



AN ACT

To Authorise the Governor of Vancouver Island and its Dependencies, to Grant Certain Privileges to the Builder or Builders of a Powder Magazine.

WHEREAS, it is expedient to encourage the Erection of a Powder Magazine;
Be it enacted by the Governor on behalf of Her Majesty, by and with the advice and consent of the Legislative Council and House of Assembly of Vancouver Island and its Dependencies:

Tenders and Contracts for Powder Magazine.

I. That His Excellency the Governor be, and he is hereby authorized, to direct the Colonial Surveyor to advertise for tenders, for the space of one week, (in one or more newspapers published in the Colony,) from any person or persons willing to erect a safe and sufficient building for the purpose of a Powder Magazine, for the use of the merchants and other inhabitants of the Colony; and on the receipt of such tenders, it shall be lawful for the Governor, if he approve of the same, to authorize the said Colonial Surveyor to enter into such a contract with any such person or persons willing to erect, at his or their own expense, such a Magazine as aforesaid; and it shall be lawful for the Governor in such contract, to grant to the contracting party or parties the exclusive privilege of storing Gunpowder for reward, for any term not exceeding ten years from the passage of this Act, within three miles of the Towns of Victoria and Esquimalt.

Provisions to be Inserted in Contract.

II. Provided that such Grantee of such privilege shall stipulate to store all Gunpowder, brought to him for that purpose, at a rate of not more than twelve shillings and six pence per ton per month; and shall also stipulate for the due and speedy erection of such a Magazine in a suitable place, to be approved of by the said Colonial Surveyor. Such Magazine, when erected, to be approved of for the purposes aforesaid, by a writing under the hand and seal of the said Colonial Surveyor. Provided also, that such contract shall contain such

other and further conditions and stipulations for the due completion of the work and otherwise, as to the Colonial Surveyor aforesaid may seem sufficient for the protection of the interests of the inhabitants of Victoria and the public generally.

No Person to Warehouse Gunpowder for Reward, Except in the Magazine.

III. No person or persons shall, after the approval of the Colonial Surveyor aforesaid, and after one week's notice of such approval in one or more of the newspapers of the Colony, warehouse for reward any Gunpowder within the three miles aforesaid otherwise than in the Magazine so approved.

Power to Purchase.

IV. The Governor is hereby empowered at any time hereafter, to purchase the Magazine and the exclusive privilege aforesaid from the contracting party or parties, or his or their representatives, at a price to be ascertained by arbitration; one arbitrator to be named by the Governor, and the other by the contracting party or parties, or his or their representatives; and, in case of dispute, a Referee to be named by the Chief Justice. Provided always, that the said contracting party or parties shall have six months notice in writing under the hand of the Colonial Surveyor, of such intended purchase.

Short Title.

V. This Act may be cited as the "Powder Magazine Act, 1860."

Passed the House of Assembly, 13th December, 1860.

Passed the Council, 22d January, 1861.

Received my assent, the 6th day of February, A. D. 1861.

JAMES DOUGLAS,
Governor.