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REGULATIONS
FOR THE
DISPOSAL OF DOMINION LANDS
WITHIN THE
RAILWAY BELT
IN THE
PROVINCE OF BRITISH COLUMBIA
1885.

L111 45-3549



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GOVERNMENT HOUSE, OTTAWA,

Monday, the 20th day of April, 1885,



PRESENT :

HIS EXCELLENCY THE GOVERNOR GENERAL IN
COUNCIL.

ON the recommendation of the Honorable the Minister of the Interior, concurred in by the Honorable the Minister of Justice, and under the provisions of the 4th sub-section of the 11th section of the Act passed in the Session of the Parliament of Canada, held in the 47th year of Her Majesty's Reign, chaptered 6 and intituled "An Act respecting the Vancouver Island Railway, the Esquimalt Graving Dock and certain Railway lands of the Province of British Columbia granted to the Dominion."—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the following Regulations for the survey, administration and disposal of Dominion lands within the Railway Belt in the Province of British Columbia, be, and the same are hereby approved and adopted.

JOHN J. MCGEE,
Clerk, Privy Council.

00925052

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, 1883, 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. Such administration and management shall be effected through a branch of the said Department, to be known and designated as "*The Dominion Lands Office.*"

3. The Governor in Council may appoint an officer to be styled "The Commissioner of Dominion Lands" and an officer to be styled "The Inspector of Dominion Lands Agencies," and such officers shall respectively have the powers, not inconsistent with the provisions of these Regulations and perform the duties that may be, from time to time, conferred upon and assigned to them by Order of the Governor in Council; the Governor in Council may also establish a "Dominion Lands Board" to investigate and settle all disputed questions arising out of the duties imposed upon the Commissioner of Dominion lands and the Inspector of Dominion lands agencies, and all matters connected with the administration of the Dominion lands system in the Province of British Columbia; and such Dominion Lands Board shall be composed of such persons, and shall have such powers and authority, not inconsistent with these Regulations, and shall perform such duties as shall, from time to time, be prescribed by Order of the Governor in Council;

4. Copies of any records, documents, plans, books, or papers belonging to, or deposited in, the Dominion lands office, attested under the signature of the Minister of the Interior or of the Surveyor-General, or any chief clerk or officer authorized thereto, and of plans or documents in any Dominion lands or surveys office in the Province of British Columbia, attested under the signature of the agent or inspector of surveys, or other officer in charge of such office, shall be competent evidence in all cases in which the original records, documents, books, plans or papers would be evidence; and lithographed or other copies of maps or plans purporting to be issued or published by the "*Dominion Lands Office*" of the Department of the Interior, and to have a lithographed or copied signature of the Minister of the Interior or of the Surveyor-General thereto attached, shall be received in all courts and proceedings as *prima facie* evidence of the originals and of the contents thereof;

5. No person employed in or under the Department of the Interior, including the Geological Survey Branch thereof, shall purchase or take security upon any Dominion or other lands except under authority of an Order in Council, or act as agent of any other person in such behalf; nor shall any person so employed disclose to any person, except his superior officer, any discovery made by him or by any other officer of the Department of the Interior, nor any other information in his possession in relation to Dominion lands, until such discovery or information has been reported to the Minister of the Interior, and his permission for such disclosure has been obtained.

Dominion Lands—Townships.

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.

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	
W	19	20	21	22	23	24	E
	18	17	16	15	14	13	
	7	8	9	10	11	12	
	6	5	4	3	2	1	
S							

4. The lines bounding townships 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, subject to the provisions hereinafter made.

6. In the survey of a township, the deficiency or surplus resulting from convergence of meridians shall be allowed in the range of quarter sections adjoining the west boundary of the township, 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 : Provided, that such deficiency or surplus, and such north and south error, or either of them, may, by the Governor in Council, be ordered to be equally distributed among all the quarter sections involved.

7. The dimensions and area 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 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 subdivisions :—

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

2. The area of any legal subdivision, 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.

Ordinary Sale of Lands.

9. 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;

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 to the highest bidder—an upset price being fixed for the same:

2. 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.

10. 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, an upset price being fixed for the same:

11. 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-four of these Regulations, both inclusive, shall not apply to lands settled upon after the first day of July one thousand eight hundred and eighty-five.

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, 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 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.

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. The person who shall have first *bonâ fide* settled and made improvements on Dominion lands before such confirmed survey as aforesaid, may stake out the land so settled upon in the following manner: It shall be in the form of a square, and its area shall not exceed one hundred and sixty acres. Its boundaries shall be north and south, east and west lines. At each angle a post at least four inches square and standing four feet above the ground, shall be planted and plainly marked with scribing iron or knife to designate the angle of the claim and shall also have in same manner the name of claimant marked thereon. Between the posts at the angles, if in timber, a line shall be well cut out and marked. He shall also, with his application, to the local agent accompanied with a fee of ten dollars, furnish an intelligible sketch, showing the nature and shape of the claim, the timber, if any thereon; also all streams, roads, hay lands, water powers, quarries, &c., and if it shall afterwards be found that the applicant has suppressed any information in said sketch, the right of claimant shall be voided in every respect, and after the land shall have been so staked out he shall, in addition to the prior right of obtaining homestead entry granted by the last preceding section, be entitled, if he shall have continuously resided on such land, to bring such actions of trespass and ejection as he would be entitled to bring were he the owner in fee of the same land: Provided always, that nothing in these Regulations contained shall give, or be construed to give, any such person any rights whatever against the Crown.

16. To obtain homestead entry it shall be necessary for the person applying therefor to appear and make affidavit before the local agent according to form B, C, or D, in the schedule to these Regulations, as the circumstances of the case require. Upon filing such affidavit with the local agent, and on payment to him of an office fee of ten dollars, such person shall receive a receipt from the local agent according to the form F 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 go into possession of the land described in it;

2. Provided, that in the case of intending immigrants or other persons proposing to settle together, the Minister of the Interior or the Land Board, on requisition signed by them, may authorize any person they name to obtain homestead entries for them, before their arrival in the territory in which the land they desire to occupy is situate;

3. The person so authorized shall, to obtain such entries, make application in the form G in the schedule to these

Regulations, on behalf of each of those whom he represents, and shall make affidavit before the Local Agent according to form H, J, or K, in the schedule to these Regulations, as the circumstances require, and pay for each homestead entry the office fee of ten dollars hereinbefore prescribed for such entry ;

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 and of either the land originally occupied by him or that for which homestead entry has been obtained, or both

17. In case a dispute arises between persons claiming the right to homestead entry for the same land, the local agent, 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.

18. 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.

19. In case a certain number of homestead settlers, embracing not less than twenty families, with a view to greater convenience in the establishment of schools and churches, and to the attainment of social advantages of like character, ask to be allowed to settle together in a hamlet or village, the Minister of the Interior may, in his discretion, vary or dispense with the foregoing requirements as to residence, but not as to the cultivation of each separate quarter-section entered as a homestead.

20. 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 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 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. In addition to the cases hereinbefore mentioned, any person claiming a patent for a homestead shall be entitled thereto on proving that he has erected upon his homestead a habitable house and has *bond fide* resided therein for not

less than three months next prior to the date of his application for his patent; that for the period between the time within which, by clause eighteen of these Regulations, it is provided that a homesteader shall perfect his entry, and the commencement of his said three months' residence upon his homestead, he has been *bonâ fide* resident within a radius of two miles from his homestead quarter section; that within the first year after the date of his homestead entry he had broken and prepared for crop not less than ten acres of his homestead quarter section; that within the second year he had cropped the said ten acres and broken and prepared for crop not less than fifteen acres additional—making not less than twenty-five acres; and that within the third year after the date of his homestead entry, he had cropped the said twenty-five acres and broken and prepared for crop not less than fifteen acres additional, making in all not less than twenty-five acres of the said homestead cropped, and fifteen acres additional thereof broken and prepared for crop, within three years of the date of perfecting his homestead entry; and the residence described in this sub-clause shall be sufficiently fulfilled if the applicant has not been absent from his residence for more than six months in any one year;

5. Proof of the residence, erection of a habitable house and cultivation 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 the Land Board; such affidavit shall be sworn and such testimony given before the Local Agent or some other person named for that purpose by the Minister of the Interior.

21. 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, 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 time so granted shall not count as residence.

22. A homestead, the entry of which has been cancelled, may, at the discretion of the Minister, be held for sale of the

land with the improvements, if any—or of the improvements only in connection with homestead entry thereof—to another person.

23. 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, which 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 and who has received from such agent a certificate to that effect in the form L, in the schedule to these Regulations, countersigned by the Commissioner of Dominion lands, may legally dispose of and convey, assign or transfer his right and title therein.

24. If any person or persons thereunto authorized by the Minister of the Interior, place immigrants as settlers on homestead lands, free of expense to the Government, the Governor in Council may order that the expenses, or any part thereof, incurred by such person or persons, for the passage money or subsistence in bringing out an immigrant, or for aid in erecting buildings on his homestead, or in providing horses, cattle, farm implements or seed grain for him, may, if so agreed upon by the parties, be made a charge upon the homestead of such immigrant ; and in such case the claim for expenses incurred on behalf of such immigrant, as above, together with interest thereon, must be satisfied before a patent or certificate for patent shall issue for the land : Provided as follows :—

(a) That the sum or sums charged for the passage money and subsistence of such immigrant shall not be in excess of the actual cost of the same, as proved to the satisfaction of the Minister of the Interior ;

(b) That an acknowledgment by such immigrant of the debt so incurred shall have been filed in the office of the Local Agent ;

(c) That in no case shall the charge against such homestead for principal moneys advanced exceed in amount the sum of five hundred dollars ;

(d) That no greater rate of interest than six per cent. per annum shall be charged on the debt so incurred by such immigrant ;

2. If an immigrant to whom an advance has been made, as in this clause provided, and by whom or for whom a homestead entry, has been obtained, forfeits such entry under the provisions of these Regulations, the Minister of the Interior may, in his discretion, treat the person by whom such advance was made as if he were the person who had obtained

such entry, or his legal representatives, and as if, up to the time of his being so treated, no forfeiture of the entry had taken place; and if, under like circumstances, the immigrant by or for whom a homestead entry has been obtained, has acquired a right to receive a patent for the land forming the subject of such entry after three years' residence, and does not apply for the issue of the same, the person or persons by whom the advance was made may obtain such patent or certificate for patent in the name of the person so entitled to obtain the same, or of his legal representatives, and thereupon the advance made shall be a statutory mortgage on such homestead.

Grazing Lands.

25. 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.

26. Lands containing coal or other minerals, whether in surveyed or unsurveyed territory, shall not be subject to the provisions of these Regulations respecting sale or homestead entry, but shall 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.

27. 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.

Water.

28. Every person lawfully entitled to hold land under these Regulations, and lawfully occupying and *bonâ fide* cultivating lands, may record and divert so much and no more of any unrecorded and unappropriated water of the Dominion from the natural channel of any stream, lake or river of the Dominion passing through such land, for agricultural, mining or other purposes, as may be reasonably necessary for such purposes, upon obtaining the written authority of the Local Agent of the district to that effect, and a record of the same shall be made with him, after due notice as herein mentioned, specifying

the name of the applicant, the quantity sought to be diverted, the place of diversion, the object thereof and all other particulars as such Local Agent may require. For every such record the Local Agent shall charge a fee of two dollars: and no such person shall have any exclusive right to the use of such water, whether the same flow naturally or otherwise through or over his land until such record shall have been made and such fee paid.

29. One month previous to such authority as aforesaid being given, the applicant shall post up in a conspicuous place, on each person's lands to be affected by the proposed diversion of any stream, lake, or river, and on the district court house, notices in writing, stating his intention to apply for authority to take and convey and divert such water (as the case may be) specifying all particulars relating thereto, including direction, quantity, purpose, and term.

30. The owner of any water privilege acquired under these Regulations by record shall have no exclusive right to the water privilege so recorded until he shall have constructed a ditch, flume or other conduit for conveying the water to the place where it is intended to be used; and in case any such conduit shall not be of sufficient capacity to carry the quantity of water so recorded, then the exclusive right of such owner shall be limited, notwithstanding such record, to the quantity which such conduit may be capable of carrying, until such conduit shall be enlarged so as to be capable of carrying the quantity of water so recorded.

31. Priority of right to any water privilege shall, in case of dispute, depend on priority of record.

32. The right of entry on and through lands acquired by others under these Regulations for carrying water for any lawful purpose upon, over, or under such land, may be claimed and taken by the owner of any such privilege acquired under these Regulations, he (previous to entry) paying or securing payment of compensation as aforesaid for the waste or damage so occasioned to the person whose land may be wasted or damaged by such entry or carrying of water.

33. In case of dispute, such compensation or any other question connected with such water privilege, entry, or carrying, may be ascertained and assessed by the Local Agent of the district, or other person appointed by the Minister of the Interior for that purpose, in a summary manner.

34. Water privileges for mining or other purposes, not otherwise lawfully appropriated, may be claimed, and the said water may be taken upon, under, or over any Dominion lands, or lands the right to which shall be acquired under

these Regulations by obtaining a grant or license from the Local Agent of the district ; and, previous to taking the same, paying reasonable compensation for waste or damage to the person whose land may be wasted or damaged by such water privilege, or carriage of water, and in the event of dispute as to the amount of compensation, the same may be ascertained as in the last preceding section is mentioned.

35. In either of the cases referred to in the last two preceding sections the Local Agent or person appointed by the Minister of the Interior for that purpose shall have all the powers of a County Court Judge in the Province of British Columbia, in awarding costs, and the certificate of the Agent or other person appointed as aforesaid, of the amount of compensation ascertained and assessed under the last two preceding sections and of costs awarded, shall have the effect of an award and may be made a Rule of the Supreme Court of British Columbia and enforced accordingly.

36. Any owner of any ditch, flume, or other conduit or water privilege acquired by record or otherwise under these Regulations who shall wilfully waste any quantity of water by diverting any more of it from its natural course, through any ditch or otherwise, than the quantity actually required by him for irrigation or any other purpose for which he is entitled to use such water, shall be punished by a fine not exceeding one hundred dollars for each such offence, to be recovered before a Justice of the Peace, Stipendiary Magistrate, Local Agent or other person appointed by the Minister of the Interior for that purpose, in a summary manner, and in default of payment by distress, or by imprisonment for any period not exceeding six months ; and no owner of any first record to any water privilege shall have any right to interfere with or prevent the construction of any dams, breakwaters, or other improvements made or hereafter to be made for the purpose of saving or economizing the water of any creek lake, or water course of any kind : Provided, that the construction or use of such dam or break-water does not nor will divert such water from its proper channel, at the point or place where such owner takes the water used by him into his ditch or channel : Provided also, that the construction and use of such dam or breakwater shall not injure the source from which such water is taken, or the property of any party or parties, by backing water, flooding, or otherwise : Provided also, that all disputes arising upon any matter or thing in this clause contained, shall be decided in a summary manner before any Justice of the Peace, Stipendiary Magistrate, Local Agent or other person appointed by the Minister of the Interior for that purpose, who shall have full power to make such decision as shall seem to him just and equitable.

37. The proprietors or occupiers of any lands subject to irrigation may, with the consent in writing of the Local Agent or other person appointed by the Minister of the Interior for that purpose, by means of flumes, ditches, drains, or other conduit, through the adjacent Dominion lands or land, the right to which shall be acquired under these Regulations, run their surplus and waste water into any creek, gulch, or channel : Provided further, that when such power is exercised by either of the above officers, any Commissioners or other officers acting under the drainage, dyking, and irrigation Acts of British Columbia for the time being in force, shall not be at liberty to interfere with the power so exercised. The provisions of this clause shall, except as to the lands which for the time being shall be Dominion lands, be subject to the provisions of the law for the time being in force respecting compensation for entry upon occupied lands for carrying water through or over them.

38. In measuring water in any ditch or sluice, the following rules shall be observed : The water taken into a ditch or sluice shall be measured at the ditch or sluice head, no water shall be taken into a ditch or sluice except in a trough placed horizontally at the place at which the water enters it, one inch of water shall mean half the quantity that will pass through an orifice two inches high by one wide, with a constant head of seven inches above the upper side of the orifice.

Timber Licenses.

39. The enactments and provisions in the twenty-six next following clauses shall be limited in their effect to the Dominion Lands in the Railway Belt in British Columbia lying west of the one hundred and twentieth degree of longitude, west of Greenwich ; and in regard to the timbered lands within the Railway Belt in British Columbia lying east of the said one hundred and twentieth degree of longitude west of Greenwich, 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.

40. 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 of the Dominion lands, unless such lands are rightfully held by homestead entry under the provisions of these Regulations.

41. Every person who shall violate the provisions of the preceding section shall, for each offence, be liable to a penalty

of not less than twenty-five dollars nor more than five hundred dollars, to be recovered in a summary manner, upon the complaint of any person, before any Stipendiary Magistrate, or two Justices of the Peace, and in default of payment by imprisonment not exceeding sixty days.

42. Any person desirous of cutting or felling and carrying away trees or timber from Dominion lands may obtain a license to that effect upon complying with the following provisions:—

(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 land 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.

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

44. 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; no person shall be entitled to more than one license at the same time; 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.

45. 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.

46. The license may be in the form M set forth in the schedule to these Regulations.

47. Every licensee shall keep an account in writing of the number of trees felled by him upon the land embraced within his license, and shall, at the expiration of every three months, during the currency of his license, make and furnish to the Minister of the Interior a statement in writing, verified by declaration to be made before a Justice of the Peace, showing the number of trees so felled, 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, except for such trees as are hereinafter excepted.

48. The licensee shall, if required, produce to the Crown Timber Agent the original account of trees and timber cut, felled or removed upon or from the land included within his license.

49. If the licensee shall not keep an account in writing of the number of trees felled under the license, or shall not render to the Crown Timber Agent 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 aforesaid, 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.

50. The preceding section of these Regulations shall not be construed so as to inflict penalties upon miners, engaged in prospecting or mining, or upon travellers, or upon persons engaged in merely scientific pursuits or exploring, or upon farmers cutting timber for purposes connected with their farms, or upon persons cutting cordwood for fuel for their own use, or for school purposes.

51. 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.

52. If any person, without authority or otherwise than is expressly permitted by these Regulations cuts or employs, or

induces any other person to cut or assist in cutting any timber on any of the Dominion lands, or removes or carries away any merchantable timber so cut from any Dominion lands, he shall not acquire any right to the timber so cut, or any claim to any remuneration for cutting, preparing the same for market, or conveying the same to or towards market; and any timber so cut may be seized by the Crown Timber Agent, or other officer or agent of the Minister of the Interior, and shall be sold for the benefit of the Crown; and all horses, oxen, mules and live stock, or any or either of them, and the machinery, plant and material found upon any of the Dominion lands whereon timber shall have been cut without lawful authority, shall be liable to forfeiture, and may be seized by the officer aforesaid, and may be sold for the benefit of the Crown.

(a.) If any timber shall be removed or be caused to be removed by any person from Dominion lands, such person shall, in addition to the loss of his labour and disbursements, forfeit a sum of three dollars for each tree (rafting stuff excepted) which he shall remove or cause to be removed from such land, which sum shall be recovered with costs in the name of the Minister of the Interior, in any court having jurisdiction in civil matters, to the amount of the penalty;

(b.) In any proceedings under this section, it shall be incumbent upon the party charged to prove his authority to cut.

53. Where timber has been cut without such authority, or permission, as aforesaid, on Dominion lands, and has been made up with other timber into a crib, dam, or raft, or has been in any other manner mixed up with other timber, the whole of the timber so mixed up shall be held to have been cut without authority on public lands, and shall be liable to seizure and forfeiture by the Crown Timber Agent, or other officer or agent of the Minister of the Interior on behalf of the Crown.

54. The officer making the seizure may, in the name of the Crown, call in any assistance necessary for securing and protecting the timber seized.

55. All timber, animals, or things seized under these Regulations shall be deemed to be condemned, unless the person from whom they were seized, or the owner thereof shall, within one month from the day of the seizure, give notice in writing to the nearest Crown Timber Agent, that he claims, or intends to claim the same; failing such notice, the agent aforesaid shall report the circumstances to the Minister of the Interior, who may order the sale of the said timber by the said Agent at such time and in such manner as he may think fit

56. In all cases where the notice referred to in the last preceding section has been given, any Supreme Court judge may, upon petition in a summary way, try and determine such seizures, and may order the delivery of the timber to the alleged owner, upon his giving security, by bond, with two good and sufficient sureties, to pay double the value, in case of condemnation :

(a) Such bond shall be taken in the name of the Minister of the Interior to Her Majesty's use, and shall be delivered up to and kept by the said Minister of the Interior :

(b) If any timber, animal, or thing in respect of which a bond has been given is condemned, the value thereof shall be forthwith paid to the Minister of the Interior and the bond cancelled, otherwise the penalty shall be enforced and recovered.

57. Every person availing himself of any false statement or oath, to evade the payment of any moneys payable under these Regulations, in respect of timber, shall forfeit the timber in respect of which payment of such moneys is attempted to be evaded.

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

59. No logs cut under any license granted under the provisions of these Regulations, shall be sawn or otherwise manufactured into lumber or other material until the logs shall have been scaled and measured by the Crown Timber Agent of the district, and the sums and timber dues prescribed by these Regulations duly paid thereon.

60. All logs shall be scaled and measured by the Crown Timber Agent or person appointed by the Minister of the Interior for that purpose in the district in which such logs have been cut.

61. On the scaling and measurement of saw logs the person making the same, shall make out a bill stating therein the number of logs, the number of feet board measure contained in such logs, and the name of the owner ; and the Crown Timber Agent shall enter in the books of his office a copy of such bill : another copy of the bill shall be made out and delivered to the owner or his agent, with a certificate thereto attached, that it is a true and correct bill, which bill so certified, shall, for the purpose of ascertaining the amount of timber dues to be paid in respect of such logs, be presumptive evidence of the facts therein contained and of the correctness of such scaling or measurement.

62. The scale and rule by which the quantity 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.

63. There shall be payable and paid by the licensee to the Minister of the Interior, to and for the use of Her Majesty, the sum of seventy-five cents, for each and every one thousand feet of board measure contained in such logs, 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.

64. In scaling or measuring logs such allowance for hollow or crooked, or otherwise defective logs shall be made as would make them equal to good, sound, straight, and merchantable logs.

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

Slides, &c.

66. No sale or grant of any Dominion lands shall give or convey any right or title to any slide, dam, 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, pier, or boom, or other work, is intended to be thereby sold or granted :

2. The free use of slides, dams, piers, booms or other works on streams, to facilitate the descent of lumber and saw logs, and the right of access thereto for the purpose of using the same and keeping them 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 such works.

67. The free use, for the floating of saw logs or other timber, of all streams and lakes that may be necessary for the descent thereof from Dominion lands, and the right of access to such streams and lakes, and of passing and re-passing on or along the land on either side, and wherever necessary for such use thereof, and over all existing or necessary portage

roads past any rapids or falls, or connecting such streams or lakes, and over such roads, as owing to natural obstacles, may be necessary for taking out timber from Dominion lands, and the right of constructing slides where necessary, shall continue uninterrupted, and shall not be affected, or obstructed by, or in virtue of any sale or grant of such lands.

Patents.

68. A Deputy Governor may be appointed by the Governor General, who shall have the power, in the absence of or under instructions of the Governor General, to sign letters patent of Dominion lands; and the signature of such Deputy Governor to such patents, shall have the same force and virtue as if such patents were signed by the Governor General:

2. Every patent for land shall be prepared in the Department of the Interior, and shall be signed by the Minister of the Interior or his Deputy, or by some other person thereunto specially authorized by order of the Governor General in Council, and when so signed shall be registered by an officer specially appointed for that purpose by the Registrar General, and then transmitted to the Secretary of State of Canada, by whom or by the Under-Secretary of State the same shall be countersigned, and the great seal of Canada thereto caused to be affixed: Provided, that every patent for land shall be signed by the Governor or Deputy Governor, as hereinbefore provided.

69. Whenever, through error in survey or in the books or plans of a Dominion lands office, any grant of land is found to be deficient, the Minister of the Interior may order a free grant equal in value, at the time such land was granted or sold, to the ascertained deficiency; or he may order the purchase money of so much land as is deficient, with interest thereon at the rate of six per centum per annum, from the time of the purchase thereof to be paid back to the purchaser: but no claim respecting any such deficiency shall be entertained unless it be made within five years from the date of the patent, nor unless the deficiency is equal to one-tenth of the whole quantity described in the patent as being contained in the lot or parcel of land granted.

70. Whenever a patent has been issued to, or in the name of a wrong party, or contains any clerical error, misnomer or wrong or defective description of the land thereby intended to be granted, or there is in such patent an omission of the conditions of the grant, the Minister of the Interior may (there being no adverse claim) direct the defective patent to be cancelled and a correct one to be issued in

its stead—which corrected patent shall relate back to the date of the one so cancelled and have the same effect as if issued at the date of such cancelled patent.

71. In all cases in which, through error, grants or letters patent have issued for the same land, inconsistent with each other, and in all cases of sales or appropriations of the same land inconsistent with each other, the Minister of the Interior may order a new grant to the person thereby deprived, of land of value equal to that of the original grant, at the time the same was granted, or may, in case of sale cause repayment to be made of the purchase money with interest or when the land has passed from the original purchaser, or has been improved before the discovery of the error, or when the original grant was a free grant, the Minister of the Interior may assign land, or grant such amount of scrip for the purchase of Dominion lands as to him may seem just and equitable under the circumstances ; but no claim under this clause shall be entertained unless it is preferred within one year after the discovery of the error.

72. In all cases wherein patents, leases or other instruments respecting lands have issued through fraud, or in error or improvidence, any court having competent jurisdiction in cases respecting real property in the Province or place where such lands are situate, may, upon action, bill or plaint respecting such lands and upon hearing of the parties interested, or upon default of the said parties, after such notice of proceeding as the said court shall order, decree such patent, lease or other instrument to be void ; and upon the registry of such decree in the office of the Registrar General of Canada, such patent, lease or other instrument shall be void.

73. When any settler, purchaser, or other person refuses or neglects to deliver up possession of any land after forfeiture of the same under the provisions of these Regulations, or whenever any person is wrongfully in possession of Dominion land, or refuses to vacate or abandon possession of the same, the Minister of the Interior may apply to a judge of any court having competent jurisdiction in cases respecting real property in the Province or place in which the land is situate, for an order in the form of a writ of ejectionment or of *habere facias possessionem* ; and the said judge, upon proof to his satisfaction that such land was so forfeited, and should properly revert to the Crown, or is wrongfully in possession of such person, shall grant an order upon the settler or person or persons in possession, to deliver up the same to the Minister of the Interior or to the person by him authorized to receive such possession ; and such order shall have the same force as a writ of *habere facias possessionem*, and the sheriff shall execute the same as he would execute the said writ in an action of ejectionment or a petitory action.

Assignments.

74. 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.

75. On any application for a patent by the legal representative of a person who died entitled, or who had made entry and but for such death might have become entitled to such patent, the Minister of the Interior may receive proof of the facts in such manner as he may see fit to require, and upon being satisfied that the claim has been justly established, may allow the same and cause a patent to be issued accordingly.

TOWNSHIP PLANS AND PATENT LISTS.

76. 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 county, district or division, surveyed in the year next preceding, together with a certified list of the lands in such county, district or division, patented during such year.

General Provisions.

77. 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.

78. 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.

79. The Dominion Lands Board, the Commissioner of Dominion Lands, the Inspector of Dominion Lands Agencies, and any Local Agent, and any person specially authorized to that effect by the Governor in Council, shall have power to summon before them or him any person by subpoena 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 subpoena may be in the form N 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 subpoena 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.

80. 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.

81. 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 wrongdoer 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.

82. The Minister of the Interior may, in his discretion, from time to time appoint such fit and properly qualified persons to act as Dominion Land Surveyors in the Province of British Columbia as to him may seem expedient or necessary; whenever it may be deemed expedient, the Governor in Council may, by Order in Council, declare that sections eighty-seven to one hundred and twenty-four inclusive of the Dominion Lands Act, 1883, or any of them shall be extended and take effect in the Province of British Columbia, on a day to be appointed in and by such order, and from and after the day so appointed, the said sections eighty-seven to one hundred and twenty-four inclusive or any of them shall have the same force and effect as if they had been embodied in and formed part of these Regulations.

Tariff of Fees.

83. 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 20th April, 1885," for the _____ quarter-section of section number _____ of the _____ township, in the _____ range of the _____ meridian.

FORM B.

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

knowledge and belief the land in respect of which my application is made is of the class open for homestead entry; 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; and 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.

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

FORM F.

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 20th April, 1885," respecting homestead rights.

Local Agent.

(Place--Date).

FORM G.

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 20th April, 1885," for the quarter-section of section number of the township, in the range of the meridian.

FORM H.

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 of the class open for homestead entry; 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.

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

Local Agent.

FORM J.

Affidavit by an agent in support of 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 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 the 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.

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

Local Agent.

FORM K.

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 of the class open for homestead entry; 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.

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

Local Agent.

FORM L.

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 M.

Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia, as approved by Order in Council, dated 20th April, 1885.

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 hereinafter 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 20th April, 1885," 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 _____

.....
Minister of the Interior.

FORM N.

Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia, approved by Order in Council, dated 20th April, 1885.
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 _____

