BRITISH COLUMBIA.

PROCLAMATION.

By His Excellency JAMES DOUGLAS, Companion of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of British Columbia.

Proclamation having the force of Law in Her Majesty's Colony of British Columbia.

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, intituled 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 boen appointed Governor of the said Colony, and have been authorized by Proclamation 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, it is expedient to afford to aliens desirous of becoming naturalized British subjects, facilities for so doing, and also to afford greater security and facility in the possesion and transferring of land, and for quieting of titles transmitted in part or in whole through aliens;

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

1. Every Alien now residing, or who may hereafter come to reside in the said Colony with intent to settle therein, and who shall have actually resided therein or in the adjacent Colony of Vancouver Island, or partly in the one Colony and partly in the other, for a continuous period of three years, without having been during any portion of that time, a stated resident in any foreign country out of of Her Majesty's dominions, shall be entitled to procure himself to be naturalized in manner hereinafter described.

2. Every alien desirous of becoming so naturalized, shall procure a declaration of residence and character, to be made and subscribed by some British subject in the form marked A, in the schedule hereto. Such alien shall, in the next place, make and subscribe a declaration of residence in the form marked B, in the said schedule hereto, and shall also the oath of allegiance to Her Majesty and Her Successors, in the form marked C, in the said schedule.

3. Every such declaration and oath may be taken, made and subscribed before any Justice of the Peace, acting in any part of the Colony of British Columbia, or before any person appointed by Her Majesty to be a Judge in British Columbia, Every such declaration and oath shall be forthwith delivered to such alien, with the certificate at the foot thereof, signed by such Justice of the Peace, or by the Registrar of the said Judge, stating the compliance on the part of the said alien with the regulations hereinbefore contained.

4. It shall be lawful for the said alien to present all the said documents, properly subscribed and filled up as aforesaid, in open Court, on the first day of any Assizes or general sittings of the Court of British Columbia, in any place in the said Colony And all such documents shall be then read aloud in open Court, and it shall be lawful for the said Court, on the last day of the said Assizes or general sittings, to order all the said documents and proceedings to be entered as of record in the said Court. And thereupon such alien shall be admitted and deemed, while within the said Colony of British Columbia, to be thenceforth a British subject to all intents and purposes whatever, and to hold, enjoy and transmit all property, rights and capacites, in the same manner as if born within Her Majesty's dominions.

5. Any woman (not a British subject previously to her marriage) married to a British subject, whether by birth or naturalization, shall be deemed to be a British subject, naturalized as from the date of her Marriage, or of her husband's naturalization, whichever event shall last happen.

6. The declarations hereinbefore referred to (the forms whereof are set forth in the schedule hereunto) shall be deemed to be made in accordance with the Act 5 and 6 Wm. 4, c. 62, for the abolition of unnecessary oaths; and any wilful false statement made therein shall be deemed perjury, and shall expose every person making such false statement, or procuring the same to be made, to all the penalties of perjury. And in addition to all such penalties, it shall be lawful for the said Court, on motion by the prosecutor, on any trial for perjury or subornation of perjury in respect of any such declaration, to declare null and void the naturalization based upon such false declaration; and thereupon all such steps shall be taken as shall be thought fitting by the said Court. Provided nevertheless, that nothing shall affect the rights of any other person, derived under the person whose naturalization is so annulled, unless such other person shall have been cognizant of the perjury at the time of acquiring the right.

7. There shall be paid to the Justice of the Peace before whom such declarations and oaths as aforesaid shall be taken and subscribed, the sum of four shillings and no more for each such declaration and for such oath respectively; and by the Registrar of the said Court for reading and recording the said certificate and documents, the sum of six shillings and no more; and for every copy of such

documents the same amount as for an office copy of any judgment of the said Court. And all such fees shall be applic as any other fees payable to Justices and Registrars are applicable by law or custom.

8. Every alien shall have the same capacity to take, hold, enjoy, recover, convey and transmit title to lands and real estate of every description, in this Colony, as if he were, at the time of the passing of this Act, a natural born British subject; and no person shall be disturbed in the possession or precluded from the recovery of any lands or real estate in this Colony by reason only that some person from or through whom he may derive his title was an alien.

9. This Act may be referred to in all legal proceedings as the Aliens' Act, 1859

Issued under the Public Seal of the said Colony, at Victoria, this 14th day of May, 1859, in the twenty-second year of Her Majesty's Reign, by me,

JAMES DOUGLAS. [L.S.]

By His Excellency's command,
WILLIAM A. G. YOUNG, Acting Colonial Secretary.

GOD SAVE THE QUEEN.

THE SCHEDULE BEFORE REFERRED TO.

EORM A.

I, M. N. of————do solemnly declare that I am a naturalized British subject (or British Born subject as the case may be) and that I have known A. B. of————a Prussian subject (or as the case may be) ever since————and that the said A. B. has resided within the Colony of——for a period of [three years or upwards] that he is a person of good character, and that there exists to my knowlege no reason why to the said A. B. there should not be granted all the right and capacities of a natural born British subject, and I make this solemn declaration conscientiously believing the same to be true and in compliance with the provisions of the statute made and passed in the session of Parliament held in the 5th and 6th years of the the reign of the late King William IV, intituled an Act for the abolition of unnecessary oaths.

(Signed) M. N.

Declared and subscribed by the said M. N., before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 and 6 William IV., c. 62, and of the Proclamation of the 14th day of May, 1859. And I hereby certify that to the best of my knowlege and belief, the said A. B. has complied with the requisite formalities specified in such Proclamations, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J. P.

J. P. for British Columbia, residing at————this————day of ————185—.

FORM B.

I, A. B. do solemnly declare that I have resided three years in this Colony (or in this Colony and the adjacent Colony of Vancouver Island, as the case may be) with intent to settle in this Colony, and without having been during that time a stated resident in any foreign country. And I make this solemn declaration conscientiously believing the same to be true, and in compliance with the provisions of the statute made and passed in the session of Parliament, held in the 5th and 6th years of the Reign of the late King William IV., intituled an Act for the abolition of unnecessary oaths.

(Signed) A. B.

Declared and subscribed before me, in pursuance of an Act of the Imperial Parliament of the United Kingdom, 5 and 6 William IV., c. 62, and of the Proclamation of the 14th day of May, 1859. And I hereby certify that to the best of my knowledge and belief the said A. B. has complied with the requisite formalities specified in such Proclamation, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

(Signed) J. P.

J. P. for British Columbia, residing at———this———day of———185—.

FORM C.

OATH OF ALLEGIANCE.

I, A. B. do swear that I will be faithful and bear true allegiance to Her Majesty Victoria, of the United Kingdom of Great Britain and Ireland, and of the dependencies and colonies thereof in Europe, Asia, Africa, America and Autralasia, Queen, and that I will defend Her to the utmost of my power against all conspiracies and attempts whatever, which shall be made against Her Person, Crown or Dignity, and I will do my utmost endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all treasons and traitorous conspiracies which may be formed against Her or them. And I do faithfully promise to maintain, support and defend to the utmost of my power, the succession of the Crown which succession, by an Act intituled "An Act for the further Limitation of the Crown aud better securing the Rights and Liberties of the subject," is and stands limited to the Princess Sophia, Electress of Hanover, and the Heirs of Her Body, being Protestants, hereby renouncing and abjuring any obedience or allegiance, unto any other person claiming or pretending right to the Crown of the said Realm and its dependencies and colonies as aforesaid and I do declare that no Foreign Prince, Person, Prelate, State or potentate, hath or ought to have any Jurisdiction, Power, Superiority, Pre-eminence or Authority, Ecclesiastical or spiritual, within the same or any other part thereof. And I make this declaration upon the true faith of a Christian. So help me God.

(Signed) A. B.

Sworn and subscribed by the said A. B., before me this————day of———— 185—. And I Hereby certify that to the best of my knowledge and belief, the said A. B. has complied with the requisite formalities specified in the Prolcamation of the 14th day of May, 1859, entitling him to be naturalized as a British subject, and I know of no reason why he should not be so naturalized.

[Signed] J. P.

Justice of the Peace for British Columbia, residing at————this———— day of————186—.