





ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. I.

**An Act to enlarge the Time limited by "The Harewood Railway Company Act, 1864," for making and completing a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields, in Mountain District, Vancouver Island.**  
[15th February, 1866.]

**W**HEREAS, by the Second Section of "The Harewood Railway Company Act, 1864," it is enacted that the Company shall, within Two Years from the Passage of the said Act, unless hindered by the Dangers of the Seas or other Unavoidable Casualty, make and complete the Permanent Way of the said Line from a Point marked A to another Point marked B, on the Map marked No. 1, deposited in the Land Office, and there recorded by the Surveyor General, with a Single Line of Rails at the Least of a Gauge not exceeding Six Feet Two Inches, with all Necessary Sidings and other Works convenient for the Public Traffic of the Line. Preamble.

And whereas the said Harewood Railway Company Act, 1864, finally passed into Law on the 7th day of July, 1864 ;

And whereas it is expedient to extend the Period within which the said Company shall make and complete the said Permanent Way of the said Line : Be it therefore enacted by the Governor, by and with the Advice and Consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows :

1.

*Harewood Railway Company Extension Act, 1866.*

Additional  
Period of 12  
months gran-  
ted to Hare-  
wood Railway  
Company to  
complete their  
Works.

I. That the Harewood Railway Company, Limited, shall and may make and complete the Permanent Way of the said Line, from the said Point A to B, with a Single Line of Rails at the Least of a Gauge not exceeding Six Feet Two Inches, with all Necessary Sidings and other Works convenient for the Public Traffic of the Line within an Additional Period of Twelve Months from the Expiration of the said Two Years mentioned in the said Harewood Railway Company Act, 1864; Provided however that nothing in this Act contained except as aforesaid shall be held to relieve the said Company from the Performance of any Matters or Things mentioned in the said recited Act.

Proviso.

Short Title.

II. This Act may be cited as, "The Harewood Railway Company Extension Act, 1866."

Passed the Legislative Assembly the 19th day of January, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council the 5th day of February, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

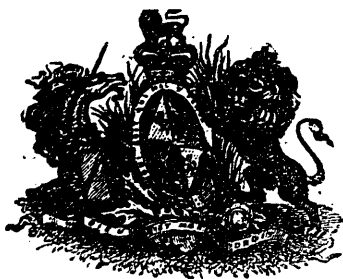
I assent to this Act in the Name and on Behalf of Her Majesty this 15th day of February, 1866.

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND :

PRINTED BY AUTHORITY OF THE GOVERNMENT BY HARRIES AND COMPANY.  
1866.



ANNO VICESIMO NONO.

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## No. II.

### An Act to amend "The Liquor Licence Act, 1861." [8th June 1866.]

**W**HEREAS, it is expedient to repeal Section Three of "The Liquor Licence Act, 1861," and to make other Provisions in relation thereto: Preamble.  
 Be it therefore enacted by the Governor of Vancouver Island and its Dependencies, by and with the Advice and Consent of the Legislative Council and Assembly, as follows:

I. That Section Three of the "Liquor Licence Act, 1861," is hereby repealed but in lieu thereof it is hereby enacted that for every Licence to sell Wines, Spirits, Beer, Ale, Porter, Cider or Perry by Retail on any Premises which shall be without the Boundary of the City of Victoria, and not within the Boundaries of the Town of Esquimalt or Nanaimo, there shall be raised, levied, collected and paid to Her Majesty Her Heirs and Successors an Annual Licence of Sixty Dollars by Four Quarterly Instalments of Fifteen Dollars each in advance. Section III. Liquor Licence Act, 1861, repealed.

II. No application for a Licence for the Sale of Spirits, Wines, Beer, Ale, Porter, Cider or Perry, either by Wholesale or Retail, under this Act or the Act entitled "The Liquor Licence Act, 1861," shall be refused by reason of the previous Occupant of a licensed House having failed to pay the Liquor Licence granted for such House, or in consequence of such Occupant having failed to give Notice of his Intention to discontinue the Sale of Liquors in such House; and no Person making such Application for such Licence shall be liable for any Arrears of Licence for such House in respect of previous occupancy. Licence to sell Liquors not to be refused on account of previous occupant of House having failed to pay Licence.

---

*Liquor Licence Act Amendment.*

---

**Liquor Licence Act, 1861, and this Act how to be construed.** III. The said "Liquor Licence Act, 1861," shall so far as it does not conflict with Sections One and Two of this Act, be deemed and taken to be part of this Act and construed accordingly.

**Nanaimo Town defined.** IV. For the Purposes of this Act Nanaimo Town shall be the Tract of Land included within a Circle, the Radius of which shall extend One Mile from the Site of the Old Bastion of the Hudson Bay Company.

**Short Title.** V. This Act may be cited for all Purposes as "The Liquor Licence Act, 1866."

Passed the Legislative Assembly this 23d day of May, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 28th day of May, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the Name and on behalf of Her Majesty, this 8th day of June, 1866.

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND :

PRINTED BY AUTHORITY OF THE GOVERNMENT BY HARRIES AND COMPANY.

1866.



ANNO VICESIMO NONO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. III.

An Act to facilitate the recovery of Small Debts, and other Demands.

[8th June, 1866.]

WHEREAS, an Inferior or Summary Court of Civil Justice is established in the Colony of Vancouver Island and its Dependencies which hath heretofore sat at Victoria in the said Colony, and at no other Place: And whereas it is desirable to extend the Benefits of the Same to other Places; Be it therefore enacted by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows:

I. It shall be lawful for the Governor from Time to Time to erect any Portion or Portions of the said Colony into Inferior Court Districts and to give to and distinguish such Districts respectively by Name and to define the Boundaries thereof.

Governor to erect and designate Inferior Court Districts.

II. Courts shall be held in the said Districts for the Purpose of trying Actions brought in the said Inferior Court, and such Actions may be brought and decided either in the District in which the Cause of Action shall have arisen or in a District in which the Defendant or one of the Defendants shall dwell or carry on his Business at the Time of the Action brought, or by leave of the Court in a District in which the Defendant or one of the Defendants shall have lived or carried on his Business at some Time Six Calendar Months next before the Time of the Action brought: Provided that any such Action may be removed from the District Court

Jurisdiction of District Courts as to locality of cause of action or residence of Defendant.

in

*Small Debts.*

Proviso for removal of action to other Districts or to the Supreme Court.

in any District to the District Court in any other District or to the Supreme Court by order of the Chief Justice of the Supreme Court, if he shall think the Justice of the Case requires it.

Sittings of the Courts.

III. The Sittings of the said District Courts shall be held as often as the Circumstances of each District shall require, upon such Day or Days as shall be fixed by the Judge or Judges of such Courts respectively or upon such Day or Days as shall be appointed by the Governor.

Judges of the Courts

IV. In any District Court, as well in the District in which the City of Victoria is situated as in other Districts, any Justice of the Peace having Authority to act in the said District, may be appointed by the said Governor to act as Judge, and the said Governor may appoint a Competent Person to act as a Clerk of any District Court, and may also, appoint any Competent Person to act as Bailiff of any District Court.

Power of Judges of the Supreme Court, to sit, in District Courts.

V. Any Judge of the Supreme Court of Civil Justice may, if he shall think fit, act as Judge of the said Inferior Court in any of such Districts, and shall have Power to sit either with or without the Judge of such Court or concurrently with him, and dispose of the Business from Time to Time pending in any such District Court.

Jurisdiction of the Courts as to subject of matter of action.

VI. The said District Courts shall have Power to issue Plaints and hear and determine Pleas of Personal Actions where the Debt or Damage claimed is not more than Two Hundred and Fifty Dollars, whether on balance of account or other wise : Provided that no such Court shall have cognizance of any Action in which the Validity of any Devise, Bequest, or Limitation under a Will or Settlement may be disputed, nor where the Title to Land comes in question, or for any Malicious Prosecution, or for any Libel or Slander, or for Criminal Conversation, or for Seduction, or for Breach of Promise of Marriage : Provided also that with respect to all Actions which may be brought in the Supreme Court of the said Colony, except Actions for Criminal Conversations if both Parties shall agree by a Memorandum signed by them or their Attorneys or Agents, to have such Actions tried in any of the said District Courts, then such District Court shall have Jurisdiction to try the same.

Appeal.

VII. If either Party, in any Cause where the Sum recovered is not less than One Hundred Dollars, shall be dissatisfied with the Determination or Directions of any District Court, in point of Law or upon the Admission or Rejection of any Evidence, such Party may appeal from the Same to the Supreme Court of Civil Justice, provided that such Party shall within Four Days after such Determination or Direction give Notice of such Appeal to the other Party or his Attorney or Agent, and also within Ten Days after such Determination or Direction give Security, to be approved of by the Judge of such District Court, for the Costs in such Action and of the Appeal and for the Amount of the Judgment if he be the Defendant,

*Small Debts.*

Defendant, provided nevertheless that such Security, so far as regards the Amount of Judgment, shall not be required in any Case where the Judge of such District Court shall have ordered the Party appealing to pay the Amount of such Judgment into Court and the Same shall have been paid accordingly, and the said Supreme Court may either order a New Trial on such Terms as it shall think fit, or may order Judgment to be entered for either Party as the Case may be, and may make such Order with respect to the Costs of the said Appeal as such Court may think proper, and from such Order there shall be no Appeal.

VIII. Such Appeal shall be in the Form of a Case agreed on by both Parties or their Attorneys or Agents, and if they cannot agree the Judge of such District Court, upon being applied to by them or their Attorneys or Agents, shall settle the Case and sign it, and such case shall be transmitted by the Appellant to the Registrar of the said Supreme Court. Form of Appeal.

IX. No Judgment Order or Determination, if given or made by any Judge of a District Court as aforesaid, nor any Cause or Matter brought before him, or pending in his Court, shall be removed by Appeal Motion, Writ of Error, *certiorari* or otherwise into any Court whatever, except in the Manner and according to the Provisions herein mentioned. No other form of Appeal.

X. No Appeal shall lie from the Decision of any such District Court as aforesaid, if before such Decision is pronounced, both parties shall agree in Writing signed by themselves or their Attorneys or Agents, that the Decision of the Judge shall be final. Agreements of parties not to Appeal.

XI. Whenever a Party is required to give Security on any Appeal as aforesaid, such Security shall be at the Cost of the Party giving it, and in the Form of a Bond with Sureties to the other Party or intended Party in the Action or Proceedings: Provided always that the Court in which any Action on the Bond shall be brought may, by Rule or Order, give such Relief to the Obligor as may be just, and such Rule or Order shall have the effect of a Defeazance of such Bond. Securities in Appeal.

XII. Whenever, on any such Appeal as aforesaid, a Party is required to give Security, he may in lieu thereof deposit in such District Court as aforesaid a Sum equal in Amount to the Sum for which he would be required to give Security subject to the Order of such Supreme Court on the Hearing of the Appeal. Deposit by way of security.

XIII. All Rules and Orders of the Supreme Court of the said Colony heretofore made and relating to the said Inferior or Summary Court of Civil Justice are, except in so far as the Same are inconsistent with this Act, hereby ratified and confirmed, and all such Rules and Orders shall apply to and be observed by such District Courts. Ratification of existing rules of the Inferior Court.

XIV. The Chief Justice or other the Judge or Judges of the Supreme Court, or a Majority of the Same, of whom the Chief Justice shall be one, with the Approbation of the said Governor shall from Time to Time frame Rules for the Procedure and Practice of the said Inferior District Courts. Future rules how to be made.

XV. In



*Small Debts.*

**Certificate as to Costs.** XV. In any Cause brought in the Supreme Court which might have been brought in the Summary Court it shall be lawful for the Chief Justice if he shall think fit to certify by Order or Otherwise to deprive the Plaintiff of Costs, or in Case of the Plaintiff being successful to order the Payment by him of the Extra Costs incurred by the Defendant by the said Cause being brought in the Supreme Court and not in the Inferior Court.

**Who to appear in District Court.** XVI. It shall not be necessary for the Plaintiff or the Defendant in any Suit to be brought or pending in any District Court, to employ a Barrister or Attorney to appear and conduct any such Suit; but any such Plaintiff or Defendant either Personally or through his Clerk Agent or Attorney in fact may with Permission of the Judge conduct and manage any such Suit: Provided always that all such Services shall be performed without any charge for or in lieu of Legal Fees in any such Suit to which any such Plaintiff or Defendant may be a Party.

**Certificate as to Costs of Barrister or Attorney.** XVII. Neither the Plaintiff nor the Defendant in any Suit in any District Court shall be liable to pay Costs for the Services of any Barrister or Attorney employed in any Suit in any such District Court if the Judge shall certify to deprive the Party of such Costs.

**Interpretation clause.** XVIII. And for the Interpretation of this Act the word "Governor" shall be held to mean the Governor or other the Officer Administering the Government of this Colony for the Time being, and whenever in this Act in describing or referring to any Person or Party, Matter or Thing, any word importing the Masculine Gender or Singular Number is used the Same shall be understood to include and shall be applicable to several Persons and Parties as well as one Person or Party, and Females as well as Males, and Bodies Corporate as well as Individuals, and Several Matters and Things as well as one Matter or Thing, unless it otherwise be provided or there be something in the Subject or Context repugnant to such Construction.

**Short Title.** XIX. This Act may be cited as "The District Court Act, 1866."

Passed the Legislative Assembly this 19th day of May, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 22d day of May, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the name and on behalf of Her Majesty, this 8th day of June, 1866

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HARRIES AND COMPANY,  
1866.



ANNO TRICESIMO

VICTORIÆ REGINÆ.

No. IV.

\*\*\*\*\*

**An Act to enable the Governor of Vancouver Island to borrow the Sum of Ninety Thousand Dollars upon the Security of the General Revenue of the Colony. [12th July, 1866.**

**W**HEREAS it is expedient to borrow certain Sums of Money not exceeding in the whole the Sum of Ninety Thousand Dollars: Be it therefore enacted by the Governor of the Colony of Vancouver Island and its Dependencies by and with the Advice and Consent of the Legislative Council and Assembly thereof as follows:

I. It shall be lawful for the Governor of the said Colony to cause to be made out and issued Debentures secured upon the General Revenue of the said Colony for a Sum or Sums of Money not exceeding in the whole Ninety Thousand Dollars.

*Governor to issue Debentures.*

II. All Debentures made out and issued under this Act shall bear Interest at the Rate of Twelve Dollars per centum per annum payable Half Yearly, and shall be redeemable and redeemed at the Expiration of the following Periods, that is to say as to an Amount equal to Twenty Thousand Dollars on the Thirty First Day of December, Anno Domini One Thousand Eight Hundred and Sixty-Six; as to a further Amount equal to Thirty Thousand Dollars, on the Thirty-First Day of December, Anno Domini One Thousand Eight Hundred and Sixty-Seven; and as to the Remainder, on the Thirty-First Day of December, One Thousand Eight Hundred and Sixty-Eight.

*Rate of Interest and Time of Redemption of Debentures.*

III. Every Debenture shall be for any Sum not less than One Hundred Dollars, which the said Governor shall determine, and shall be payable, together with the Interest thereon, at the Treasury of the said Colony.

*For what Amounts.*

Form of Debentures and upon what Fund Chargeable with what exception.

IV. All Debentures made out and issued under this Act shall be according to the Form set forth in the Schedule to this Act annexed, and shall bear date on the Day of the Issuing thereof, and shall be Numbered in regular Arithmetical Progression commencing with the Number One, and all such Debentures so issued shall be entered by the Auditor of the Colony in a Register to be called the "Debenture Register, 1866," and such Debentures shall be deemed a Charge upon the General Revenue of the Colony subject always to the Vancouver Island Road and Harbor Loan Act, 1862, and to such other existing Charges as are now by law imposed.

Governor to authorize Treasurer to pay Debentures out of General Revenue.

V. It is further enacted that the Governor shall authorise the Treasurer to pay the said Debentures and the Interest thereon out of the General Revenue of the Colony when such Debentures and Interest shall have fallen due, subject always to the Charges on the General Revenue hereinbefore enumerated in the last preceding Section.

Transfer of Debentures.

VI. The Debentures as aforesaid and the Interest which may have accrued thereon shall be payable to the Holder or Bearer of such Debentures, and such Debentures may pass by delivery only and without any Assignment or Endorsement, and the Holder of every such Debenture for the Time being shall have the same Rights and Remedies in respect thereof as if he were expressly named thereon.

Offences.

VII. Any Person who shall Forge or Alter, or who shall Offer, Utter, or Dispose of or Put Off knowing the same to be Forged or Altered any Debenture purporting to be made out and issued under this Act shall be guilty of Felony, and being thereof convicted shall be Imprisoned for any Period not exceeding Three Years with or without Hard Labor at the Discretion of the Judge before whom any such Person shall be tried and convicted.

Governor may authorize re-purchase of Debentures.

VIII. It shall be lawful for the said Governor at any Time to authorise the Treasurer to Re-purchase any Debenture made out and issued under this Act, and all Debentures so Re-purchased shall be forthwith cancelled and destroyed, and no Re-issue of Debenture shall be made in consequence of such Purchase and destruction.

Application of proceeds of the Sale of Debentures.

IX. The Proceeds of the Sale of the said Debentures shall be paid into the General Revenue for the Use of Her Majesty, Her Heirs, and Successors.

Short Title.

X. This Act may be cited for all Purposes as "The Temporary Loan Act, 1866."

Passed the Legislative Assembly this Sixth Day of July, 1866.

R. W. TORRENS,  
CLERK OF THE HOUSE.

Passed the Legislative Council this Eleventh Day of July, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the Name and on Behalf of Her Majesty, this Twelfth Day of July, 1866.

A. E. KENNEDY,  
GOVERNOR.

## SCHEDULE.

### **Form of Debenture.**

GOVERNMENT OF VANCOUVER ISLAND.

*Under the Authority of the "Temporary Loan Act, 1866."*

This Debenture entitles the Bearer to \_\_\_\_\_ Dollars on the 31st Day of December, A. D., 18 \_\_\_\_\_, which Sum together with the Interest thereon at and after the Rate of Twelve Per Cent. Per Annum is secured on the General Revenue of the Colony of Vancouver Island.

Dated the \_\_\_\_\_ Day of \_\_\_\_\_ A. D., 18 \_\_\_\_\_

Treasurer.

Countersigned.

Colonial Secretary.

Entered in Debenture Register.

Auditor.

---

VICTORIA, VANCOUVER ISLAND :  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY M'CLURE AND COMPANY.  
1866.



ANNO TRICESIMO

VICTORIÆ REGINÆ.

No. V.

\*\*\*\*\*

An Act to amend the Law of Partnership.  
[12th July, 1866.]

**W**HEREAS it is expedient to amend the Law relating to Partnership, Be it therefore enacted by the Governor, by and with the Advice and Consent of the Legislative Council and Assembly of Vancouver Island and its Dependancies, as follows:

I The Advance of Money by way of Loan to a Person engaged or about to engage in any Trade or Undertaking upon a Contract in Writing with such Person that the Lender shall receive a Rate of Interest varying with the Profits, or shall receive a Share of the Profits arising from carrying on such Trade or Undertaking, shall not of itself constitute the Lender a Partner with the Person or Persons carrying on such Trade or Undertaking or render him responsible as such.

Advance of Money on Contract to receive a share of Profits not to make Lender a Partner.

II. No Contract for the Remuneration of a Servant or Agent of any Person engaged in any Trade or Undertaking by a Share of the Profits of such Trade or Undertaking shall of itself render such Servant or Agent responsible as a Partner therein, nor give him the Rights of a Partner.

Remuneration of Agents, etc., by share of Profits not to make them Partners.

III. No Person being Widow or Child of the deceased Partner of a Trader, and receiving by way of Annuity a Portion of the Profits made by such Trader in his Business shall, by reason only of such Receipt, be deemed to be a Partner of or to be subject to any Liabilities incurred by such Trader.

Certain Annuities not to be deemed Partners.

*Partnership Act, 1866.*

Receipts of  
Profits in con-  
sideration of  
sale of Goodwill  
not to make the  
Seller a Partner.

IV. No Person receiving, by way of Annuity or Otherwise, a Portion of the Profits of any Business, in consideration of the Sale by him of the Good Will of such Business shall, by reason only of such Receipt, be deemed to be a Partner of or be subject to the Liabilities of the Person carrying on such Business.

In case of  
Bankruptcy, etc  
Lender not to  
rank with other  
creditors.

V. In the Event of any such Trader aforesaid being adjudged a Bankrupt, or taking the Benefit of any Act for the Relief of Insolvent Debtors, or entering into an Arrangement to pay his Creditors less than One Hundred Cents in the Dollar, or dying in Insolvent Circumstances, the Lender of any such Loan as aforesaid shall not be entitled to recover any Portion of his Principal or of the Profits or Interest payable in respect of such Loan, nor shall any such Vendor of a Good Will as aforesaid be entitled to recover any such Profits as aforesaid until the Claims of the other Creditors of the said Trader for Valuable Consideration in Money or Money's worth have been satisfied.

Interpretation  
of "person."

VI. In the Construction of this Act the word "Person" shall include a Partnership Firm, a Joint-stock Company, and a Corporation.

Short Title.

VII. This Act may be cited for all Purposes as "The Partnership Act, 1866."

Passed the Legislative Assembly this Eleventh Day of January, 1866.

R. W. TORRENS,  
CLERK OF THE HOUSE.

Passed the Legislative Council this Seventh Day of June, 1866.

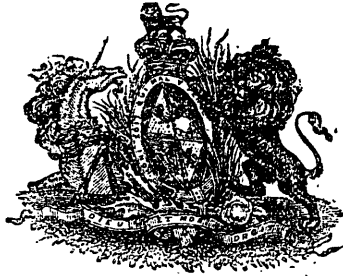
E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the Name and on Behalf of Her Majesty, this Twelfth Day of July, 1866.

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY MCCLURE AND COMPANY.  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. VI.

An Act to exempt the Homestead and other Property from forced Seizure and Sale in certain Cases. [21st August, 1866.]

WHEREAS, it is expedient to exempt Portions of the Real and Personal Estate of Debtors and others from forced Seizure and Sale in certain Cases: Be it enacted by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows:

I. The word "Homestead" shall be held to mean the Pieces or Parcels of Land, together with any Erections or Buildings thereon, whether Leasehold or Freehold, or both Leasehold and Freehold, with their Rights, Members, and Appurtenances, being the bona fide Place of Abode of the Owner, and which shall be duly registered as such in manner hereinafter mentioned; and for the Purposes of this Act any Erection or Building, or any such Homestead as aforesaid, whether or not the Same be affixed to the Soil, shall be taken to be Real Estate and part of such Homestead.

II. The Homestead aforesaid shall be registered in manner following: The owner of such Homestead shall cause the Title to the Same to be registered by the Registrar General of Titles to Real Estate as in the Case of other Real Estate, and in addition thereto shall cause a Notice of Registration, which may be in the form 1 in the Schedule hereunto annexed, to be lodged with the Registrar General of

*Homestead Act.*

of Titles to Real Estate in the said Colony, accompanied with a Schedule of Instruments evidencing his Title to such Homestead, and a Declaration to the effect mentioned in forms 2 and 3 respectively in the said Schedule; that is to say, in case the Owner of any Homestead shall declare his Assets to be not Less than the sum of \$2500, then the Declaration shall in that Case be to the Effect mentioned in form 2; and in case the Owner of any Homestead shall declare his Assets to be not Greater than the value of the Homestead, such Homestead being of less value than \$2500, then the Declaration shall be to the Effect mentioned in form 3, and thereupon it shall be the Duty of the said Registrar General to register such Homestead if he shall be satisfied that the Owner has a *prima facie* Title thereto, and without such Notice of Registration and such Declaration duly declared and filed with the said Registrar General, as the Case may require, the said Registrar General shall not register such Homestead, and any Declaration in the Form or to the Effect of forms 2 and 3, respectively, may be made before the said Registrar General, or any Person now by Law entitled to receive solemn Declarations.

False declaration  
a misdemeanor

III. Any Person wilfully making a false declaration of any Matter required or permitted to be declared by this Act shall be Guilty of a Misdemeanor, and on Conviction shall be liable to punishment as for Perjury.

Homestead when  
registered free  
from seizure  
for debt, &c

IV. The Homestead aforesaid after the Same shall have been duly registered shall be free from forced Seizure or Sale by any process at Law or in Equity, or on any Proceeding in Bankruptcy for or on Account of any Debt or Liability incurred after the Registration of such Homestead in manner aforesaid; provided, however:

1. In case of its  
being of a value  
not greater  
than \$2500.

1. That in case such Homestead shall at the time of the suing out of any process at Law, or in Equity, or of Bankruptcy, be of a value not greater than \$2500, then the same shall be wholly exempt from forced Seizure or Sale; provided the same shall have been from the time of registration and up to the time of issuing of such process, or of the said Bankruptcy, the *bona fide* place of residence of the Owner of such Homestead.

2. If of a greater  
value than  
\$2500.

2. That in case such Homestead shall at the Time of such suing out of process at Law or in Equity, or of Bankruptcy, be of a greater Value than \$2500, then so much only of such Homestead being the *bona fide* place of Residence and Occupation as aforesaid, shall be liable to Seizure or Sale as aforesaid, as shall exceed the sum of \$2500.

Falsehood of de-  
claration to  
vitate regis-  
tration.

V. The Registration of any Homestead under the Provisions of this Act shall be utterly void and of no Effect, and all the benefits of this Act shall be forfeited if any Declaration of Matters required or permitted to be declared shall be False to the Knowledge of the Person effecting the said Registration, or on whose behalf the same shall be registered.

VI



*Homestead Act.*

VI. It shall be lawful for any Person claiming the Benefit of the Provisions of this Act with respect to any Homestead at the Time of Registration, or at any Time thereafter, to limit any Homestead in favor of such Persons and for such Estates, and subject to such Uses, Trusts, and Purposes as those to which Lands can now be limited according to the Nature and Incidents thereof; but in case no special limitation shall be made, the said Homestead shall enure to the Owner, for whose benefit the Same shall be registered for an Absolute Estate in the Same, according to the Nature thereof.

Homestead if not otherwise limited to enure as an absolute estate in the owner according to its nature.

VII. Nothing herein contained shall be held to prevent the Person for whose benefit a Homestead shall be registered at any Time from abandoning, aliening, mortgaging, or otherwise parting with, limiting, or encumbering his interest therein as to him may seem fit, regard being had to the Nature, Quality, and Incidents thereof, and of his Power to dispose of the Same. Provided, however, that in case the Owner of any Homestead be a Married Man, he shall not during coverture so abandon, alien, mortgage, part with, limit, or encumber the Same, except with the Consent of his Wife if she be a resident of this Colony such Consent to be given by way of Acknowledgement by her in the Manner provided for by "The Land Registry Act, 1865," in cases of the Execution of Instruments affecting Real Estate within the said Colony by Married Women, but in case such Wife be not a Resident of the Colony no such Consent shall be requisite.

Owner of homestead may abandon, &c but if a married man with the consent of his wife if a resident of the Colony.

VIII. Any Homestead, and the Benefits and Privileges conferred upon any Person or Persons under this Act in respect of any Homestead, may be abandoned by Document which shall be in the Form 4 of the Schedule hereunto annexed, duly executed by the Person or Persons interested therein, and such Document shall be filed in the Office of the Registrar General, and the Registration of the Homestead shall be thereupon cancelled in such Form as is now used in the Cancellation of Charges.

Form of abandonment of homestead.

IX. The following Personal Property shall be exempt from forced Seizure or Sale by any process at Law or in Equity or from any Process in Bankruptcy; that is to say the Goods and Chattels of any Debtor or Bankrupt at the Option of such Debtor or Bankrupt or if dead of his Personal Representative to the Value of \$150 the same not being Homestead Property under the Provisions of this Act.

Personal property of Debtor to amount of \$150 exempt from seizure for debt.

X. On the return of any Process at Law or in Equity or in any Matter of Bankruptcy in case any Question shall arise in Whole or in Part touching any Matter provided for by this Act the Court out of which such Process shall issue or the Court of Bankruptcy as the Case may be shall dispose of such Question between the Parties interested therein, by way of Summons and order in a Summary Way; Provided however that with respect to any Matter of Fact, such Matter shall at the Request of any Party interested be tried with or without a full Jury of eight persons at the Option of such Persons and as to any Matter involved not being

Question under the Act by which Court decided.

Matter

*Homestead Act.*

Matter of Fact the Court shall make such Order as to Partition and Sale of any Portion of a Homestead which exceeds in Value the Sum of \$2500 and generally as to Costs and other Matters with a View to the Final Adjustment of any Question depending between the Parties as to such Court shall seem fit; Provided however, that in the Matter of the Sale of any Portion of the Homestead, of a Value exceeding the sum of \$2500, due regard shall be had to the Choice and Preference of the Owner and Parties interested in the Portion reserved from Sale and provided also that in case of the Sale of a Property comprising a Homestead over the Value of \$2500 it shall be lawful for the Court ordering such Sale to order the Sale of the Whole or Portion or Portions of such Property if occasion shall require for the Fair Realization of its Value and make such Order for the due Investment of the Residue by Purchase of other Homestead Property, or by distribution among Persons interested therein after deducting therefrom the Sums due to the Creditors as to such Court shall seem meet.

Duty of Registrar  
General of Titles  
in registering  
Homestead

XI. The Registrar General of Titles affecting Real Estate in the said Colony shall keep proper Books in which all Notices of Registration of Homesteads Abandonments and Declarations shall be recorded as also Indices referring to the Registration Abandonment and other Dealings with Homesteads under this Act and in particular a nominal List of all Persons claiming the Benefits of Homesteads under the Provisions of this Act, with the Descriptions of the Homestead claimed, and shall further have the Custody of all original Notices of Registration, Declaration, and Abandonments, but as to other Documents affecting the Same he shall deal therewith as in other Cases of Real Estate registered in the Land Registry Office.

Nominal list of  
persons own-  
ing homesteads  
to be inspected  
free of charge.

XII. The said last mentioned nominal List of Persons claiming the Benefit of Homestead, shall be open to inspection by the Public free of Charge, and all other Documents lodged with the said Registrar General and relating to the Registration or Abandonment of and other dealings with the Homestead, may be inspected by the Public on payment of the proper Fees in that behalf, as hereinafter mentioned.

Fees for registra-  
tion, &c, of  
Homestead.

XIII. The said Registrar General shall be entitled to take the Fees specified in form 5 in the Schedule to this Act annexed, and in so far as the Fees therein specified do not apply, the said Registrar General shall be entitled to the like Fees which are by Law chargeable under "The Land Registry Amendment Act, 1865," for Matters and Things done and performed or permitted by him in pursuance of the Duties and Powers imposed and conferred upon him by the Provisions of this Act.

Reservation of  
liabilities in  
respect of tax-  
es.

XIV. Nothing in this Act contained shall be construed as exempting any Real or Personal Property from Sale for Taxes or from distress for Rent.

XV. And

*Homestead Act.*

XV. And for the Interpretation of this Act, whenever in this Act in describing or referring to any Person or Party, Matter or Thing, any word importing the Masculine Gender or singular number is used, the Same shall be understood to include and shall be applicable to several Persons and Parties as well as one Person or Party, and Females as well as Males, and several Matters and Things as well as one Matter or Thing unless it be otherwise provided or there be something in the Subject or Context repugnant to such Construction. Interpretation clause.

XVI. This Act may be cited for all Purposes as "The Homestead Act, 1866." Short Title.

Passed the Legislative Assembly this 13th day of August, 1866.  
R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 16th day of August, 1866.  
E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the name and on behalf of Her Majesty this 21st day of August, 1866.  
A. E. KENNEDY,  
Governor.

SCHEDULE.

FORM 1.

*Notice of Registration.*

I, A. B., of \_\_\_\_\_ hereby give Notice that I desire to have registered (Lot \_\_\_\_\_ Section \_\_\_\_\_ District or other description in full) being (tenure Freehold or Leasehold) as a Homestead (and if specially limited add (and I hereby declare that the Same is limited as in the Deed hereunto annexed) under and by virtue of the Provisions of "The Homestead Act, 1866."

FORM 2.

*For a Homestead of any Value where the Owner declares his Assets to be not less than the full Value of \$2500.*

I, A. B., of \_\_\_\_\_, declare that over and above all Debts and Liabilities whatsoever to which I am now liable, wheresoever the Same may have been incurred, I am seized or possessed of Assets in Real or Personal Estate to an Amount not less than the sum of \$2500.

FORM 3.

*For a Homestead of Less Value than \$2500, where the owner desires to declare his Assets to be not less than the Value of the Homestead at Time of Registry.*

I, A. B., of \_\_\_\_\_, declare that over and above all Debts or Liabilities whatsoever to which I am now liable, wheresoever the same may

*Homestead Act.*

have been incurred, I am seized or possessed of Assets in Real or Personal Estate to an Amount not less than the sum of \$ [insert the Value of the Homestead registered.] And I, the said A. B., hereby declare to the best of my knowledge and belief the Homestead hereby registered does not exceed in Value the sum of \$ [Value of the Homestead.]

FORM 4.

*Abandonment of Homestead.*

I, \_\_\_\_\_, of \_\_\_\_\_, hereby abandon all Homestead Rights in the Property Registered as a Homestead, that is to say, [describe the property.]

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 18\_\_\_\_  
(Signed) \_\_\_\_\_ L. S.

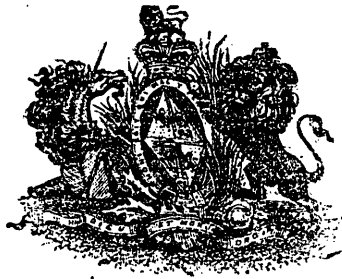
(If the consent of the wife is required add her acknowledgements as in the case of acknowledgements of Deeds by Married women.)

FORM 5.

Fees to be taken by the Registrar General of Titles affecting Real Estate.

For every Registration of Land as a Homestead, including the filing of Notices and Declarations and Deeds filed therewith, but exclusive of all other fees for the Registration of the Title thereof .. . . . . .	\$ 5 00.
For every Abandonment of a Homestead .. . . . . .	5 00.
For the inspection of original documents affecting a Homestead, per document .. . . . . .	0 25.
If more than four documents .. . . . . .	1 00.

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND Co.,  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. VII.

An Act to amend the Law of Arrest and Imprisonment for Debt.

[21st August, 1866.]

WHEREAS, it is expedient to amend the Law of Arrest and Imprisonment for Debt; Be it therefore enacted by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows:

On granting of writs of CA SA or NE EXECAT Court may require security from damages consequent on arrest.

I. From and after the Passing of this Act, on the granting of any Writ of *Capias ad respondendum*, or *ne execat regno*, it shall be lawful for the Judge ordering the Issue of such Writ at his discretion to require Security to be given by the Plaintiff to the Satisfaction of such Judge, to pay to the Defendant the Costs and Damages consequent on Arrest under such Order, should the Plaintiff have obtained such Order without reasonable and probable Cause.

No CA SA or process against the person, to issue unless Judgment Debt or about to leave the Colony.

II. No Writ of *Capias ad satisfaciendum*, or process against the Person at Law or in Equity for the Payment of any Sum of Money or Costs shall issue except on Proof to the Satisfaction of the Judge ordering the Issue of the same, that the Judgment Debtor is about to leave the said Colony.

III. Any

*Debtors Relief Act.*

III. Any Person arrested by Virtue of any Writ of *Capias ad satisfaciendum*, or Process against the Person at Law or in Equity, for the Payment of any Sum of Money or Costs, shall be from Time to Time discharged on good Security being given to the Satisfaction of the Court that the Judgment Debtor will not leave the said Colony before the Judgment debt and Costs duly incurred shall be paid or until such Debtor shall be otherwise discharged from the Payment thereof in due Form of Law, and such Judgment Debtor shall be from Time to Time liable to be re-arrested on Proof to a Judge having authority to grant such Writs of *Capias*, *ad satisfaciendum* or Process as aforesaid, that the Security given by such Judgment Debtor has ceased to be a continuing, sufficient and available Security.

IV. And whereas by Section 40 and subsequent Sections of "The Bankruptcy Act, 1862," it is enacted that every Judgment Creditor who is or shall be entitled to sue out against his Debtor a Writ of *Capias*, *ad satisfaciendum* or to charge his Debtor in Execution shall be entitled to sue out a Judgment Debtor Summons in manner therein mentioned. And Whereas it is expedient to extend the remedies given in favor of Judgment Creditors: Be it Enacted that any Person having obtained a Judgment Order or Decree for the Payment of Money or Costs against any Person shall be entitled to sue out a Judgment Debtor Summons in Manner and Form as the Same is now directed to be sued out by the said last mentioned Act, and such Creditor shall be entitled to sue out such Judgment Debtor Summons, independently of and in addition to any Writ of Execution against the Goods or Lands of any Debtor.

V. This Act may be cited for all Purposes as the "Debtors Relief Act, 1866."

Passed the Legislative Council this 18th day of June, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

Passed the Legislative Assembly this 6th day of August, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

I assent to this Act in the name and on behalf of Her Majesty, this 21st day of August, 1866

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND CO.,  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. VIII.

An Act to regulate the Number of Persons required to form a Coroner's Jury in Vancouver Island and its Dependencies.

[21st August, 1866.]

WHEREAS it is expedient to regulate the Number of Persons required to form a Coroner's Jury in the Co'onry of Vancouver Island and its Dependencies: Be it therefore enacted by the Governor of the said Colony, by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows:

I. Whenever it shall be necessary for any Coroner to hold an Inquisition such Coroner shall empannel a Jury of not less than Six for the Purposes of such Inquisition and such Jury shall have the same Powers and perform the same Duties as a Coroner's Jury of Twelve or more and the Verdict of any such Jury of not less than Six, shall be to all Intents and Purposes as effectual as if found by a Jury consisting of Twelve or more.

Verdict of Jury of Six, as effectual as if found by Twelve.

II. This Act may be cited as "The Coroner's Jury Act, 1866."

Passed the Legislative Assembly this 15th day of August, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 16th day of August, 1866.

E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the name and on behalf of Her Majesty, this 21st day of August, 1866

A. E. KENNEDY,  
GOVERNOR.

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND Co.,  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. IX.

An Act to amend the Road Act, 1860.  
[17th September, 1866.]

**W**HEREAS it is expedient to amend the Sixth Section of the Road Act, 1860: Be it therefore enacted by the Governor of Vancouver Island and its Dependencies by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows :

Preamble.  
Enacting Clause.

I. That from and after the Passage of this Act, the Sixth Section of "the Road Act, 1860," shall be and is hereby repealed, and the following substituted in lieu thereof :

Section 6. "Road Act, 1860" repealed.

II. Every Male Person above Eighteen Years of Age resident and not incapacitated, and every Person entitled to any Interest in any Real Estate in any of the said Road Districts shall perform Two Days Labor upon the Public Highway of the District in which he shall reside or have such Interest aforesaid, and if entitled to any Interest in more than Ten Acres, for every Additional Fifty or Part of Fifty Acres in which he shall have such Interest as aforesaid one Extra Day's Labor for each Additional Fifty or Portion of Fifty Acres ; and when any Person resident within a Road District as aforesaid shall possess a Pair of working Horses or Oxen, and a Cart, Waggon or Plough he shall supply the Same together with a Driver thereof, when, where, and if required to be employed in making or improving any Roads within the said Road District, wherein he is resident for Two Days in Every Year ; the Services of such Pair of Horses or Oxen and Driver to be considered as equivalent to the Labor of Three Men for Two Days upon the Road.

Every male resident above 18 years of age, and every person possessed of any interest in Real Estate shall perform 2 days labor upon the public highway and one day additional for every 50 acres above 10 acres

This



---

*Road Act.*

---

Short Title.

III. This Act may be cited as the "District Road Amendment Act, 1866," and shall be taken and read as Part of the "Road Act, 1860."

Passed the Legislative Assembly this 15th day of August, 1866.

R. W. TORRENS,  
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 28th day of August, 1866.

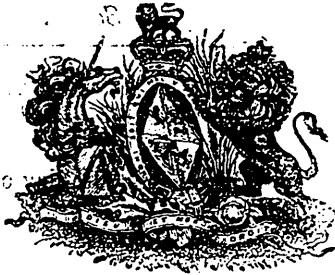
E. J. NESBITT,  
CLERK OF THE COUNCIL.

I assent to this Act in the Name and on Behalf of Her Majesty, this 17th day of September, 1866.

A. E. KENNEDY,  
GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND:  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND Co.,  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. X.

**An Act to amend the Bills of Sale Act, 1861.**  
**[17th September, 1866.]**

**W**HEREAS, it is expedient to amend the Bills of Sale Act, 1861 in certain Particulars: Be it enacted by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the Advice and Consent of the Legislative Council and Assembly thereof, as follows:

I. The Registrar General is hereby empowered to take all Affidavits required by the said Act to be taken and made; also to enter Satisfaction upon any Bill of Sale or Copy thereof upon being satisfied that the Debt (if any) for which such Bill of Sale is given as Security has been discharged and generally to do all such Acts and Things in the Premises as may be necessary for carrying out the Provision of the said Act.

II. It shall be lawful for the Governor of the said Colony for the Time being from Time to Time to appoint any Person or Persons to be a Commissioner or Commissioners for the Purpose of taking all Affidavits required by the said Act to be taken or made, and such Person or Persons acting as such Commissioner or Commissioners as aforesaid is and are hereby empowered to take such Affidavits accordingly and on the taking of any such Affidavit a Fee of 50 Cents for any such Affidavit shall be paid to the Commissioner receiving the Same for his own Use and Benefit.

III. This

*Bill of Sale Act.*

---

III. This Act may be cited for all Purposes as "The Bills of Sale Amendment Act, 1866."

Passed the Legislative Council this 30th day of August, 1866.

E. J. NESBITT,

CLERK OF THE COUNCIL.

Passed the Legislative Assembly this 31st day of August, 1866.

R. W. TORRENS,

CLERK OF THE LEGISLATIVE ASSEMBLY.

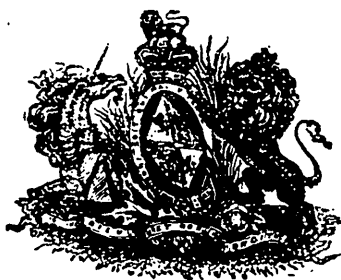
I assent to this Act in the Name and on Behalf of Her Majesty, this 17th day of September, 1866.

A. E. KENNEDY,

GOVERNOR.

---

VICTORIA, VANCOUVER ISLAND :  
PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND CO.,  
1866.



ANNO TRICESIMO.

VICTORIÆ REGINÆ.

\*\*\*\*\*

No. XI.

An Act to amend the Scale of Fees charged for the Entrance and Clearance of Vessels, Licences to Scows, Boats and other Craft, and Dues for Landing Permits, as well as other Matters relating to the Same, in the Port of Victoria, including Esquimalt.

[17th September, 1866.]

WHEREAS, it is expedient to repeal the "Victoria and Esquimalt Harbor Dues Act, 1865," and to amend the Scale of Fees charged for the Entrance and Clearance of Vessels into the Ports of Victoria and Esquimalt for the Licenses of Scows, Boats and other Craft plying in the said Ports, and for Landing Permits: Be it enacted by the Governor on Her Majesty's behalf, by and with the Advice and Consent of the Legislative Council and Assembly, as follows:

I. "The Victoria and Esquimalt Harbor Dues Act, 1862," and "the Harbor Dues Amendment Act, 1865," are hereby repealed.

Repeal of Har-  
bour Dues Acts  
of 1862 & 1865.

II. That from and after the Passing of this Act, there shall be raised, levied, collected and paid to and for the use of Her Majesty, Her Heirs and Successors, in lieu of the Charges heretofore existing the Charges in Schedule A, to this Act annexed.

Duties in Sched-  
ule A to be col-  
lected.

III. The

*Harbour Dues.*

Exemptions.

III. The Governor may exempt from the Payment of Harbor Dues, Steamers carrying the Mails under Agreement without Remuneration from Government, and any Vessel coming into either of the aforesaid Harbors for the Purpose of obtaining a Crew, Stores or Passengers.

Coasting Charge  
liable as in Schedule

IV. All Vessels, whilst employed exclusively in the Coasting or carrying Trade between Places within this Colony, shall be exempt from the Charges for Entrance and Clearance aforesaid; but the Masters of such Vessels shall report themselves to the Harbor Master whenever such Vessel shall enter or depart from any Port of Entry of the said Colony; and such Vessels as last aforesaid shall be liable to the Licenses mentioned in Schedule B hereunto annexed.

Boats and Scows  
as in Schedule C.

V. There shall be charged upon Scows and other Craft (not being pleasure Boats) employed in freighting, lading or unlading Vessels, or carrying Goods or Passengers in or between the Harbors of Victoria and Esquimalt, or *vice versa*, other the Harbors or Ports of Entry in this Colony, the Licenses mentioned in Schedule C, to this Act annexed.

Penalty for plying  
without license.

VI. Any Vessel or Craft carrying Goods or Passengers as aforesaid, or being employed in the Coasting Trade as aforesaid without having paid the necessary License or Fees aforesaid, shall be liable to Confiscation.

Goods to be charged  
on—permit  
goods in transitu.

VII. No Goods other than the Produce of the Colony, and Passengers' Luggage, shall be landed from any Vessel in any Harbor or Port of Entry until the Same and the Value thereof shall have been first reported to the Harbor Master, and the Permit to Land the Same shall have been received from the Harbor Master or his Deputy or Deputies; and there shall be charged and paid for such Landing Permit the Sum mentioned in Schedule D, to this Act annexed: Provided that all Permits on goods *bona fide* manifested *in transitu* for Ports beyond the Limits of this Colony shall be charged One Dollar.

Declaration and  
Oath as to  
goods in transitu.

VIII. Provided always that any Person taking a Permit on Goods manifested *in transitu* hereinafter called a Permit *in transitu*, shall sign and swear before the Harbor Master, a Declaration in the Form following:

I, A. B., do hereby declare that the Goods intended to be landed under Permit, No. \_\_\_\_\_ are *bona fide in transitu*, and I bind myself on behalf of all Persons interested in the said Goods to pay to the Treasurer of Vancouver Island the Sum of \$500 in the Event of Bulk being broken of the Goods therein mentioned previously to their leaving this Colony, except with the Permission of the Harbor Master: Provided always that nothing herein contained shall prevent any necessary breaking of bulk for the Purpose of repacking damaged or perishable Articles, provided the Same be effected with the Permission and under the Supervision of the Harbour Master.

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 18

(Signed)

Harbour Master,  
IX. The

*Harbour Dues.*

IX. The Harbour Master may administer an Oath of the Truth of his Declaration to any Person required to swear to the same.

Harbour Master to administer oath as above.

X. The Treasurer may recover by Summary Process as hereinafter mentioned from any Person interested in any Goods landed under a Permit in transitu, the sum of \$500 in the event of Bulk being broken in contravention of the said Declaration, whether such Person be authorized to make such Declaration or not.

Recovery of penalty for breach of engagement in breaking bulk.

XI. Any Person landing any Goods, save as aforesaid, or neglecting or refusing to pay the Licence or Fees aforesaid, shall be liable to a Fine of not more than Two Hundred and Fifty dollars to be recovered by a Summary Process before any Justice of the Peace ; and in default of payment, to Imprisonment for a Period not exceeding one month ; and the Goods so landed may be confiscated to the use of Her Majesty, Her Heirs and Successors.

Penalty for improperly landing goods or not paying fees

XII. That "The Ports of Entry Act, 1863," and this Act shall be read together and construed as one Act.

Ports of Entry Act, 1863 to be read with this Act.

XIII. This Act may be cited as "The Harbour Dues Act, 1866."

Short Title.

Passed the Legislative Assembly this 6th day of August, 1866.

R. W. TORRENS,

CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council this 31st day of August, 1866.

E. J. NESBITT,

CLERK OF THE COUNCIL.

I assent to this Act in the Name and on Behalf of Her Majesty, this 17th day of September, 1866.

A. E. KENNEDY,

GOVERNOR.

SCHEDULE A.

Fees for Entrance and Clearance for Vessels Entering and Clearing the Ports of Vancouver Island and its Dependencies.

All vessels under 15 tons burden.....	\$	1 00.
“ of 15 and not exceeding 30 tons burden....		1 50.
“ of 30 and not exceeding 50 tons burden.....		2 00.
“ of 50 and not exceeding 100 tons burden.....		3 00.
“ of 100 and not exceeding 200 tons burden.....		5 00.
“ of 200 and not exceeding 300 tons burden.....		6 00.
“ of 300 and not exceeding 400 tons burden.....		8 00.
“ of 400 and not exceeding 500 tons burden.....		10 00.
“ of 500 and not exceeding 600 tons burden.....		15 00.

And an extra \$5 on every 100 tons above 600 tons.

30° VICTORIÆ, No. II.

*Harbour Dues.*

SCHEDULE B.

Half-yearly Licenses for Coasters under 10 tons.....	5 00.
“ of 10 tons and not exceeding 30 tons burden	10 00.
“ of 30 tons and not exceeding 50 tons burden	15 00.
“ of 50 tons and upwards .....	20 00.

SCHEDULE C.

Boat under 16 feet in length, per quarter.....	5 00.
Boat of 16 feet, and not exceeding 10 tons burden per quarter..	7 50.
Lighters and Scows under 10 tons burden, per quarter.....	10 00.
Lighters and Scows of, and not exceeding 10 tons, per quarter..	11 00.
For every additional ton.....	25.

SCHEDULE D.

For each Invoice under \$100 value.....	1 50.
For every additional \$100 and for any portion of less value than \$100 over the first \$100 the additional sum of.....	50.
For every Invoice of Potatoes.....	5 00.
“ Turnips, carrots or other roots or vegetables.	2 50.

VICTORIA, VANCOUVER ISLAND:

PRINTED BY AUTHORITY OF THE GOVERNMENT BY HIGGINS, LONG AND Co.,  
1866.