

Due notice will be given of all such sales. Notice at the same time will be given of the upset price and terms of payment, when they vary from those above stated, and also of the rights reserved (if any) for public convenience.

5. All lands which shall remain unsold at any such auction may be sold by private contract at the upset price, and on the terms and conditions herein mentioned, on application to the Chief Commissioner of Lands and Works.

6. Unless otherwise specially notified at the time of sale, all such sales of Crown land shall be subject to such public rights of way as may at any time after such sale, and to such private rights of way, and of leading or using water for animals, and for mining and engineering purposes, as may at the time of such sale be specified by the Chief Commissioners of Lands and Works.

7. Unless otherwise specially announced at the time of sale, the conveyance of the land shall include all trees and all mines and minerals within and under the same, except mines of gold and silver.

8. When any "Ditch Privilege" shall be granted, there shall be included (unless excluded by express words) the right to lop, dress, or fell any trees standing on unoccupied Crown lands, which in the opinion of the proprietors of the ditch might, by their accidental fall or otherwise, endanger the safety of the ditch or any part thereof.

*No. II. Dated 4th Jan. 1860.*

1. 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 unoccupied and unreserved and unsurveyed Crown land 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), in fee simple, under the following conditions:—

2. The person desiring to acquire any particular plot of land of the character aforesaid shall enter into possession thereof and 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 8s. for recording such claim. Such piece of land shall be of a rectangular form, and the shortest side of the rectangle shall be at least two-thirds of the longest side. The claimant shall give the best possible description thereof 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 landmarks on the said 160 acres which he may consider of a noticeable character.

3. Whenever the Government survey shall extend to the land claimed, the claimant who has recorded his claim as aforesaid, or his heirs, or in case of the grant of certificate of improvement hereinafter 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 pre-empted at such rate as may for the time being be