. That from and after the date hereof, British subjects and aliens who shall take the oath of allegiance to Her Majesty and her successors, may acquire the right to hold and purchase in fee simple, unoccupied and unsurveyed and unreserved crown lands in British Columbia, not being the site of an existent or proposed town, or auriferous land available for mining purposes, or an Indian reserve or settlement, under the following conditions.

IV. The person desiring to acquire any particular plot of land of the character aforesaid, shall enter into possession thereof, and shall record his claim to any quantity not exceeding 160 acres thereof, with the magistrate residing nearest thereto; paying to the said magistrate the sum of eight shillings for recording such claim.

V. Any person in possession of 160 acres of land as aforesaid may acquire the right to hold and purchase any further tract of unsurveyed and unoccupied land aforesaid, over and above the quantity of 160 acres aforesaid, and contiguous thereto, upon payment to the nearest magistrate of the sum of 2s. 1d. per acre for the same, as and by way of instalment of the purchase money to be ultimately paid to the Government upon the survey of the same land.

VI. Any person so paying such deposit shall enter into possession and record his claim to such last-mentioned tract of land, in manner herein-before prescribed.

VII. The claimant shall in all cases give the best possible description of the land to the magistrate with whom his claim is recorded, together with a rough plan thereof, and identify the plot in question by placing at the corners of the land four posts, and by stating in his description any other land marks of a noticeable character.

VIII. Every piece of land sought to be acquired under the provisions of this proclamation, shall, save as herein-after mentioned, be of a rectangular shape, and the shortest line thereof shall be at least two-thirds the length of the longest line.

IX. Where the land sought to be acquired is in whole or in part bounded by mountains, rocks, lakes, swamps, or the margin of a river, or by other natural boundaries, then such natural boundaries may be adopted as the boundaries of the land sought to be acquired, and in such case it shall be sufficient for the claimant to show to the satisfaction of the magistrate that the said form conforms as nearly as circumstances permit to the provisions of this proclamation.

X. If the land sought to be acquired be bounded by a claim, the line of such claim may be adopted by the person so seeking to acquire, notwithstanding any irregularity in such line which may have been occasioned by the adoption of a natural boundary by the claimant of the adjacent claim.

XI. Where a piece of land is partially or entirely enclosed between two or more claims, the claimant may acquire such enclosed piece notwithstanding any irregularity of form, or disproportion in length of any of the sides.

XII. The boundaries shall run as nearly as possible by the cardinal points of the compass.

XIII. When the Government survey shall extend to the land claimed, the claimant who has recorded his claim as aforesaid, or his heirs or devisees, or in the case of the grant of a certificate of improvement herein-after mentioned, the assigns of such claimant shall, if he or they shall have been in continuous occupation of the same land from the date of the record aforesaid, be entitled to purchase the land so acquired, or in respect of which such deposit shall have been paid as aforesaid, at such rate as may for the time being be fixed by the Government of British Columbia, not exceeding the sum of 4s. 2d. per acre.

XIV. When the claimant, his heirs or devisees, shall prove to the nearest magistrate by the evidence of himself and of third parties, that he or they has or have continued in permanent occupation of the claim from the date of record, and has or have made permanent improvements thereon to the value of 10s. per acre, the said magistrate shall grant to the said claimant, his heirs or devisees, a certificate of improvement in the form marked A., in the Schedule hereto.

XV. Upon the grant of the certificate of improvement aforesaid, the person to whom the same is issued may, subject to any unpaid instalments, sell, mortgage, or lease the land in respect of which such certificate has been issued, but no interest in any plot of land acquired in either of the methods aforesaid, shall, before payment of the purchase money, be capable of passing to a purchaser, unless the vendor shall have obtained such certificate of improvement as aforesaid.

XVI. Upon payment of the purchase money a conveyance of the land purchased shall be executed in favour of the purchaser, reserving the precious minerals, with a right to enter and work the same in favour of the Crown, its assignees, and licensees.

XVII. In the event of the Crown, its assignees, or licensees availing itself or themselves of the privileges (other than the taking of land required for roads) mentioned in clauses 25 and 26, a reasonable compensation for the land taken, wasted, or damaged shall be paid to the person whose land shall be taken, wasted, or damaged as aforesaid, and in case of dispute the same shall be settled by a jury of six men, to be summoned by the nearest magistrate.

XVIII. Priority of title shall be obtained by the person who, being in possession, shall first record his claim in manner aforesaid.