

grants of the unoccupied Crown lands of the Colony, for the encouragement of immigration, with and under such provisions, restrictions, and privileges, as to the Governor in his discretion may seem most advisable for the encouragement and permanent settlement of immigrants.

A. D. 1865.

56. Nothing in this Ordinance contained shall be construed so as to interfere prejudicially with the rights granted to free miners under the "Gold Mining Ordinance, 1865." Saves miners' rights generally.

57. The Schedule hereto shall form part of this Ordinance.

Schedule.

58. This Ordinance shall be cited as the "Land Ordinance, 1865."

Short title.

### SCHEDULE.

#### CERTIFICATE OF IMPROVEMENT.

I hereby certify that \_\_\_\_\_ has satisfied me by evidence of (naming the witnesses and detailing the same and any other evidence upon which the Magistrate has come to his judgment) that \_\_\_\_\_ of \_\_\_\_\_ has made improvements to the extent of ten shillings an acre on acres of land, situated at \_\_\_\_\_

Signed, \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_

#### No. 24. (255)

An Ordinance further to define the law regulating the acquisition of Land in British Columbia.

A. D. 1866.

[31st March, 1866.]

REPEALED by  
No. 144.

**WHEREAS** it is expedient to provide for the adjustment of boundaries and other matters relating to the acquisition of land:

Preamble.

Be it enacted by the Governor of British Columbia, by and with the advice and consent of the Legislative Council thereof, as follows:

1. The right conferred under Clause 12 of the "Land Ordinance, 1865," on British subjects, or aliens who shall take the oath of allegiance, of pre-empting and holding in fee simple unoccupied, and unsurveyed, and unreserved crown lands in British Columbia, shall not (without the special permission thereto of the Governor first had in writing) extend to or be deemed to have been conferred on

Companies and ab-  
origines cannot  
pre-empt.

A. D. 1866.

companies whether chartered, incorporated, or otherwise, or without the permission aforesaid, to or on any of the Aborigines of this Colony or the Territories neighbouring thereto.

Enabling pre-empted and purchased lands to be surveyed of shape not in exact conformity to the requirements of the "Land Ordinance, 1865."

2. It shall be lawful for the Chief Commissioner of Lands and Works and Surveyor-General in carrying out any Government survey, whenever in his opinion the circumstances of the case may require it, to survey pre-emption claims or purchased lands recorded previous to the date of this enactment, by metes and bounds not strictly in accordance with the requirements in these respects of the "Land Ordinance, 1865."

Every such survey certified by the said Chief Commissioner of Lands and Works and Surveyor-General shall be binding and final to all intents and purposes upon all persons whomsoever, and shall be evidence in all Courts of Law in the Colony of the matters and things therein contained, and of the compliance of the particular claim or tract of land therein mentioned with the requirements of the survey clauses of the "Land Ordinance 1865," as to courses and lengths of boundaries and general shape of said claim or tract of land.

Stipendiary Magistrate means Assistant Commissioner of Lands and Works.

3. In the interpretation of the "Land Ordinance, 1865," the words "Stipendiary Magistrate" shall be deemed to mean Stipendiary Magistrate acting as Assistant Commissioner of Lands and Works.

Saving prerogative rights.

4. Nothing herein contained shall be construed to affect the prerogative rights of Her Majesty, Her heirs and successors, over the crown lands of the Colony.

Short title.

5. This Ordinance may be cited as the "Pre-emption Ordinance, 1866."