



CHAPTER 22.

**An Act to validate certain Expropriation By-laws of
the Corporation of the Township of Chilliwack
and the City of Chilliwack.**

[Assented to 3rd April, 1947.]

WHEREAS, pursuant to the provisions of subsection (184) Preamble of section 59 of the "Municipal Act," being chapter 199 of the "Revised Statutes of British Columbia, 1936," as amended by section 8 of chapter 49 of the Statutes of 1946, the City of Chilliwack joined with the Corporation of the Township of Chilliwack to expropriate certain land adjacent to Cultus Lake Park for purposes of a public park and pleasure-ground:

And whereas the Council of the City of Chilliwack passed a by-law for the said purposes on the fifth day of August, 1946, and the Council of the Corporation of the Township of Chilliwack passed a similar by-law on the twenty-seventh day of July, 1946:

And whereas the land expropriated is described in the Crown grant hereinafter mentioned as follows:—

"All those parcels or tracts of land, situate, lying and being in the Twenty-second Township, east of the Coast Meridian, in the New Westminster district, in the province of British Columbia, in our Dominion of Canada, and being composed of:—

"Firstly: Legal Subdivisions 7 and 8 and the north half and south-east quarter of Legal Subdivision 1 of Section 25 of the said Township, excepting thereout and therefrom the land covered by the waters of Cultus Lake, at the time of the survey of the said lake, as shown upon a map or plan of survey of the north-east quarter of the said Township, approved and confirmed at Ottawa on the 9th day of April, A.D. 1914, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior; the land above described not covered by the waters of the said lake, containing by admeasurement 77.20 acres, more or less; and

“Secondly: the north half of Legal Subdivision 6 of said Section 25 excepting thereout and therefrom the land covered by the waters of Cultus Lake, at the time of the survey of the said lake, as shown upon the said map or plan of survey of the north-east quarter of the said Township; the land secondly above described not covered by the waters of the said lake containing by admeasurement 8.10 acres, more or less; the lands hereby granted containing by admeasurement together 85.30 acres, more or less;

“And also all and singular the trees, and standing and fallen timber, now standing, lying or being in and upon the said lands, saving and reserving, nevertheless, unto us, our successors and assigns,

“(1) the free uses, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on or under or flowing through or upon any part of the said parcel or tract of land:

“(2) all rights of fishery and fishing and occupation in connection therewith upon, around and adjacent to the said lands, and the privilege of landing from and mooring boats and vessels upon any part of the said lands in connection with the rights of fishery and fishing hereby reserved, so far as may be reasonably necessary to the exercise of such rights:

“(3) all mines and minerals, whether solid, liquid or gaseous which may be found to exist within, upon or under such lands, together with full power to work the same, and for this purpose to enter upon, use and occupy the said lands, or so much thereof, and to such extent as may be necessary for the effectual working and extracting of the said minerals.”

And whereas one of the clauses of the Crown grant whereby the said lands were granted to Westminster Mills, Limited, is as follows:—

“To have and to hold the same unto the grantee, its successors and assigns forever for the purpose of a mill-site and for mill operation only.”

And whereas doubts have arisen as to the validity of the said by-laws:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the “Cultus Lake Park Expropriation Validation Act.”

2. The by-laws of the City of Chilliwack and of the Corporation of the Township of Chilliwack purporting to expropriate the said land for purposes of a public park and pleasure-ground are declared to be valid and effective by-laws notwithstanding the said restriction in the Crown grant. Validation of by-laws.

3. This Act shall come into operation on a date to be fixed by the Lieutenant-Governor by his Proclamation. Commencement of Act.

VICTORIA, B.C. :

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