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REGULATIONS

FOR THE

DISPOSAL OF DOMINION LANDS

WITHIN THE RAILWAY BELT

IN THE

PROVINCE OF BRITISH COLUMBIA.

Under the Authority of Sub-section 4 of Section 1, Chapter 56 of the Revised Statutes of Canada.



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REGULATIONS

For the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia.

Preliminary Interpretation.

1. These Regulations shall apply exclusively to the public lands of the Dominion, within what is known as the Railway Belt, in the Province of British Columbia, which lands shall be styled and known as *Dominion Lands*; and the following terms and expressions therein shall be held to have the meaning hereinafter assigned them, unless such meaning be repugnant to the subject or inconsistent with the context; that is to say:—

2. The term *Minister of the Interior* means the Minister of the Interior of Canada;

3. The term *Surveyor-General* means the officer of the Department of the Interior bearing that designation, or the chief clerk performing his duties for the time being;

4. The term *Agent or Officer* means any person or officer employed in connection with the administration and management, sale or settlement of Dominion lands; and the term *Local Agent* means the agent for Dominion lands employed as aforesaid, with respect to the lands in question; and the term *Land Office* means the office of any such agent;

5. The term *Dominion Land Surveyor* means a surveyor duly authorized under the provisions of the Dominion Lands Act, to survey Dominion Lands;

6. The term *Crown Timber Agent* means the local officer appointed to collect dues and to perform such other duties as may be assigned to such officer, in respect to the timber on Dominion lands;

7. The term *Clause* means a section of these Regulations distinguished by a separate number; and the term *Sub-Clause* means a sub-division of any clause distinguished by a separate number or letter, in smaller type;

8. The term *Canada Gazette* means the official Gazette of the Government, published at Ottawa;

9. The term *British Columbia Gazette* means the official Gazette of the Government of British Columbia, published at Victoria.

Department of the Interior.

2. The Department of the Minister of the Interior shall be charged with the administration and management of the Dominion lands.

2. Under the authority of the Act 49 Vic., Cap. 56, Consolidated Statutes of Canada, 1886, the powers and authorities of the Dominion Lands Board and of the officers thereof are hereby extended to the Public Lands of Canada in British Columbia:

3. The provisions of clause 7 with the sub-clause thereof, and clauses 52, 53, 54, 55, 56, 57, 58, 78, 93 and 94 of the Act 49 Vic., Cap. 54, Con-

solidated Statutes of Canada, 1886, shall apply to the Public Lands of Canada in British Columbia.

Surveys.

3. The Dominion lands in British Columbia shall be laid off, so far as practicable, in quadrilateral townships, each containing thirty-six sections of as nearly one mile square as the convergence of meridians permits, together with an allowance of twelve acres in each section for road purposes:

2. The sections shall be bounded and numbered as shown by the following diagram:—

N							
31	32	33	34	35	36		
30	29	28	27	26	25		
19	20	21	22	23	24		
W	18	17	16	15	14	13	E
7	8	9	10	11	12		
6	5	4	3	2	1		
S							

4. The lines bounding sections on the east and west sides shall be meridians; and those on the north and south sides shall be chords to parallels of latitude.

5. Each section shall be divided into quarter-sections of one hundred and sixty acres, more or less, together with an allowance for roads of three acres in each, subject to the provisions hereinafter made.

6. In the survey of a township, the deficiency or surplus resulting from convergence of meridians shall be divided equally between all the quarter-sections involved, and the north and south error in closing on the correction lines from the north or south shall be allowed in the ranges of quarter-sections adjoining, and north or south respectively of the said correction lines.

7. The dimensions and areas of irregular quarter-sections shall in all cases be returned by the surveyor at their actual measurements and contents.

8. To facilitate the description for letters patent of less than a quarter-section, every section shall be supposed to be divided into quarter-quarter-sections, or forty and three-quarters acres, and such quarter-quarter-sections shall be numbered as shown in the following diagram, which is intended to show such sub-divisions of a section, which shall be styled legal sub-divisions:—

N.					
13	14	15	16		
12	11	10	9		
W.	5	6	7	8	E.
4	3	2	1		
S.					

2. The area of any legal sub-division, as above set forth, shall, in letters patent, be held to be more or less, and shall in each case be represented by the exact quantity as given to such subdivision in the original survey.

9. The Governor in Council may order the survey by a Dominion Land Surveyor of such public highways as he may deem expedient, through any lands subject to these Regulations.

2. On the approval of the survey of a public highway, the fact shall be notified to the Lieutenant-Governor of British Columbia by the Minister of the Interior, and, by virtue of such notification, such public highway shall become the property of the said Province, the legal title thereto remaining in the Crown for the public use of the Province; but no such road shall be closed up or its direction varied, or any part of the land occupied by it sold or otherwise alienated, without the consent of the Governor General in Council:

3. The Governor in Council may authorize any person to locate and build public highways or to build public highways located in accordance with clause *nine* of these Regulations.

4. In the meantime, and until any such road shall have been located and constructed, a convenient right of way not exceeding 66 feet in width over any such land is hereby reserved for the use and convenience of settlers and land holders in passing, from time to time, to and from their locations or lands to and from any now existing public road or trail: Provided always that such settler or land owner making use of the aforesaid privilege shall not damage the fences or crops of the occupier of any such located, sold or leased land.

5. Every patent issued for lands subject to these Regulations shall contain a provision reserving to the Governor in Council the power to order the survey through such lands by a Dominion Land Surveyor of such public highways as he may deem expedient, and for that purpose to take any existing road, and any requisite area of land, whether the area of the roads and lands so taken be or be not in excess of the allowance for roads in any section, quarter-section or legal sub-division; also to enter upon such lands and take therefrom any gravel, stone, timber, or other material required for the construction of such highway or any bridge connected therewith; and also to enter upon any such land for the purpose of cutting any drains necessary for the building of such highway.

Ordinary Sale of Lands.

10. Dominion lands, as the surveys thereof are duly made and confirmed, shall, except as otherwise hereinafter provided, be open for homesteading and purchase at such prices and on such terms and conditions as may be fixed from time to time by the Governor in Council: Provided, that no purchase shall be permitted at a less price than two dollars and fifty cents per acre: Provided also, that, except in special cases where otherwise ordered by the Governor in Council, no sale to one person shall exceed a section, or six hundred and forty acres:

2 And provided also, that, whenever so ordered by the Minister, such unoccupied lands as may be deemed by him expedient, from time to time, may be withdrawn from ordinary sale and settlement, and sold at

public auction or tender to the highest bidder—an upset price being fixed for the same :

3 Provided further, that any legal sub-division or other portion of Dominion lands which may be deemed by the Minister of the Interior of special value, may be reserved from ordinary sale and be disposed of in such manner and on such terms and conditions as may be fixed by the Governor in Council on the report of the Minister of the Interior.

Town Plots, &c.

11. The Minister of the Interior shall have power to withdraw from sale or homestead entry any tract or tracts of land, and to lay the same out into town or village lots, the lots so laid out to be sold, either by private sale and for such price as he may see fit, or at public auction or tender, an upset price being fixed for the same :

2. The Governor in Council may set apart and appropriate such Dominion lands as he may deem expedient for the sites of market places, gaols, court houses, places of public worship, burying grounds, schools, benevolent institutions, squares, and for other like public purposes, and at any time before the issue of letters patent therefor may alter or revoke such appropriation, as he deems expedient; and he may make free grants for the purposes aforesaid of the lands so appropriated—the trusts and uses to which they are to be subject being expressed in the letters patent.

12. The provisions of clauses numbered thirteen to twenty-three of these Regulations, both inclusive, shall not apply to lands settled upon after the first day of July, one thousand eight hundred and eighty-eight.

Homestead Rights.

13. Any person, male or female, who is the sole head of a family, or any male who has attained the age of eighteen years, who has not heretofore had a homestead on Dominion Lands in British Columbia, Manitoba or the North-West Territories, or does not hold or own by pre-emption record or otherwise, under the laws of the Province of British Columbia, more than one hundred and sixty acres of land within the Railway Belt in the said Province, shall, on making application in the form A in the schedule to these Regulations, be entitled to obtain homestead entry for any quantity of land not exceeding one quarter-section, and being of the class of land open under the provisions of these Regulations to homestead entry :

2. The entry for a homestead shall entitle the recipient to take, occupy and cultivate the land entered for, and hold possession of the same to the exclusion of any other person or persons whomsoever, and to bring and maintain actions for trespass committed on the said land, the same as if a patent therefor had issued in his favor: the title to the land shall remain in the Crown until the issue of the patent therefor, and the said land shall not be liable to be taken in execution before the issue of patent :

3. The privilege of homestead entry shall only apply to surveyed agricultural lands; no person shall be entitled to such entry for land valuable for its timber, or for hay land, or for land on which there is a stone or marble quarry, or coal or other mineral having commercial value, or whereon there is any water power which may serve to drive machinery,

or for land which by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station, it will be in the public interest to withhold from such entry.

Homestead Entries and Sales affecting Timbered Lands.

4. All merchantable timber growing or being upon any land entered or sold within the limits of Dominion lands in British Columbia, and all gold, silver, copper, lead, iron, petroleum, coal or other mines or minerals shall be considered as reserved from the said land, and shall be the property of Her Majesty, except that the homesteader or purchaser, or those claiming under him, may cut and use such merchantable timber as may be necessary for the purpose of building, fencing or road-making, on the land so entered or sold, and may also, under the authority of the Crown Timber Agent, cut and dispose of all timber required to be removed in the actual clearing of the said land for cultivation, but no merchantable timber (except for the necessary building, fencing or road-making as aforesaid) shall be cut beyond the limit of such actual clearing; and all merchantable timber cut in the process of clearing, and disposed of, shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber:

5. The patents for all lands, hereafter entered or sold as aforesaid, shall contain a reservation of all merchantable timber growing or being on the said lands, which merchantable timber shall continue to be the property of Her Majesty; and any person or persons now or hereafter holding a license to cut timber on such land, may at all times during the continuance of such license enter upon the uncleared portion of such lands, and cut and remove such timber, and make all necessary roads or water-ways for that purpose, and for the purpose of hauling in supplies, doing no unnecessary damage thereby; but the patentees or those claiming under them may cut and use such timber as may be necessary for the purpose of building, fencing or road-making on the lands so patented, and may also, under the authority of the Crown Timber Agent, cut and dispose of such timber required to be removed in actually clearing the said land for cultivation, but no merchantable timber (except for the necessary building, fencing or road-making as aforesaid) shall be cut beyond the limit of such actual clearing; and all merchantable timber so cut and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber:

6. Holders of timber licenses, their servants and agents, shall have the right to haul their timber over the uncleared portion of any land entered as a homestead or purchased as hereinbefore provided, and to make such roads or water-ways thereon as may be necessary for that purpose, doing no unnecessary damage, and to use all slides, portages, roads, water-ways, or other works previously constructed or existing on any land so entered, sold or leased, and the right of access to, and free use of all streams and lakes theretofore used, or that may be necessary for the passage of timber; and all land necessary for such work is hereby reserved:

7. All merchantable timber growing or being upon any land hereafter entered as a homestead or sold under these Regulations, shall be subject to any timber license in force at the time of such entry or sale.

and may, at any time during the currency of any license or licenses to be issued during such period, be cut and removed under the authority thereof.

14. Whenever the survey of any township has been finally confirmed and such township opened for homestead entry, any person who has *bonâ fide* settled and made improvements before such confirmed survey on land in such township, shall have a prior right to obtain homestead entry for the land so settled on, provided such right be exercised within three months after the land is opened for settlement; and provided that such land has not been reserved or the right to homestead entry is not excepted under the provisions of these Regulations: no homestead entry shall be granted to any other person in respect of such land until three months after notice in writing shall have been given by the local agent to such *bonâ fide* settler that such land is open for settlement.

15. Every person applying for homestead entry shall appear and make affidavit before the local agent or, in his absence, the senior clerk performing his duties, according to the form B, C, or D, in the schedule to these Regulations, as the circumstances require; and upon filing such affidavit with the said local agent or senior clerk, and on payment to him of an office fee of ten dollars, such person shall receive a receipt from the said local agent or senior clerk according to the form J in the schedule to these Regulations; and such receipt shall be a certificate of entry, and shall be authority to the person obtaining it to take possession of the land described in it:

2. The Minister of the Interior or the Dominion Lands Board, upon requisition, may authorize any person named therein to make a homestead entry on behalf of any person signing such requisition and desiring to obtain such entry:

3. The person so authorized shall, in order to obtain such entry, make application in the form E in the schedule to these Regulations, on behalf of each of those whom he represents, and shall make an affidavit before the local agent or, in his absence, the senior clerk performing his duties, according to form F, G. or H. in the schedule to these Regulations, as the circumstances of the case require, and shall pay for each homestead entry the office fee of ten dollars hereinbefore prescribed for such entry, and shall receive for each fee so paid a receipt in the form J in the schedule hereto:

4. Persons occupying land owned by them may obtain homestead entry for any contiguous land open to the same; but the whole extent of land, including that previously owned and occupied, must not exceed one-quarter-section:

5. A person applying for such entry for contiguous land must, when making the affidavit prescribed for homestead entry, also describe therein the tract he owns and lives upon; and his residence upon and cultivation of the whole shall thereafter be of the kind and for the term required by the provisions of these Regulations, in the case of ordinary homestead entry, before he shall be entitled to patent for the part so entered for: Provided, that such residence and cultivation may be upon either the land originally occupied by him or that for which homestead entry has been obtained, or both.

16. In case a dispute arises between persons claiming the right to homestead entry for the same land, the local agent, or senior clerk, or any

person thereto authorized by the Minister of the Interior, shall make investigation and obtain evidence respecting the facts, and his report thereon, together with the evidence taken, shall be referred to the Minister of the Interior for decision, or to the Dominion Lands Board, Commissioner of Dominion Lands, or such person as may be appointed by the Governor in Council to consider and decide in cases of such disputes :

2. Provided that when two or more persons have settled upon and seek to obtain homestead entry for the same land, the one who settled first thereon and has continued to reside upon and cultivate the land for which homestead entry is sought shall be entitled to such entry if the land be of the class open to homestead entry, and if it be not in the opinion of the Minister of the Interior otherwise inexpedient, in the public interest, to entertain any application therefor :

3. Provided further, that where contending parties have valuable improvements on the lands in dispute, the Minister of the Interior, if the application to acquire the land by homestead entry is entertained by him, may order a division thereof in such manner as shall preserve to each of them, as far as practicable, his improvements ; and the Minister may, at his discretion, direct that what the land so allotted to each of them may be deficient of a quarter-section shall be made up from unoccupied land adjoining, if there be any such of the class open to homestead entry.

17. Any person who has obtained a homestead entry shall be allowed a period of six months from its date within which to perfect the entry, by taking in his own person possession of the land and beginning continuous residence thereon and cultivation thereof ; and if the entry be not perfected within that period it shall be void, and the land shall be open to entry by another person, or to other disposition under these Regulations by the Minister of the Interior :

2. Provided further, that in the case of immigrants from elsewhere than the North American Continent, the Governor in Council may extend the time for the perfecting of entry to twelve months from the date thereof.

18. At the expiration of three years from the date of his perfecting his homestead entry, the settler, or in case of his death, his legal representatives, upon proving to the satisfaction of the local agent that he, or they, or some of them, have resided upon and cultivated the land during the said term of three years, shall be entitled to a patent for the land, provided such proof is accepted by the Commissioner of Dominion Lands, or in his absence by a member of the Land Board, and on payment of one dollar per acre for the land : Provided also, that the patent therefor shall not issue to any person not then a subject of Her Majesty by birth or naturalization :

2. Provided, that in the case of a settler who may have obtained homestead entry for land occupied by him previous to survey thereof, in manner hereinbefore mentioned, residence upon and cultivation of the land for the three years next preceding the application for patent shall, for the purpose of the issue of patent, be held to be equivalent to that prescribed in the foregoing clause, if such residence and cultivation be otherwise in conformity with the provisions of these Regulations :

3. Any person proving that he has resided on the land for which he has homestead entry for twelve months from the date of his perfecting his entry therefor, and that he has brought under cultivation at least thirty

acres thereof, may, before the expiration of the three years defined in sub-clause two of this clause, obtain a patent by paying two dollars and fifty cents per acre for the land :

4. Any person claiming a patent under a homestead entry shall also be entitled thereto upon making payment therefor at the rate of one dollar per acre and proving to the satisfaction of the Commissioner of Dominion Lands or the Dominion Lands Board,—

(a.) That he perfected his homestead entry by commencing the cultivation of the homestead within six months from the date of his homestead entry ;

(b.) That within the first year after the date of his homestead entry he broke and prepared for crop not less than five acres of his homestead quarter section ; or if the land affected by his homestead entry be timber land, then in lieu of breaking and preparing for crop five acres he may substitute therefor the clearing and fencing of three acres ;

(c.) That within the second year he cropped the said five acres, and broke and prepared for crop not less than ten acres in addition, making not less than fifteen acres in all ; or if the land affected by his homestead entry be timber land, in lieu of cropping five acres and breaking and preparing for crop ten acres additional, he may substitute therefor cropping the three acres broken the previous year and clearing and fencing five acres in addition, making in all eight acres cleared and fenced, three of which shall also be cropped ;

(d.) That he has erected a habitable house upon his homestead before the expiration of the second year after his homestead entry, and has *bonâ fide* resided therein and has cultivated the land for three years next prior to the date of his application for his patent ;

(e.) That at the commencement of the third year after the date of his homestead entry, or previously, he commenced the residence on his homestead required by the next preceding paragraph of this sub-clause :

5. Proof of the residence and improvements required by this clause shall be made by the claimant by affidavit, and shall be corroborated by the evidence on oath of two disinterested witnesses, resident in the vicinity of the land affected by their evidence, and accepted as sufficient by the Commissioner of Dominion Lands or in his absence by a member of the Land Board ; such affidavit shall be sworn and such testimony given before the local agent or, in his absence, the senior clerk performing his duties, or some other person named for that purpose by the Minister of the Interior.

19. Every person who has obtained a homestead entry, and who proposes to apply for a patent for such homestead, shall give six months' notice in writing to the Agent of Dominion Lands of his intention to make such application, and shall produce evidence to the officer who is authorized to receive the application, that such notice has been duly given.

20. In case it is proved to the satisfaction of the Minister of the Interior that a settler has not resided upon and cultivated his homestead, except as herein provided, for at least six months in any one year, or has failed to cultivate and crop the said land during the first two years after obtaining entry therefor, or to erect a habitable house before the expiration of the second year after such entry, and to *bonâ fide* reside therein and cultivate the land for three years next prior to the date of his application for patent, or has made any false statement in the affidavit in sup-

port of his application for entry, or if he fails, within the time provided for in these Regulations, to apply for a patent for his homestead, and to pay for the said homestead the price specified in these Regulations, the right to the land shall be forfeited and the entry therefor shall be cancelled, and the settler so forfeiting his entry shall not be eligible to obtain another entry, except in special cases in the discretion of the Minister of the Interior.

2. Provided, that in the case of illness, vouched for by sufficient evidence, or in the cases of immigrants requiring to return to their native land to bring out their families to their homesteads, or in other special cases, the Minister of the Interior may, in his discretion, grant an extension of time, during which a settler may be absent from his homestead without prejudice to his right therein; but the extension of time so granted shall not count as residence.

21. A homestead, the entry of which has been cancelled, may, at the discretion of the Minister, be held for homestead entry by another person, on such terms and conditions as the Minister of the Interior may prescribe, or for sale of the land with the improvements, if any, or of the improvements alone in connection with homestead entry thereof, to another person.

22. Any assignment or transfer of homestead right or any part thereof, and any agreement to assign or transfer any homestead right or any part thereof after patent shall have been obtained, made or entered into before the issue of the patent, shall be null and void; and the person so assigning or transferring or making an agreement to assign or transfer shall forfeit his homestead right and shall not be permitted to make another homestead entry: Provided, that a person whose homestead may have been recommended for patent by the local agent or senior clerk and who has received from such agent or clerk a certificate to that effect in the form K, in the schedule to these Regulations, countersigned by the Commissioner of Dominion Lands, or in his absence any member of the Dominion Lands Board, may legally dispose of and convey, assign or transfer his right and title therein.

Fruit Culture.

23. Any person eligible under these Regulations to obtain a homestead entry may, for fruit-growing purposes, upon payment of a fee of ten dollars, and upon making application therefor to the Local Agent in the form L, in the schedule hereto, obtain entry for any area not in excess of one quarter-section of Dominion Lands of the class open for homestead entry under these Regulations, upon the following terms and conditions:—

(a). For each legal subdivision included in the land entered, the applicant shall, during the first year after the date of entry, clear at least four acres and plant the same in fruit trees, bushes, plants or vines, to the number prescribed in these Regulations:

(b). During the second year he shall clear and plant three acres additional; and any trees, plants or vines planted the preceding year which may have died shall be replaced:

(c). During the third year he shall clear three acres additional, planting the same as in the first and second years, and replacing any trees, shrubs, plants or vines planted during the first and second years which may have died:

(d). At the end of the third year he shall have ten acres cleared and planted with fruit trees, bushes or vines :

(e). Provided that the clearing and planting herein provided for may be made upon any portion of the land entered for :

(f). The fruit trees, bushes or vines to be planted by the applicant as herein provided, shall be in the proportion set forth in the following table, according to the variety or varieties planted :—

Kind.	Distance apart.	No. per Acre.
Apple trees, standards	33 feet.	40
Pear " "	20 "	110
Peach " "	15 "	200
Plum " "	15 "	200
Cherry " "	20 "	110
Currant bushes	4 " x 6 feet.	1,815
Gooseberry "	4 " x 6 "	1,815
Grapes	10 " x 12 "	364
Raspberries	3 " x 6 "	2,425
Strawberries	1 " x 4 "	10,900

(g). At the expiration of five years from the date of his entry, the applicant, or in case of his death his legal representative, upon proving to the satisfaction of the Local Agent, or in his absence the senior clerk performing his duties, that there are then growing upon the land and in healthy condition, the number of trees, bushes, plants or vines, as the case may be, prescribed by these Regulations, shall be entitled to a patent for the land upon payment therefor at the rate of one dollar per acre, provided such proof is accepted by the Commissioner of Dominion Lands, or in his absence by a member of the Land Board ; but such patent shall not issue to any person who is not a subject of Her Majesty by birth or naturalization :

(h). If any person having an entry for land for purposes of fruit culture fails to comply with any of the conditions in respect thereof prescribed by these Regulations, his entry therefor shall be forfeited and cancelled, and he shall have no claim to the land whatever, except in special cases, in the discretion of the Minister of the Interior.

Grazing Lands.

24. The Governor in Council may, from time to time, grant leases of unoccupied Dominion lands for grazing purposes to any person or persons, for such term of years and at such rent in each case, as may be deemed expedient ; and every such lease shall contain a condition by which the Governor in Council may authorize the Minister of the Interior, at any time during the term of the lease, to give the lessee notice of cancellation thereof ; and at the end of two years from the service of such notice such lease shall cease and determine.

Mining and Mining Lands.

25. Lands containing coal or other minerals, whether in surveyed or unsurveyed territory, may be disposed of in such manner and on such terms

and conditions as may, from time to time, be fixed by the Governor in Council by Regulations to be made in that behalf.

26. It is hereby declared that no grant from the Crown of lands in freehold, or for any less estate, has operated or will operate as a conveyance of the minerals therein, unless the same are expressly conveyed in such grant.

Ditches.

27. The provisions of the Mining Regulations having reference to the diversion and use of the water from any stream or lake, and the rights of way necessary for the construction of flumes and ditches to convey such water, shall apply to the diversion and use of the water from any stream or lake, and the rights of way necessary to the conveyance thereof in respect of the irrigation of agricultural lands.

Timber Licenses.

28. The provisions of the Act of the Legislature of British Columbia, 47 Vic., chap., 32, intituled: "An Act relating to the cutting of timber upon Provincial lands and for the purpose of deriving a revenue therefrom," shall govern the mode of disposal and the rents, royalties, dues and charges upon the timber lands in the Railway Belt in British Columbia lying south of 49° 34' north latitude and west of the 121° of longitude west of Greenwich, but the said Act of the Legislature of British Columbia, in so far as it applies to the lands in the Railway Belt lying south of 49° 34' north latitude and west of the 121° of longitude west of Greenwich shall be administered by the Minister of the Interior of Canada, and the rents, royalties, dues and other charges to be made and collected upon or in respect of the said timber lands shall be paid to the credit of the Receiver-General of Canada; and the enactments and provisions in the twenty ~~four~~ next following clauses shall be limited in their effect to the Dominion lands in the Railway Belt in British Columbia, lying north and east of the tract hereinbefore described, as far as the height of land forming the water-shed between the basin of the Shuswap Lakes and the Thompson River on the west, and the basin of the Columbia River on the east; and in regard to the timbered lands within the Railway Belt in British Columbia lying east of the said height of land, the provisions of the Dominion Lands Act, 1883, and the Regulations thereunder made from time to time by the Governor in Council, shall apply:

(a.) The word "timber" shall mean all wood and the products thereof.

29. It shall be unlawful for any person, without a license in that behalf, to be granted as hereinafter mentioned, to cut, fell or carry away any trees or timber upon or from any Dominion lands.

30. Every person who shall violate the provisions of the preceding section shall, for the first offence, be liable to a penalty of two hundred and fifty dollars, and in default of immediate payment to imprisonment for three calendar months, and, for a second conviction, to both a fine of two hundred and fifty dollars and imprisonment for three calendar months.

31. Any person desirous of cutting or felling and carrying away trees or timber from Dominion lands may obtain a license to that effect upon

proving to the satisfaction of the Minister of the Interior that he has complied with the following provisions, such proof to be made by affidavit in the Form P. in the schedule hereto :—

(a) He shall apply in writing to the Minister of the Interior for a license, and shall also, if the land intended to be covered by such license be not included in any surveyed township, stake out the land sought for, by placing at each angle or corner of the lands a stake or post at least four inches square, and standing not less than four feet above the surface of the ground; and upon each post he shall inscribe his name, and the angle represented thereby, thus :—“ A. B.’s, N. E. corner ” (meaning north-east corner), or as the case may be: except such posts are so planted before the notice referred to in the next succeeding section is given, all the proceedings taken by the applicant shall be void; and with his application he shall forward to the Minister of the Interior a map or sketch of the land so staked out, specifying metes and bounds and showing thereon the best information in his power respecting the same, but if the land has already been included in any general survey, then the official number of the section or sections or part thereof applied for shall be given :

(b) He shall, after making the application for the license, publish, for a period of thirty days, in the *British Columbia Gazette*, and in any newspaper circulating in the district in which the lands lie, notice of his application for a timber license, and shall in such notice give the best description of the land applied for, specifying metes and bounds, and such further particulars, if any, as may be required by the Minister of the Interior.

32. In the event of any adverse claim being filed with the Minister of the Interior, he may hear and decide upon the same.

33. Timber licenses shall be granted for such area and such length of time as may, from time to time, be determined by the Governor in Council; the licensee shall pay to the Minister of the Interior, for the use of Her Majesty, annually, during the currency of the license, the sum of fifty dollars therefor, the first payment to be made upon the granting of the license, and subsequent payments thereafter annually on a day to be named in the license, and in default of payment of any such sum within thirty days after the same should have been paid, the license shall be void.

34. No timber license shall be granted in respect of lands forming the site of any Indian settlement or reserve, and the Minister of the Interior may refuse to grant a license in respect of any particular land, if, in his opinion, it is deemed expedient in the public interest so to do.

35. The license may be in the form Q, in the schedule to these Regulations.

36. Every licensee shall keep an account in writing of the number of trees felled by him upon the land embraced within his license, and the measurement thereof; and shall, at the expiration of every month, during the currency of his license, make and furnish to the Minister of the Interior a statement in writing, verified by affidavit, showing the number of trees so felled and the measurement thereof, and shall then forthwith pay to the Crown Timber Agent, for the use of Her Majesty, in respect of each tree felled, the sum of thirty cents, and also the sum of seventy-five cents for each and every one thousand feet of board measure contained in the logs

made from such trees, and until the same shall be paid the logs shall not be removed from the land where they were cut, and a lien for such timber dues shall attach to the logs until the dues are paid, and as soon as the logs are scaled and measured, and until payment of the dues, the Crown Timber Agent may take and hold possession of the logs.

37. In reckoning the number of trees felled, there shall not be included small timber used for skids, levers, rafting stuff, or the like, and no dues shall be payable in respect of such small timber.

38. The scale and rule by which the measurement of logs shall be determined is the rule laid down and prescribed in Scribner's Lumber and Log Book, as copyrighted, in 1882, by George W. Fisher, of Rochester, New York.

39. In scaling or measuring logs a deduction shall be made, in the case of hollow logs, equal to one-half of the diameter of the hollow portion of such logs; and of all logs over eighteen feet in length, the mean diameter shall be taken.

40. If the licensee shall fail to keep correct books of account of his business, or to submit the same for the inspection of any authorized agent of the Minister of the Interior whenever required, or to render to the Minister of the Interior the statement in writing aforesaid, or shall wilfully make a false statement, he shall be liable to a penalty of two hundred and fifty dollars, to be recovered as hereinbefore provided, and in default of payment, imprisonment not exceeding sixty days, and in case of conviction the license held by him may be cancelled by the Minister of the Interior.

Liability of persons cutting timber without authority.

41. If any person without authority cuts, or employs or induces any other person to cut, or assist in cutting, any timber, of any kind on Dominion lands, or removes or carries away, or employs, or induces, or assists any other person to remove or carry away any timber of any kind so cut, he shall not acquire any right to such timber, or any claim for remuneration for cutting the same, preparing the same for market, or conveying the same to or towards market; and when the timber has been removed out of the reach of the Crown timber officers, or it is otherwise found impossible to seize it, he shall, in addition to the loss of his labor and disbursements, pay a fine not exceeding three dollars for each log which he is proved to have cut or carried away, or assisted to cut or carry away; and such sum shall be recoverable with costs, at the suit and in the name of the Crown, in any court having jurisdiction in civil matters to the amount of the penalty; and in all cases the burden of proof of authority to cut and take the timber shall lie on the party charged; and the averment of the party seizing or prosecuting, that he is duly employed under the authority of these Regulations, shall be sufficient proof thereof, unless the defendant proves the contrary.

42. Whenever satisfactory information, supported by affidavit made before a Justice of the Peace, or before any other competent officer or person, is received by any Crown Timber Officer or Agent, that any timber has been cut without authority on Dominion lands, or if any Crown Timber Officer or Agent, from other sources of information, or his own knowledge, is aware that any timber has been cut without authority on

any such lands, he may seize or cause to be seized, in Her Majesty's name, the timber so reported or known to be cut, wherever it is found, and place the same under proper custody, until a decision can be had in the matter by competent authority :

2. And where the timber reported, or known to have been cut without authority, has been made up with other timber into a crib, dam or raft, or in any other manner has, at any mill or elsewhere, been so mixed up with other timber as to render it impossible or very difficult to distinguish the timber so cut without authority from the other timber, the whole shall be held to have been cut without authority, and shall be liable to seizure and forfeiture accordingly, until the holder shall have separated, to the satisfaction of the Crown Timber Agent, the one timber from the other.

43. Whenever any Crown Timber Agent, or other officer or agent of the Minister of the Interior, is in doubt as to whether any timber has or has not been cut without authority, or is or is not liable to Crown dues on the whole or any part thereof, he may enquire of the person or persons in possession or in charge of such timber, as to when and where the same was cut; and if no satisfactory explanation, on oath or otherwise as he may require, be given to him, he may seize and detain such timber until proof be made to the satisfaction of the Minister of the Interior, or of such Crown Timber Agent or officer, that such timber has not been cut without authority, and is not liable, either in whole or in part, to Crown dues of any kind; and if such proof be not made within thirty days after such seizure such timber may be dealt with as timber cut without authority, or on which the Crown dues have not been paid, according to the circumstances of the case; and the dues thereon may be recovered as provided in the seventy-fourth clause of the Dominion Lands Act.

44. In case any timber, or any product thereof, is seized under the provisions of these Regulations by any Crown Timber Agent or officer, he may allow such timber or product thereof to be removed and disposed of, on receiving sufficient security, by bond or otherwise, to his satisfaction, for the full value thereof, or, in his discretion, for payment of double the amount of all dues, fines, penalties and costs incurred or imposed thereon, as the case may be.

45. All timber seized under these Regulations on behalf of the Crown as being forfeited, shall be deemed to be condemned, unless the owner thereof, or the person for whom it was seized, within one month from the day of the seizure, gives notice to the seizing officer, or to the Crown Timber Agent or officer under whose authority the seizure was made, that he intends to contest the seizure. If, within fifteen days thereafter, the claimant shall not have instituted proceedings before a court of competent jurisdiction to contest the seizure, or if the decision of the court be against him, or should the claimant fail duly to prosecute such proceedings, in the opinion of the judge before whom such case may be tried (and who may for that cause dismiss the suit on the expiration of three months from the date on which it was instituted—anything to the contrary hereinbefore enacted notwithstanding), the timber may be confiscated and sold for the benefit of the Crown, by order of the Minister of the Interior, after notice on the spot of at least thirty days: Provided, nevertheless, that the Minister of the Interior, should he see cause for doing so, may, instead of con-

fiscating timber cut without authority on Dominion lands, impose a fine or penalty which, in addition to all costs incurred, shall be levied on such timber; and, in default of payment of the whole on demand, he may, after a notice of fifteen days, sell such timber by public auction, and may, at his discretion, retain the whole proceeds of such sale, or the amount of penalty and costs only.

46. And whenever any timber is seized for non-payment of Crown dues, or for any cause of forfeiture, or any prosecution is instituted for any penalty or forfeiture under these Regulations and any question arises whether the said dues have been paid on such timber, or whether the said timber was cut on other than any of the Dominion lands aforesaid, the burden of proving payment, or of proving on what land the said timber was cut, shall lie on the owner or claimant of such timber, and not on the officer who seizes the same, or the party instituting such prosecution.

47. An officer or person seizing timber in the discharge of his duty under these Regulations may, in the name of the Crown, call in any assistance necessary for securing and protecting the timber so seized; and if any person under any pretence, either by assault, force or violence, or by threat of such force or violence, in any way resists or obstructs any officer or person acting in his aid, in the discharge of his duty under these Regulations, such person shall be guilty of felony, and, being convicted thereof, shall be punishable accordingly.

48. If any person, whether pretending to be the owner or not, either secretly or openly, and whether with or without force or violence, takes or carries away, or causes to be taken or carried away without permission of the officer or person who seized the same, or of some competent authority, any timber seized and detained for any lawful cause under these Regulations, before the same has been declared by competent authority to have been seized without due cause, such person shall be deemed to have stolen such timber, the property of the Crown, and to be guilty of felony, and, being convicted thereof, shall be punishable accordingly.

49. The Minister of the Interior may, from time to time, define timber districts, and may appoint a Crown Timber Agent for each district.

50. The Minister of the Interior may, in his discretion, cancel any timber license granted under the provisions of these Regulations, if the licensee shall not, within the time prescribed by his license, continuously proceed to cut and manufacture the timber contained within the limits of his license.

Slides, &c.

51. No sale or grant of any Dominion lands shall give or convey any right or title to any slide, dam, water-way, pier or boom, or other work previously constructed on such land, or on any stream passing through or along it, for the purpose of facilitating the descent of timber or saw logs, unless it be expressly mentioned in the letters patent or other documents establishing such sale or grant that such slide, dam, water-way, pier or boom, or other work, is intended to be thereby sold or granted:

2. The free use of any slide, dam, water-way, pier, boom or other work on stream, to facilitate the descent of lumber and saw logs, and the right of access thereto for the purpose of using the same and keeping the same

in repair, shall not in any way be interrupted or obstructed by or in virtue of any sale or grant of Dominion lands made subsequent to the construction of any such work.

52. The free use, for the floating of saw logs or other timber, of any stream or lake that may be necessary for the descent thereof from Dominion lands, and the right of access to such stream or lake, and of passing and re-passing on or along the land on either side, and wherever necessary for such use thereof, and over any existing or necessary portage-road past any rapid or fall, or connecting such stream or lake, and over such road as, owing to natural obstacles, may be necessary for taking out timber from Dominion lands, and the right of constructing any slide or water-way where necessary, shall continue uninterrupted, and shall not be affected or obstructed by or in virtue of any sale or grant of such lands.

Assignments.

53. The Minister of the Interior shall cause to be kept in his Department books for registering, at the option of the parties interested, assignments of any right to Dominion lands which is assignable under these Regulations, upon proof to his satisfaction that such assignment is in conformity with these Regulations; and every assignment so registered shall be valid against any other assignment unregistered or subsequently registered; but any assignment to be registered must be unconditional, and all conditions on which the right depends must have been performed or dispensed with by the Minister of the Interior before the assignment is registered.

Township Plans and Patent Lists.

54. The Minister of the Interior shall transmit to the Registrar General of British Columbia, or his proper deputy or deputies, as early as possible in each year, a certified copy of the map of each township in such district or division, surveyed in the year next preceding, together with a certified list of the lands in such district or division patented during such year.

General Provisions.

55. The following powers are hereby delegated to the Governor in Council, to be exercised, from time to time, by special Orders in Council, upon the recommendation of the Minister of the Interior:—

(a.) To withdraw from the operation of these Regulations, subject to existing rights as defined or created under the same, such lands as have been or may be reserved for Indians;

(b) To encourage works undertaken, with a view of draining and reclaiming swamp lands, by granting to the promoters of such works remuneration in the way of grants of the lands so reclaimed, or of such portions thereof, or any other land, as may be deemed fair and reasonable;

(c) To make such orders as may be deemed necessary, from time to time, to carry out the provisions of these Regulations, according to their true intent, or to meet any cases which may arise and for which no provision is made in these Regulations; and further to make and declare any regulations which may be considered necessary to give the provisions in

this clause contained full effect; and from time to time alter or revoke any order or orders or any regulations made in respect of the said provisions, and make others in their stead :

2. Every order or regulation made by the Governor in Council, in virtue of the provisions of this clause, or of any other clause of these Regulations, shall, unless otherwise specially provided in these Regulations, have force and effect only after the same has been published for four successive weeks in the *Canada Gazette* and *British Columbia Gazette*; and all such orders or regulations shall be laid before both Houses of Parliament within the first fifteen days of the Session next after the date thereof.

56. All affidavits, oaths, solemn declarations or affirmations required to be taken or made under these Regulations, except as otherwise herein provided, may be taken before a Registrar of the Supreme Court of British Columbia, or the judge or Registrar of any County Court, or any Justice of the Peace, or any Commissioner for taking affidavits, or Notary Public, or any Dominion Lands Agent or officer, or any person specially authorized to take such affidavits by these Regulations or by the Minister of the Interior.

57. The Dominion Lands Board, or any member thereof, the Crown Timber Agent, or any person specially authorized to that effect by the Governor in Council, shall have power to summon before them or him any person by subpœna issued by them or him, to examine such person under oath and to compel the production of papers and writings before them or him, and such subpœna may be in the form R in the schedule to these Regulations, and—if any person duly summoned neglects or refuses to appear at the time and place specified in the subpœna upon him legally served, or refuses to give evidence or to produce the papers or writings demanded of him—may, by warrant under their or his hands or hand, cause such person so neglecting or refusing, to be taken into custody and to be imprisoned in the nearest common gaol, as for contempt of court, for a period not exceeding fourteen days.

58. In any case where an affidavit or oath is required by these Regulations, a solemn affirmation may be administered to, and made, instead of an oath, by any person who is by law permitted in civil cases to make a solemn affirmation instead of taking an oath.

59. Every receipt or certificate of entry or sale issued by an agent of Dominion lands shall, unless such entry or sale shall have been revoked or cancelled by the Minister of the Interior, entitle the person to whom the same was granted to maintain suits at law or in equity against any wrong-doer or trespasser on the lands to which such receipt or certificate relates, as effectually as he could do under a patent of such land from the Crown.

SURVEYS AND SURVEYORS.

Who shall be competent to survey Dominion lands.

60. Clauses ninety-nine to one hundred and thirty-nine inclusive of the Act 49 Victoria, chapter 54, Consolidated Statutes of Canada, are hereby extended to the Public Lands of Canada in the Province of British Columbia.

Tariff of Fees.

61. The Governor in Council may establish a tariff of fees to be charged by the Minister of the Interior for all copies of maps, township plans, field notes and other records, and also for registering assignments; and all fees received under such tariff shall form part of revenue from Dominion lands.

 SCHEDULE.

FORM A.

Application for a Homestead Entry.

I, _____, of _____ do hereby apply for a homestead entry, under the provisions of the "Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia approved by Order in Council of the _____, 188 _____," for the _____ quarter-section of section number _____ of the _____ township, in the _____ range _____ of the _____ meridian.

 FORM B.

Affidavit in support of a claim for homestead entry by a person who has *bonâ fide* settled and made improvements upon land in advance of survey.

I, A. B, do solemnly swear (*or affirm, as the case may be*) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which my application is made is surveyed agricultural land; it is not chiefly valuable for its timber, or for hay land, nor is there upon it any stone or marble quarry, or coal or other mineral having commercial value; there is not upon it any water power which may serve to drive machinery, nor is it specially valuable by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station; that I became resident upon and began to cultivate the said land on the _____ day of _____ 18 _____, before the same was surveyed; that I have resided upon and cultivated the said land continuously ever since; that there is no other person residing or having improvements upon it, and that this application is made for my exclusive use and benefit, with the intention of residing upon and cultivating the said land, and not directly or indirectly for the use or benefit of any other person or persons whomsoever: and that I have not heretofore obtained an entry for a homestead on Dominion Lands, nor do I own more than one hundred and sixty acres of land within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this _____ }
 day of _____ 18 _____, before me. } (Signature)

Local Agent.

FORM C.

Affidavit in support of a claim for homestead entry by a person who has not previously obtained homestead entry.

I, A. B., do solemnly swear (or affirm, *as the case may be*) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which my application is made is surveyed agricultural land; it is not chiefly valuable for its timber or for hay land, nor is there upon it any stone or marble quarry, or coal or other mineral having commercial value; there is not upon it any water power which may serve to drive machinery, nor is it specially valuable by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station; that there is no person residing on the said land, nor are there any improvements thereon, and that this application is made for my exclusive use and benefit, with the intention of residing upon and cultivating the said land, and not directly or indirectly for the use or benefit of any other person or persons whomsoever; and that I have not heretofore obtained a homestead on Dominion lands, nor do I own any lands within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this } (Signature)
 day of 18 , before me. }

Local Agent.

FORM D.

Affidavit in support of a claim for homestead entry by a person who has previously obtained and has forfeited his homestead entry, but is permitted by the Minister of the Interior to obtain another homestead entry.

I, A. B., do solemnly swear (or affirm, *as the case may be*) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which my application is made is surveyed agricultural land; it is not chiefly valuable for its timber, or for hay land, nor is there upon it any stone or marble quarry, or coal or other mineral having commercial value; there is not upon it any water power which may serve to drive machinery, nor is it specially valuable by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station; that there is no person residing on the said land, nor are there any improvements thereon; that I obtained homestead entry on the day of 18 , for the quarter-section of section ,

township , range , of the meridian, but forfeited the same; that by order of the Minister of the Interior, which I now produce, I have been permitted to make application for and to receive another homestead entry; that this application is made for my exclusive use and benefit, with the intention of residing upon and cultivating the land applied for, and not, directly or indirectly, for the use or benefit of any

other person or persons whomsoever, and I neither own nor have I a homestead entry for any other land within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this } (Signature)
 day of 18 , before me. }

Local Agent.

FORM E.

Application for a Homestead Entry by an agent.

I, A. B., do hereby apply on behalf of
 of , for homestead entry under the provisions of the
 "Regulations for the disposal of Dominion Lands within the Railway Belt
 in the Province of British Columbia as approved by Order in Council,
 dated " for the quarter-section of section
 number of the township, in the range
 of the meridian.

FORM F.

Affidavit by an agent in support of a claim for homestead entry on behalf of a person who has *bonâ fide* settled and made improvements upon land in advance of survey.

I, A. B., do solemnly swear (or affirm, as the case may be) that
 for whom I am acting herein as agent, is over eighteen years of
 age; that to the best of my knowledge and belief the land in respect of
 which the application is made is surveyed agricultural land; it is not
 chiefly valuable for its timber, or for hay land, nor is there upon it any
 stone or marble quarry, or coal or other mineral having commercial value;
 there is not upon it any water power which may serve to drive machinery,
 nor is it specially valuable by reason of its position, such as being the
 shore of an important harbor, bridge site or canal site, or being either an
 actual or prospective railway terminus or station; that the said
 became resident upon and began to cultivate the said land on
 the day of 18 , before the same
 was surveyed; that he has resided upon and cultivated the said land in
 conformity with the requirements of the homestead provisions of the
 Dominion Lands Regulations in British Columbia ever since; that there
 is no other person residing on, or claiming, or having improvements upon
 it, and that this application is made for his exclusive use and benefit, with
 the intention of his residing upon and cultivating the said land, and not
 directly or indirectly for the use or benefit of any other person or persons

whomsoever, and that he has not heretofore obtained an entry for a homestead on Dominion lands, nor does he own any land within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this _____ } (Signature)
 day of _____ 18 _____, before me. }

Local Agent.

FORM G.

Affidavit by an agent in support of a claim for homestead entry on behalf of a person who has not previously obtained homestead entry.

I, A. B., do solemnly swear (or affirm, as the case may be) that _____, of _____, for whom I am acting herein as agent, is over eighteen years of age; that to the best of my knowledge and belief the land in respect of which the application is made is surveyed agricultural land; it is not chiefly valuable for its timber, or for hay land, nor is there upon it any stone or marble quarry, or coal or other mineral having commercial value; there is not upon it any water power which may serve to drive machinery, nor is it specially valuable by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station; that there is no person residing upon the said land, nor are there any improvements thereon, and that this application is made for the exclusive use and benefit of the said _____, with the intention of his residing upon and cultivating the said land, and not directly or indirectly for the use or benefit of any other person or persons whomsoever, and that he has not heretofore obtained an entry for a homestead on Dominion lands, nor does he own any lands within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this _____ } (Signature)
 day of _____, 18 _____, before me. }

Local Agent.

FORM H.

Affidavit by an agent in support of a claim for homestead entry on behalf of a person who has previously obtained and has forfeited his homestead entry, but is permitted by the Minister of the Interior to obtain another homestead entry.

I, A. B., do solemnly swear (or affirm, as the case may be) that _____ for whom I am acting herein as agent, is over eighteen years of age; and to the best of my knowledge and belief the land in respect of which application is made is surveyed agricultural land; it is not chiefly valuable for its timber, or for hay land, nor is there upon it any stone or marble quarry, or coal or other mineral having commercial value; there is not upon it

any water power which may serve to drive machinery, nor is it specially valuable by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station; that there is no person residing on the said land, nor are there any improvements thereon; that he obtained homestead entry on the _____ day of _____, 18____, for the _____ quarter-section of section _____, township _____ range _____ of the _____ meridian, but forfeited the same; that by an order of the Minister of the Interior, which I now produce, he has been permitted to make application for and receive another homestead entry, and that this application is made for his exclusive use and benefit, with the intention of his residing upon and cultivating the land applied for, and not directly or indirectly for the use or benefit of any other person or persons whomsoever, and that he neither owns nor has he a homestead entry for any other land within the tract known as the Railway Belt in British Columbia.

Subscribed and sworn to, this _____ } (Signature)
day of _____, 18____, before me. }

Local Agent.

FORM J.

Receipt and Certificate of Entry.

I certify that I have received from _____ the sum of ten dollars, being the office fee for homestead entry for (*describe the land*), and that the said _____ is, in consequence of such entry and payment, vested with the rights conferred in such cases by the provisions of the "Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia as approved by Order in Council, dated _____," respecting homestead rights.

Local Agent.

(Place—Date).

FORM K.

Certificate of recommendation for patent.

I certify that _____ who is the holder of a homestead entry for (*describe the land*) has complied with the provisions of the law required to be conformed to, in order to entitle him to receive a patent for such land, and that I have recommended the issue of such patent.

(Place—Date.)

Local Agent.

Countersigned:

Commissioner of Dominion Lands.

FORM L.

Application for Fruit culture Entry.

, 188 .

I, A. B., do hereby apply for entry under the Regulations for the disposal of Dominion Lands for fruit culture within the Railway Belt in the Province of British Columbia, as approved by Order in Council of the day of , 188 , for L.S., , of section number , of the township in the range west of the meridian.

And I, A.B., do solemnly swear (*or affirm, as the case may be*) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which this application is made is of the class open for homestead entry; that there is no person residing upon the said land, nor are there any improvements thereon; and that I have not heretofore obtained a fruit culture or other entry for Dominion Lands.

Sworn before me, this day)
of A.D., 18 , } (Signature)
at

Local Agent.

FORM M.

Notice of application for right to divert water.

Notice is hereby given in pursuance of the provisions of the Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia, that I, of at the expiration of 20 days from the date hereof intend to apply to the Local Agent of Dominion Lands at , in the Province of British Columbia, for authority to take, carry away and divert to my (farm or mining claim) from its natural channel inches of the unentered and unappropriated water of the (stream or lake) known as for purposes during the term of years from the date of record with the object of (irrigating or sluicing) my said (farm or mining claim); such diversion will be made at a point situated on the (North, East, South, or West, end or side) of the said (stream or lake) marked on the ground by a conspicuous post, and it is intended that such water shall be carried in and through a (ditch or flume or both) in a direction over the lands of , as indicated by like posts planted, where practicable, every quarter of a mile along the proposed line of the (ditch or flume or both).

Dated this day of , 18 , at (Signature)

FORM N.

Affidavit in support of application for right to divert water.
 Province of British Columbia, }
 To Wit: }

I, of , make oath and say.—

1st. That the document hereunto annexed and marked with the letter "A" is a true copy of a notice given by me, , in pursuance of the provisions of the Regulations for the disposal of the Dominion Lands within the Railway Belt in the Province of British Columbia, and posted up by me on the day of the date thereof at the point of diversion therein named.

2nd. That on the day of , A.D., 18 , I also posted up a like copy of such notice in a conspicuous place on the lands of each of the following persons, viz. :

3rd. That the lands of the said several persons named in the last above paragraph, and of no others, will be affected by the proposed diversion in the said notice mentioned.

4th. That I am lawfully entitled to hold land under the said Regulations, and I am lawfully occupying (and *bonâ fide* cultivating or working, as the case may be), the (land or mineral claim) to which the said water is intended to be diverted.

5th. That I have planted posts in accordance with the terms of, and along the proposed line of , as indicated in the said notice, and I believe that I have performed all conditions precedent necessary to entitle me to a record of the water privilege in the said notice mentioned or referred to.

Sworn before me, this day }
 of A.D., 18 , at } (Signature)
 in the said Province.

Local Agent.

FORM O.

Grant of the right to divert water.

To all whom it may concern—GREETING :

Know ye, that , of , having complied with the provisions of the Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia, as appears by affidavit of himself with notice annexed filed with the undersigned on the day of 18 , is hereby authorized to divert for his own use for a period of years from the date hereof, inches of unrecorded and unappropriated water of , or so much of that quantity as may be lawfully diverted and used by him under and in accordance with the provisions of

the said Regulations, and the said _____ is entitled to all the rights conferred by the said Regulations upon the recorded owner of a water privilege.

Given the _____ day of _____, 18 _____, at _____ in the Province of British Columbia.

Local Agent.

FORM P.

Affidavit in support of an application for a License to cut Timber upon Dominion Lands.

Province of British Columbia, }
To Wit :

I, _____ of _____, make oath and say:—

1. That I have applied to the Minister of the Interior in writing for a license to cut timber on Dominion Lands.

2. (If the land applied for be surveyed land). That the land covered by my application is the (here describe land by section and part of section, township and range).

2. (If the land applied for be unsurveyed land). That I have staked out, or caused to be staked out, the land sought for by placing at each angle or corner of the lands a stake or post not less than four inches square, and standing not less than four feet above the surface of the ground; and upon each post I have inscribed or caused to be inscribed my name and the angle represented thereby; that I have forwarded to the Minister of the Interior a map or sketch of the land so staked out, specifying metes and bounds, and showing thereon the best information in my power respecting the same.

3. That I have, after making application as aforesaid, published, for a period of thirty days, in the *British Columbia Gazette*, and also in the (here insert name of newspaper), a newspaper circulating in the district in which the lands applied for lie, a notice of my application for a timber license, giving the best possible description of the lands applied for.

Sworn before me this _____ day of _____, A.D., 18 _____, at _____, in the said Province. } (Signature)

Local Agent.

FORM Q.

Timber License.

No. _____

Term _____

years.

This is to certify that _____ of _____ in the Province of British Columbia, is hereby, from this date, licensed for the term of _____ years next ensuing, to enter upon, cut, fell and

remove (except as thereafter is reserved) timber from all that tract of Dominion lands situate in the district of _____ and more particularly described as (*insert description of land*), and containing _____ acres, more or less, with right of ingress, egress and regress for _____ agents, servants and workmen for such purposes over any adjacent, vacant and unoccupied Dominion lands.

Subject, nevertheless, to the payment of the annual sum of _____ dollars on the _____ day of _____ in each year of the said term, and to the payment of all other sums, fees and timber dues prescribed by the "Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia as approved by Order in Council, dated _____" and also subject to all other provisions of the said Act with respect to timber.

Provided always, that any and all exceptionally large trees that may be standing or growing on the said tract of land are hereby expressly reserved to the use of Her Majesty for all time, and the said

hereby expressly forbidden to cut or fell any of such trees.

Dated at _____

Deputy Minister of the Interior.

FORM R.

Subpoena.

To _____

GREETING :

You are hereby commanded that all things set aside and ceasing every excuse, you be and appear in your proper person before me the undersigned, at _____ on the _____ day of _____, 18____, by _____ o'clock in the _____ noon, and so on from day to day, to be then and there examined upon oath touching your knowledge of _____ And you are to bring with you and produce all papers and writings in your custody, power or control, in any wise relating to the said matters; and take notice that if you neglect or refuse to appear at the time or place aforesaid you will be liable to be taken into custody and to be imprisoned in the nearest common gaol, as for contempt of court, for a period not exceeding fourteen days.

Given under my hand and seal, this _____ day of _____ 18____, at _____

(Signature of Officer)