

A BILL

To amend the Franchise Act, 1859.

WHEREAS, it is expedient to amend the Franchise Act 1859, Be it enacted by His Excellency the Governor, by and with the advice and consent of the Legislative Council and Assembly, as follows :

I. That the said Franchise Act be and is hereby repealed.

II. Every male British subject of full age, who shall have resided in Vancouver Island or its Dependencies for a space of three calendar months, and shall at the time of election reside in Vancouver Island or its Dependencies, and shall be possessed of any one or more of the qualifications, and under none of the disqualifications next hereinafter mentioned, shall be entitled to be registered and placed upon the list of voters for the purpose of voting at the election of members or a member of the House of Assembly, for any electoral district in the Colony of Vancouver Island :

1. Being a Surgeon or Physician, possessing a diploma from a chartered College in Great Britain, Ireland or the Colonies, or a Barrister, Solicitor, Attorney, Member of the Faculty of Advocates, or Writer to the Signet, qualified to practice as such in Great Britain, Ireland or the Colonies, or being a Graduate of some chartered University or College, in Great Britain, Ireland or the Colonies, and exhibiting proof thereof ;

2. Occupation at the time of, and for three calendar months next preceding the time at which he may claim to be registered in the list of voters, of real estate in this Colony, at an actual rental of £12 per annum ;

3. Being at the time of registration a taxpayer under the "Salaries Tax Act, 1865."

4. Possession in his own right at and for a period of three calendar months next preceding the time at which he may claim to be registered upon the list of voters, of any of the following estates and interests :

a. Twenty acres or upwards of land situate in this colony, held for an estate of freehold ;

b. An estate of freehold of the marketable value of £50, in any real estate situate in this colony.

c. One-fourth of the profits of a farm (twenty acres of which are cleared and under cultivation) held by a person actually in charge of the farm, who shall have been so in charge for three calendar months, immediately preceding the time at which he may claim to be registered upon the list of voters.

III. The disqualifications for voting shall be as follows :

1. Having taken the oath of allegiance to, or become the citizen or subject of any foreign State or nation, unless three months' previously to the time at which he may claim to be registered in the lists of voters, he shall have taken the oath of allegiance to Her Majesty, her heirs and successors, before the Chief Justice of the Supreme Court of Vancouver Island ;

2. All other persons who are disqualified from voting at elections in Great Britain ;

IV. Persons qualified as aforesaid, shall have as many votes as there are members to be returned for the particular district ; but no person may tender more than one vote for any candidate, nor vote more than once ; and no person shall vote in any town or district unless he shall have been a *bona fide* resident in such town or district one month immediately preceding the election at which he tenders his vote.

V. The qualification of members shall be the same as the qualification of voters.

VI. The disqualifications of members shall be as follows :

1. Being a minister of any religious denomination ;
2. Having taken the oath of allegiance to, or become the citizen or subject of any foreign State or nation, unless six months' previously to his election, he shall have taken the oath of allegiance to Her Majesty, her heirs, and successors, before the Chief Justice of the Supreme Court of Vancouver Island ;
3. Being at the time, or having filled the office of Returning Officer, or revisor of the lists of voters, within the space of eighteen calendar months next preceding the election at which he shall stand.
4. Being an insolvent debtor, or an uncertificated bankrupt.
5. Having been convicted of a felony, or of bribery at an election, or being outlawed in any suit.

VII. Absence from the Colony for one month during the session of the House, without the leave of the House for that purpose obtained, shall *ipso facto* determine the membership of the the member absent, and a new writ for the electoral district which such absent member represented, shall be immediately issued for the return of a new member in place of such late member.

VIII. Every person tendering his vote at any election of a member of the House of Assembly, shall, before voting, take such of the three following oaths as he may be required by some other duly qualified voter :

1. I (A. B.) do hereby swear that I am a British subject, born at (place of birth), and that I have never taken the oath of allegiance to, or become the citizen of any foreign State or nation;

Provided always that any voter called upon to take the oath lastly hereinbefore contained, may, if he so choose, in lieu thereof, take the oath next hereinafter contained ;

2. I (A. B.) do hereby solemnly swear that I, on the day of before the Chief Justice of Vancouver Island, took the oath of allegiance to Her Majesty, her heirs and successors, and have not since that day taken the oath of allegiance to, or become the citizen of any foreign State or nation.

3. I (A. B.) do hereby swear that I am the same (A. B.) who is registered on the list of voters for the district of (C. D.) and that I am now possessed in my own right, and have been so possessed for three months next preceding the present election (statement of qualification) and that I have been a *bona fide* resident in the district in which I now tender my vote, for one month next preceding the present election.

4. I do solemnly swear that I have not received, or been promised, or to my knowledge has any other person on my behalf, or for my benefit, received or been promised any money, gift, advantage, place or consideration for, or for the purpose of, influencing the vote which I now tender.

IX. Any member of the House of Assembly accepting or obtaining any appointment or contract from, of or under the government, shall *ipso facto* vacate his seat, and a new Writ shall immediately be issued for another election ; but the member vacating shall be eligible for re-election.

X. The duties and observances of the Sheriff, Returning Officer and Poll Clerks at elections in England, and the mode of conducting elections there, shall hold good and be the same in Vancouver Island ; subject always to the provisions of this Act ; the Registration of Voters' Act, 1859 ; and the Representation Act, 1859. Excepting that there shall be one day only during which the poll shall be taken in any district, and between the hours of eight of the clock in the morning, and four of the clock in the afternoon of the same day.

XI. The Returning Officer shall make the return to the Governor of Vancouver Island, or to some person duly authorized by him.

XII. The duration of the House of Assembly shall be for three years from the date of its first meeting, unless previously dissolved.

XIII. This Act may be cited for all purposes as the "Franchise Act, 1865."