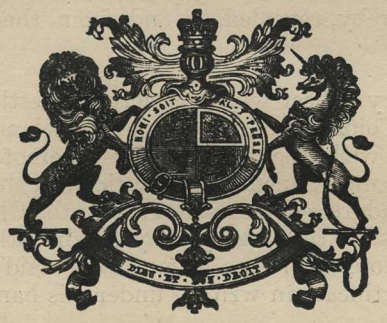
BRITISH COLUMBIA.



PROCLAMATION.

No. 2 A. D. 1863.

By His Excellency JAMES DOUGLAS, Companion of the Most Honourable Order of the Bath, Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c.

WHEREAS, under and by virtue of an Act of Parliament, made and passed in the session of Parliament held in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the Government of British Columbia," and by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, I, JAMES DOUGLAS, have been appointed Governor of the said Colony, and have been authorized by Proclamation issued under the Public Seal of the said Colony, to make laws, institutions, and ordinances for the peace, order, and good government of the same;

And whereas by a Proclamation duly made and issued under the Great Seal of the Colony of British Columbia, and dated on, or about, the 18th day of March, 1861, certain remissions in the purchase money of Country Lands in the said Colony purchased for actual settlement were granted to certain Officers of Her Majesty's Royal Army and Navy in certain cases;

And whereas such remissions were originally calculated upon the basis of the price of such Country Lands being one pound sterling per acre;

And whereas the price of such Country Lands has been reduced to four shillings and two pence per acre;

And whereas it is expedient to repeal the said Proclamation, and to provide that the remissions aforesaid should be reduced proportionately with the said reduction in the price of Country Land, and free grants of lands substituted for remissions in money;

Now, therefore, I do hereby declare, proclaim, and enact as follows:

Repeals former Act.

I. The said Proclamation of the 18th day of March, 1861, shall be, and is hereby, repealed, as and from the 1st day of January, A. D. 1863.

Saving existing rights, with option of making use of the new Act.

II. Every Officer who has actually settled upon Country Lands in the said Colony, under the said Proclamation, and has been duly complying with the requirements thereof, may complete his title to such lands under such Proclamation; or, by a notice in writing under his hand, addressed and delivered to the Chief Commissioner of Lands and Works for the Colony, may obtain title to such lands under this Proclamation, upon such terms as the said Chief Commissioner shall by any certificate in writing under his hand in that behalf prescribe.

What officers may take free grants of lands.

III. From and after the date hereof, Military and Naval Officers in Her Majesty's service of the rank hereinafter specified, or of the ranks respectively relative thereto, who shall, with the view of actually settling and residing thereon, take up any unoccupied and unsurveyed Country Lands in British Columbia, shall, subject as hereinafter is mentioned, and upon the production of the certificate hereinafter also mentioned, be entitled, without pay, to free grants of such lands in the amounts and in manner following, that is to say:—

						Acres.
Field Officers of	25	years' service,	in the	whole	.....	600
Do. do.	20	do.	do.	do.	.....	500
Do. do.	15	do.	do.	do.	.....	400
Captains of	20	do.	and upwards,	in the	whole	400
Do. of	15	do.	or less,	in the	whole	300
Subalterns of	20	do.	and upwards,	in the	whole	300
Do.	7	do.	do.	do.		200

Certificate of rank, service, &c., necessary. Officer must be on full or half pay or have resigned with purpose of settling.

IV. Every person desiring to take advantage of the privileges accorded by this Act shall, before obtaining any of the same, produce to, and leave with, the Chief Commissioner of Lands and Works for British Columbia, a certificate from the General Commanding in Chief in England, or from the Office of the Lords Commissioners of the Admiralty, shewing that the settlement of the said person in a British Colony has been duly sanctioned, and shewing also the rank and length of service of such person; but nothing herein contained shall entitle any person to any of the grants aforesaid, except such person shall at the time of actually settling or residing upon and recording such Country Lands be either on half pay or full pay; unless the person settling shall have quitted the service for the purpose of settling in a British Colony.

Such proposing settler shall obtain a statement of date of retirement.

V. Every person who shall have so quitted the service for the purpose of settling as aforesaid shall, before being entitled to the privileges afforded by this Act, obtain a statement by the proper authority, to be made in one of the offices aforesaid, and upon his certificate aforesaid, of the date of his retirement from the Army or Navy, for the purpose aforesaid.

Presentation of certificate.

VI. Every Officer who shall have conformed to the regulations aforesaid, shall present his certificate to the Governor for the time being aforesaid, within one year from the date of his retirement aforesaid; and in default thereof shall cease to be entitled to any of the privileges afforded by this Act.

VII. Provided always, that every person availing himself of the privileges of this Act, shall not be entitled to a grant of the land sought to be acquired under this Act, until he shall have obtained from the Governor for the time being of British Columbia a certificate that he has been a bona fide settler in British Columbia for the space of two years actually resident on the lands sought to be acquired.

Governor's certificate of bona fide settlement necessary.

VIII. Provided, that until such person shall have obtained a grant as aforesaid, he shall be entitled to a location ticket, to be issued to him by the Chief Commissioner of Lands and Works for British Columbia.

Location ticket.

IX. Provided, that unless the person holding such location ticket shall obtain a grant of the land in respect of which such location ticket shall have been granted within twelve months from the expiration of the said term of two years, the land, in respect of which such location ticket shall have been granted, shall absolutely revert to the Crown, and be capable of being sold, pre-empted, or granted de novo.

Limited time for demand of grant.

X. Provided, that no location ticket shall be granted, or free grant made, unless the particular land to be included therein shall have been claimed specifically within two years from the date of such certificate from the offices aforesaid.

Specification of limits.

XI. Provided, that the land in respect of which such free grant shall have been sought, shall not be transferable, until a grant thereof as aforesaid shall have been made thereof.

No transfer until grant.

XII. Provided, that the Governor for the time being of British Columbia may, in case of the death of the person entitled to the privileges aforesaid, before a grant of the land aforesaid, by any writing under his hand, confer the benefit of the privileges aforesaid, to such child or children, or other relative of the person entitled to such remission, as he may think proper.

Transmission of privileges on death of claimant.

XIII. Provided, that such child or children, or other relative, shall enjoy the right to such privileges to the same extent, and subject to the same conditions, as the person dying would have done had he lived.

But upon same condition.

XIV. Provided, that every location ticket and grant as aforesaid shall provide for the usual reservation of all public rights.

Reserves public rights of way, &c.

XV. Provided, that no free grant of Town or Surburban Lots or Lands in the Colony shall be made under this Act.

Confines free grants to Country Lands.

XVI. Provided also, that every person entitled to avail himself of the privileges of this Act shall enter into possession and residence upon, and stake out, and record with the nearest Magistrate, the boundaries, plan, position, and particulars of the land in respect of which he seeks to obtain a free grant, in the same manner as the record of a pre-emption claim under the registry law in that behalf, or as near thereto as may be. All lands of which grants shall be claimed under this Act shall be taken in one block, and not otherwise.

Records of limits and particulars of land.

XVII. This Act may be cited as the "Military and Naval Settlers' Act, 1863."

Short title.

Issued under the Public Seal of the said Colony, at Victoria, Vancouver Island, this twenty-third day of February, in the year of our Lord one thousand eight hundred and sixty-three, and in the twenty-sixth year of Her Majesty's reign, by me,

JAMES DOUGLAS.

By His Excellency's Command,

WILLIAM A. G. YOUNG,

Colonial Secretary.

GOD SAVE THE QUEEN.