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VANCOUVER ISLAND COLONY.

AN ACT

To make provision for the Registration of Voters, and for other purposes relating thereto.

WHEREAS it is expedient to declare and amend the regulations to be used in the Registration of Voters,

Therefore, Be it enacted, by the Governor, on Her Majesty's behalf, by and with the consent of the Legislative Council and Assembly, as follows:

I. It shall be lawful for His Excellency the Governor, to appoint a fit and proper person in each Electoral District, to be the returning officer therein, and also to appoint a fit and proper person to be the reviser of the list of voters in all the Electoral Districts.

II. No person shall hereafter vote at any election of a member or members to serve in the House of Assembly of Vancouver Island, excepting he be previously registered and retained upon the list of voters of the District or town in which he claims to vote.

In order to form such Lists of Voters, the Sheriff of Vancouver Island shall, and he is hereby authorized and empowered immediately after the passage of this Act, to publish in the official Gazette, and in various conspicuous situations in the several Districts or District towns, or town, in which an election of a member or members to serve in the House of Assembly shall be about to take place, a notice etiher printed or written, according to the Form numbered 1 in Schedule D, to this Act annexed, calling upon all persons who shall be entitled to vote at the election of a member or members to serve in the House of Assembly, in respect of any legal qualification situated within such District or town, to transmit to the said Sheriff, within fourteen days next after the date of such publication, a notice of their claim as such voters, according to the Form marked 2, in the said Schedule D, to this Act annexed, or to the like effect, such notice being signed by the claimant, who shall at the same time transmit or deliver to the aforesaid Sheriff the sum of Four Shillings and wo Pence, without which payment the claim shall not be registered. All notices of claim to vote shall immediately, upon the receipt thereof and payment made, be filed and preserved, and any person knowingly making any false declaration therein, shall be deemed guilty of perjury, or knowingly making any false claim be guilty of a misdemeanor, and upon conviction, punished accordingly: the Sheriff of Vancouver Island being hereby empowered to prosecute in such cases.

III. Within one week after the fourteen days allowed for claims to be transmitted or delivered shall have expired, the Sheriff aforesaid shall make or cause to be made out according to the Form numbered 3, in the Schedule D, to this Act annexed, alphabetical lists of all persons who shall have claimed as aforesaid, to be inserted in such lists as voters in the election of a member or members to serve in the House of Assembly of Vancouver Island for such District or own; and in every such list so to be made by the Sheriff aforesaid, the christian and surname of every claimant shall be written at full length, together with the place of

his abode, the nature of his qualification and the local or other description of such lands and tenements, as the same are respectively set forth in his claim to vote; and if the said Sheriff shall have reasonable cause to believe that any person so claiming as aforesaid, is not entitled to vote, he shall have power to add the words "objected to," opposite the name of every such person on the margin of such list, and shall sign the same. And shall cause a sufficient number of copies of such respective lists to be written or printed, and to be fixed in various public and conspicuous situations within the said Districts or towns respectively, during the seven days next after date of such publication, the date of publication being attached to the list; and the said Sheriff shall likewise keep true copies of such lists signed by him, affixed on or near the door of his office in the Town of Victoria, to be perused by any person between the hours of 10 of the clock in the morning and 4 of the clock in the afternoon, during the fourteen days next after such lists shall have been made.

IV. Any person whose name shall be upon the aforesaid lists of claimants to vote for many District or town, may object to the name of any other person being retained upon the list; and every person so objecting (save and except the said Sheriff objecting in the manner hereinbefore mentioned,) shall on or before the expiration of fourteen days after the date of the publication of such lists, give or cause to be given, a notice in writing according to the form numbered 4, in the said Schedule D, to this Act annexed, or to the like effect, to the said Sheriff; and the person so objecting shall also on or before the expiration of the said fourteen days, give to the person objected to, or leave at his place of abode as described in such list, a notice in writing according to the Form numbered 5, in the said Schedule D, or to the like effect; and the Sheriff shall include the name of all persons so objected to in a list for each District or Town, according to the Form numbered 6, in the said Schedule D, and shall cause written or printed copies of such lists to be fixed in various conspicuous places in the District or Town to which they respectively refer, during the next ten days after such lists shall have been made, and shall likewise keep a true copy of such lists affixed upon or near to the door of his office in the Town of Victoria, between the hours of ten of the clock in the morning, and four of the clock in the afternoon, to be perused by any person during the ten days next after the day of publication.

V. On the day following the expiration of the ten days ordered for the publication of the lists of persons objected to, the Sheriff aforesaid, shall deliver (provided the day be not Sunday, or an established holiday,) the list of claimants first made out by the said Sheriff, and also the lists of persons objected to by the said Sheriff and other persons, together with the notices of claims and notices of objections hereinbefore ordered to be preserved, to the Reviser of the Lists of Voters appointed by the Governor, in order that the said Reviser may fix proper times and place or places, for holding his Court for the revision of such lists.

VI. All disputes respecting the qualifications of electors shall be decided by the Reviser, who shall have full power to summon and examine the parties and their witnesses, at such times and places in the Colony as he shall think fit, in the district in which the voter claims to vote, and to call for the production of and to examine all books and documents in the possession of any party complaining or complained against, and relating to the matter in dispute, and also with full power to tax and settle the amount of the costs of deciding such dispute, and to decide by which of the parties in dispute the said costs shall be borne. The said Reviser shall be paid for his services a certain sum, chargeable against the income of the Colony. All questions of law decide by such Reviser may be carried on appeal to the Supreme Court of Civil Justice, for decision, but the Reviser's decision on matters of fact shall be final. Any such appeal must be brought within three months after the decision appealed against, or at the sittings of the said Supreme Court next ensuing the expiry of such period of three months. And notice of the intention to appeal must be given within twenty-four hours after the decision being made known.

All sums directed to be paid by the Reviser, may be recovered on application to a Justice of the Peace, in the same manner as if the same had been lawfully ordered to be paid by a previous order of such Justice.

VII. The lists of voters, when revised, shall be signed by the Reviser, who shall make or cause to be made out a duplicate copy, which duplicate copy shall also be signed by himself and witnessed by the Sheriff of Vancouver Island. The original copy shall be forthwith placed in a sealed en-

velope and delivered forthwith to the Governor, and the duplicate copy shall also be enclosed in a sealed envelope, and delivered to the Speaker of the House of Assembly, to be by him deposited among the records of the House; and the lists thus revised shall be the Lists of Voters for the Districts or Towns therein named, to be used at any election of a Member or Members of the House of Assembly to represent such District or Districts, Town or Towns, at any election which may take place before the end of the present year; and if any election shall be ordered in any District or town for which lists of voters have not been made, such election shall not take place until lists of voters have been made according to the law now laid down.

VIII. The fees herein before ordered to be taken by the Sheriff aforesaid, shall be paid into the Colonial exchequer, and employed in assisting to liquidate the expenses attending the formation and revision of the lists of voters.

XI. Any person elected to serve in the House of Assembly of Vancouver Island, shall, previous to taking a seat in the said House of Assembly, deliver to the Speaker thereof the following declaration:

"I do solemnly and sincerely declare, that I have not myself, or knowingly through any agent or agents, person or persons, employed bribery or treating, or used any undue influence to procure my election as Member of the House of Assembly of Vancouver Island,"

nd shall sign the same before the Speaker; y person refusing to sign the above decla- ion shall not be allowed to sit or vote, but election shall be null and void. and any son signing the aforesaid declaration, wing the same to be false, shall be dis- ed the House, and be incapable of sitting ein for ever, even though elected.

The provisions of this Act shall come in effect immediately on the passing thereof

This Act may be referred to in all legal documents as the "Registration of Voters Act 1859."

SCHEDULE D.

No. 1.

Form of Notice of making out the Lists of Voters to be given by the Sheriff of Vancouver Island.

I hereby give notice, that I shall before the day of in this year, make out a list of all persons entitled to vote in the election of a Member (or Members), to serve in the House of Assembly of Vancouver Island, for the District of (City or Town) in respect of property (or other qualification), situate within this District (or Town), and all persons so entitled are hereby required to deliver or transmit to me, on or before the day of in this year, a claim in writing, containing the Christian name and surname, the place of abode, the nature of their qualification, the name of the street, lane or other like place wherein the property in respect of which they claim to vote, is situated, and each of such persons so claiming must also at the same time pay to me the sum of four shillings and two pence.

Persons omitting to deliver or transmit such claim or make such payment, will be excluded from the list of voters for this District (Town or City.)

N. B. Any false declaration is declared by law to be perjury; and any wilfully false claim a misdemeanor.

(Signed) J. T.
Sheriff,
of Vancouver Island.

No. 2.

Form of Notice of Claim to be given to the Sheriff.

I hereby give you notice, that I claim to be inserted in the list of voters for the District of (Town or City), and that the particulars of my place of abode and qualification are stated below, and I do further solemnly and sincerely declare, that I am a loyal British subject, and that I have resided at least four months in Vancouver Island.

(Signed) JOHN SMITH.

Place of Abode .....Thomas street.
Nature of Qualification Freehold Land, above Twenty acres.
(or if other qualification state the same.)
Where situate .....District of Victoria, and commonly known by the name "Smith's Folly."

No. 4.

Form of Notice of Objection to be given to the Sheriff of Vancouver Island.

To the Sheriff of Vancouver Island.

I hereby give you notice, That I object to the name of being retained in the list of votes for the District of

Dated the day of in the year (place of abode)

A. B.
Yates street.

No. 5.

Form of Notice of Objection to be served to parties innserted in the List of Voters.

To Mr.

I hereby give you notice, That I object to your name being retained in the list of voters for the District of (or Town), and that you will be required to prove your qualification at the time of the revising of the said list.

Dated this day of in the year Place of abode

A. B.
(Yates street.)

No. 3.

District of.....
.....to wit:

The List of Persons claiming to be entitled to Vote in the Election of a Member (or Members) to serve in the House of Assembly, in respect of qualification situate within the District of.....(or town).

Christian and Surname of Each Voter at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like place in this District (or town) where the property is situated, or name of property.
John Adams.	Vancouver-street.	Fifty acres of Freehold Land.	East Road, Saanich District, commonly known by the name of "Paradise."
Bacon, William	Lake House, Lake District.	Occupation of a farm of the yearly value of not less than twelve Pounds	North Road, and is commonly known by the name of "Bacon's Folly."
Coon, Thomas	Yates-street.	House and land of value not less than £50.	Yates-street, on the property.
Forceps Scalpel.	Trinity-square.	Member of Royal College of Surgeons, &c., and having resided at least six months in Vancouver Island,	Catlin House, Trinity-square.

No. 6.

Form of List of Persons objected to, to be published by the Sheriff of Vancouver Island.

The following Persons have been objected to as not being entitled to have their names retained in the List of Voters for the District of (or Town.)

Christian and Surname of each Person objected to.	Place of Abode.	Nature of Supposed Qualification.	Street, Lane, or other like place in this District, (or Town), where the Property or supposed qualification is situate; or name of Property.
John Adams,	Vancouver-street	Fifty Acres of Freehold Land.	East Road, Saanich District; and commonly known by the name of "Paradise."
Bacon, William	Lake House, Lake District	Occupation of a Farm, of the yearly value of not less than Twelve Pounds.	North Road, and is commonly known by the name of "Bacon's Folly."
Coon, Thomas	Yates-street	House and Land of value of not less than £50.	Yates-street.

Passed the Council Sept. 13th, 1859.
E. Cridge, *Dep. Sec.*

Passed the House of Assembly, Oct. 7th, 1859.
Joseph Porter, Clerk of House.