BRITISH COLUMBIA.

V. R.

No. 19. An Ordinance to prevent the violation of Indian Graves.

[3rd April, 1865.]

WHEREAS, it is expedient for the preservation of the public peace, to make special provision for the protection of Indian Graves, and articles deposited thereon; 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. From and after the passing of this Ordinance, if any person shall steal, or shall without the sanction of the Government, cut, break, destroy, damage or remove any image, bones, article or thing deposited on, in, or near any Indian Grave in this Colony, or induce, or incite any other person so to do, or purchase any such article or thing after the same shall have been so stolen, or cut, broken, destroyed or damaged, knowing the same to have been so acquired or dealt with; every such offender being convicted thereof before a Justice of the Peace in a summary manner, shall for every such offence be liable to be fined a sum not exceeding One hundred pounds, with or without imprisonment for any term not exceeding six calendar months for the first offence, in the discretion of the Magistrate convicting. Imposes a penalty of £100 for removing anything from Indian Graves.

II. In any indictment or other proceeding under this Ordinance, it shall be sufficient for all purposes to state that such grave, image, bones, article or thing is the property of the Crown. Forms of Indictment.

III. If any person so convicted as aforesaid, shall afterwards be guilty of any of the said offences, and shall be convicted thereof in like manner, every such offender for such second or subsequent offence, should the convicting Magistrate in his discretion so deem meet, in addition to suffering the aforesaid fine, be committed to the common gaol, there to be kept to hard labour for such term not exceeding twelve calendar months, as the convicting Justice may think fit. Second offence liable to 12 months' imprisonment with hard labour.

IV. This Ordinance shall be cited as the "Indian Graves Ordinance, 1865." Short Title.

Passed the Legislative Council this 30th day of March, A. D. 1865.

CHARLES GOOD, Clerk.

ARTHUR N. BIRCH, Presiding Member.

Assented to, in Her Majesty's name, this third day of April, 1865.

FREDERICK SEYMOUR, Governor.