BRITISH COLUMBIA.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

* *

NO. 13.

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

[31*st March*, 1866.

WHEREAS, is 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:

I. 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 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. Companies and Aborigines cannot pre-empt.

II. 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. Enabling pre-empted and purchased lands to be surveyed of shape not in exact conformity to the requirements 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.

III. 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. Stipendiary Magistrate means Assistant Commissioner of Lands and Works.

IV. 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. Saving Prerogative rights.

V. This Ordinance may be cited as the "Pre-emption Ordinance, 1866." Short Title.

Passed the Legislative Council the 27*th day of March, A.D.* 1866.

CHARLES GOOD, *Clerk of the Council.* H. M. BALL, *Presiding Member.*

Assented to, in Her Majesty's name, this 31*st day of March*, 1866.

ARTHUR N. BIRCH,
Administering the Government.

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