



CHAPTER 49.

An Act to amend the "Land Act."

[Assented to 3rd April, 1947.]

R.S.B.C. 1936, c. 144;
1937, c. 38; 1938,
c. 27; 1940, c. 21;
1941-42, c. 16; 1943,
c. 33; 1944, c. 19;
1945, c. 44; 1946,
c. 37.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Land Act Amendment Act, 1947." Short title.

2. Section 5 of the "Land Act," being chapter 144 of the "Revised Statutes of British Columbia, 1936," is amended by deleting "quarter-sections" in the second line of subsection (5), and substituting "quarters." Amends s. 5.

3. Said chapter 144 is amended by repealing section 7, and substituting the following:— Re-enacts s. 7.

"7. The method of making surveys shall be governed by the following rules, which shall nevertheless be subject to any instructions which the Surveyor-General may from time to time issue, and which he is hereby authorized to issue:—

"(a.) The survey of a section or lot shall be closed, and the inaccuracy of closing shall not exceed twelve links in latitude and twelve links in departure per mile of boundary:

"(b.) If the inaccuracy of closing exceeds the above allowance, the line or lines in error shall be rerun, and, in all cases where required, a quarter-section or quarter-lot post shall be placed on the true line between the section or lot corners:

"(c.) Every corner or angle of a section, quarter-section, lot, or quarter-lot shall be marked by a permanent

monument, according to the instructions issued by the Surveyor-General:

- “(d.) If a corner of a section or lot falls in a lake, bed of a stream, on an inaccessible mountain, or in any other locality unfavourable to the planting of a post, or where a post is likely to be disturbed or destroyed, the corner shall be witnessed by witness-posts planted at the nearest suitable points on the surveyed lines, that is, either north, south, east, or west of the true corner:
- “(e.) The lines through timber shall be thoroughly blazed, two blazes to be made on each tree quartering on the line, so as to be easily distinguished and traced:
- “(f.) No tree shall be blazed at a greater distance than six feet from the line:
- “(g.) All line trees shall be notched with three notches on each side in the direction of the line, and their size, kind of timber, and distance from the last section corner shall be given in field-notes:
- “(h.) Transits, theodolites, or other instruments, independent of the magnetic needle, shall be used in running lines:
- “(i.) The chaining shall be as correct as possible, and the chain shall be frequently tested by a standard measure; the standard of length being that adopted by the Dominion:
- “(j.) The Surveyor-General may from time to time issue instructions to surveyors engaged on surveys to gather scientific or other data.”

Amends s. 12. 4. Section 12 is amended by adding to subsection (1) the words “except as provided in subsection (6) of section 6.”

Further amends s. 12. 5. Section 12 is further amended by adding the following clauses to subsection (2):—

“(d.) To any lands determined by the Minister to be unsuitable for agriculture:

“(e.) To forest land as defined in the ‘Forest Act.’”

Amends s. 29. 6. Section 29 is amended by inserting after “Act,” in the twenty-first line, the words “as to residence or occupation.”

Amends s. 44. 7. Section 44 is amended by inserting “or third-class,” in the eighth line, before the word “lands.”

Amends s. 46. 8. Section 46 is amended by inserting after “lands,” where that word occurs in the first and second lines, in each case the words “and forest land as defined by the ‘Forest Act.’”

9. Section 47 is amended by striking out the last two lines, and substituting the following: "per acre for first-class lands, and not less than one dollar and twenty-five cents per acre for second-class lands, and not less than fifty cents per acre for third-class lands." Amends s. 47.

10. Section 65 is repealed, and the following substituted:— Re-enacts s. 65.

"65. It shall be lawful for the Minister to provide for the sale of town or city lots that have been offered for sale at public auction as provided by section 63, and of Crown lands on commission through licensed real-estate agents, on such terms and conditions as the Minister may determine, but the commission shall in no case exceed ten per centum of the sale price except that the minimum commission shall be ten dollars."

11. Said chapter 144 is amended by inserting the following as section 72A:— Enacts s. 72A.

"72A. The Minister may, subject to such terms and conditions as he may determine, grant to any person a land-use permit to occupy Crown land not exceeding five acres as a home-site or for business purposes."

12. Section 81 is amended by inserting the words "pre-emptor or" after "a" in the first line and after "the" in the seventh line; and by inserting the words "pre-empted or" after "land" in the fourth line and after "so" in the ninth line. Amends s. 81.

13. Section 83 is amended by inserting after "land," in the ninth line of subsection (2), the words "with a description of the use to which the land will be put." Amends s. 83.

14. Section 83 is further amended by inserting after the second bracket in the fourth line of the form of notice in subsection (2) the following words:— Further amends s. 83.

"for the purpose of [grazing, oyster-culture, etc., as the case may be]."

15. Section 83 is further amended by inserting after "leased," in the fifth line of subsection (5), the words "and the purpose for which it will be used." Further amends s. 83.

16. Section 86 is amended by inserting after "land," in the eleventh line of subsection (1), the words "with a description of the use to which the land will be put." Amends s. 86.

17. Section 86 is further amended by inserting after the second bracket in the fourth line of the form of notice in subsection (1) the following words:— Further amends s. 86.

“for the purpose of [*grazing, oyster-culture, etc., as the case may be*].”

Amends s. 87. 18. Section 87 is amended by inserting after “staking,” in the fourteenth line of clause (a) of subsection (1), the words “the purpose for which it will be used.”

Amends s. 94. 19. Section 94 is amended by inserting the word “use,” after the word “the” where that word occurs for the second time in the second line.

Amends s. 136 20. Section 136 is amended by adding the following: “or to lands pre-empted or purchased by persons qualified under ‘The Veterans’ Land Act’ of the Dominion where such lands are transferred to the Director, The Veterans’ Land Act.”

Amends Sch. 21. The Schedule is amended by adding to Form 16 the following as an additional paragraph:—
“The purpose for which the lease is required is .”

VICTORIA, B C

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