



BRITISH COLUMBIA.

ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. 7.

An Act relating to proceedings under “The Tax Sale Repeal Ordinance, 1867.”

[2nd March, 1871.

WHEREAS by “The Tax Sale Repeal Ordinance, 1867,” it was Preamble.
provided amongst other things, that it should be lawful for
the Governor at any time, and from time to time thereafter, to
cause a list to be made out of Taxes and Sums due and chargeable
on Real Estate, in respect of the Real Estate Tax Acts of the years
1860 and 1862, of the then lately separate Colony of Vancouver
Island and its Dependencies, and of the said “Tax Sale Repeal
Ordinance, 1867,” and to cause the same to be published in the
Government Gazette, for the period of time therein mentioned, at the
expiration of which period, provision was thereby made in default
of payment within the time therein specified for the recovery of the
amounts mentioned in such list;

And, whereas, such list has been made out and published in the
Government Gazette, in pursuance of the provisions of the said
Ordinance;

And, whereas, it has been alleged that numerous inaccuracies
exist in such list, and that many of the sums appearing in such list
to be due and chargeable on Real Estate are not in reality so due
and chargeable;

And, whereas, it has been considered advisable to appoint Com-
missioners, with power to enquire fully into such complaints, and
generally as to the correctness of such list, and report thereon to the
Governor of this Colony;

And, whereas, it is desirable that such Commissioners should be
empowered to examine Witnesses upon Oath; that the Governor
should have power to act upon the Report of such Commissioners;
and that provision should be made for the payment of the expenses
involved in the execution of such Commission;

Be it therefore enacted by the Governor of British Columbia, with
the advice and consent of the Legislative Council thereof, as follows:

I. The

The Tax Sale Repeal Ordinance, 1867, Amendment Act.

Empowers Governor to appoint Commission to enquire into arrears of Taxes due on Real Estate.

Power of Commissioners.

I. The Governor may appoint any Person or Persons, by Commission in Her Majesty's name, and under the Public Seal of this Colony, to enquire into the alleged erroneous charges and inaccuracies in the said List so published in the *Government Gazette* as aforesaid, and generally to enquire into the correctness of such List by revising the same; and such Commissioner or Commissioners shall have the power of summoning before him or them any party or witness, and of requiring such party or witness to give evidence on oath, orally or in writing (or on solemn affirmation, if they be parties entitled to affirm in civil matters), and to produce such documents and things as such Commissioner or Commissioners may deem requisite to the full investigation of the matters into which they are hereby appointed to examine; and such Commissioner or Commissioners shall have the same power to enforce the attendance of witnesses, and to compel them to give evidence, as is vested in any Court of Law in civil cases; and any wilfully false statement made by any witness on oath or solemn affirmation, before such Commissioner or Commissioners as aforesaid, shall be a misdemeanor, punishable in the same manner as wilful and corrupt perjury; but no such party or witness shall be compelled to answer any question, by answering which he might render himself liable to a criminal prosecution.

Governor may take action on Commissioners' Report.

II. It shall be lawful for the Governor, upon receiving any Report from such Commissioner or Commissioners, to act upon the same, in such manner as he may deem advisable, and to remit any amounts that may appear in such List to be due or chargeable on any Real Estate mentioned therein, and to give such instructions as he may deem expedient for the purpose of rectifying and completing such List. Provided that if any new charge is placed upon such List the same shall be published in the *Government Gazette*, as required by "The Tax Sale Repeal Ordinance, 1867."

Empowers Governor to remunerate Commissioners.

III. It shall be lawful for the Governor to issue his Warrant to the proper Officer of the Treasury, for any sum or sums that he may think fit, as a remuneration for the said Commissioner or Commissioners, and also for such sum or sums as may be requisite to pay for the attendance of witnesses giving evidence before such Commissioner or Commissioners, and also for such further charges and expenses as shall, with the approval of the Governor, be incurred, laid out, and expended in the course of such enquiry as aforesaid.

Interpretation Clause.

IV. The term "Governor" shall mean the Officer for the time being Administering the Government of this Colony.

Short Title.

V. This Act shall be read as part of "The Tax Sale Repeal Ordinance, 1867," and may be cited for all purposes as "The Tax Sale Repeal Ordinance, 1867, Amendment Act."

Passed the Legislative Council the 23rd day of February, A. D. 1871.

CHARLES GOOD,
Clerk of the Council.

PHILIP J. HANKIN,
Speaker.

Assented to, in Her Majesty's name, this 2nd day of March, 1871.

A. MUSGRAVE,
Governor.

VICTORIA, B. C.:

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1871.