

the making of such transcripts and extracts to be allowed only subject to such rules as shall be established by the Registrar General as aforesaid, and which shall be suspended in the office for the information of the public.

BRITISH COLUMBIA.

35. It shall be lawful for the Registrar-General from time to time as he shall see fit, with the sanction of the Supreme Court of Civil Justice, to change the amount of any of the aforesaid fees, and to establish such other and reduced or additional fees as may be deemed expedient, provided that a list of all such changes and additions shall, when made and sanctioned, be laid before the Governor within a fortnight; and provided also that a similar list shall be suspended in a conspicuous place in the Registrar-General's office for one calendar month at least before the same shall come into operation, after which period it shall be lawful for the registrars to charge and recover such altered fees.

Authority to alter fees under certain conditions.

36. The registrars shall not be bound to receive or register any instrument or furnish any copies, or make any search, or render any service connected with their offices until the fees for the same, as prescribed by law, are first paid or tendered.

Fees to be pre-paid.

The registrars shall keep a strict account of all fees received in their offices, and shall quarterly pay over all such fees to the colonial treasurer, whose receipt in writing will be a sufficient discharge for the same.

And such fees when so received by the said treasurer shall form part of the public monies belonging to the Colony.

37. In the construction of this Act the following words used therein shall have the following meanings, unless there be something repugnant or contradictory in the context, viz.: "real estate" shall include lands, tenements, and hereditaments, whether corporeal or incorporeal. "Instrument" shall include every deed or agreement in writing, and every judgment, decree, or order of any Court of Civil Jurisdiction in British Columbia.

Meaning of certain words, expressions, and terms in this Act.

38. Nothing herein-before contained shall be deemed to apply to any instrument of whatever nature made before the said 1st day of November 1861, but any instrument made prior to the said 1st day of November 1861, although not acknowledged or proved and certified as provided in this Act, may be registered in the offices of the said registrars, and all such last-mentioned records shall be made and kept in a manner as nearly as may be the same as herein appointed for instruments of a like nature dated subsequently to the said first day of November 1861.

Exceptions as to conveyances made.

And indices shall also be kept thereof as nearly as may be similar to those herein appointed for instruments dated subsequently to the said 1st day of November 1861, but all such records and indices shall be kept separate and distinct from the records and indices relating to instruments made subsequently to the said first day of November 1861.

And all persons shall be deemed to have notice of any instrument executed prior to the said 1st day of November 1861, which shall be registered pursuant to this section, from the time the same shall be delivered to the Registrar-General for registration.

39. This Act may be cited as the "British Columbia Land Registry Act, 1861."

Short title.

Issued under the public seal of the said Colony at Victoria, Vancouver Island, the twenty-sixth day of August, in the year of our Lord one thousand eight hundred and sixty-one, and in the twenty-fifth year of Her Majesty's reign, by me,

(L.S.)

By his Excellency's command,

WILLIAM A. G. YOUNG.

GOD SAVE THE QUEEN.

JAMES DOUGLAS.

APPENDIX No. 8.

App. No. 8.

BRITISH COLUMBIA.—No. 38.

PROCLAMATION.—No. 9, A.D., 1861. 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 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 amend and consolidate the laws affecting the settlement of unsurveyed crown lands in British Columbia:

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

I. The proclamation issued by me, under the public seal of the said Colony, dated the 4th day of January 1860, and the Pre-emption Amendment Act, 1861, and the Pre-emption Purchase Act, 1861, are hereby repealed.

Repeal of former Proclamations.

II. All purchasers of unsurveyed land in British Columbia, who shall have made their purchases subsequently to the 20th day of June 1861, and previously to the 27th day of August 1861, shall hold the land purchased under precisely the same terms and conditions of occupation and improvement

Purchasers since the 20th June to hold on the ordinary terms of pre-emption.