# AN ACT

## To provide for the Election of a Mayor and Councillors for the City of Victoria, at the expiration of the period for which the present Mayor and Councillors are elected.

WHEREAS by the Victoria Incorporation Act, 1862, it was (amongst other things) enacted that the said City should be divided into three wards, and that the candidate for the Mayorship (being duly qualified therefor,) who should obtain the greatest collective number of votes should be Mayor: That there should be two Councillors elected in manner thereinafter mentioned in each of the said wards:

That the two candidates in each ward (duly qualified) who should obtain the greatest number of votes in the ward for which they might stand should be Councillors:

That every person possessed of the qualifications and under none of the disqualifications thereinafter mentioned concerning electors of the said corporation should have only one vote in the election of a Mayor, and in addition to his vote in the election of a Mayor, should have two votes in the election of Councillors for each ward wherein he has property qualifications, but in voting for Councillors he should only vote once in the same ward, and might either split his vote between the candidates or vote for one only, and if he should vote for one only his vote should only count one:

That the voting for Mayor and Councillors should be open, and no person should vote by proxy:

That the qualification of voters should be as follows:

Being a male British subject of full age;

Having resided in Vancouver Island and its dependencies for a space of three calendar months preceding the election at which he tenders his vote;

Being, at the time of tendering his vote, rated on the Municipal Assessment Roll of the said City for Freehold or for Leasehold Estate to the amount of £20.

And it was by the said Act provided that at the first election of a Mayor and Councillors the voters should be the persons at that time registered on the list of voters for the election of representatives for the Town of Victoria, and at such election each voter on such list should have a vote for each Councillor and one for the Mayor, such votes to be given at one time and place:

And Whereas, in consequence of the delays which have arisen in the revision of the Assessment Roll made in pursuance of the One Per Cent. Tax Act, it has become impossible to complete a Municipal Assessment Roll pursuant to the provisions of the said Act for the Incorporation of the City of Victoria:

And Whereas it is expedient to declare the qualifications of the Mayor and Councillors at the said next election, and that the electors at the next election of Mayor and Councillors should be the persons whose names are duly registered on the list of voters for the election of representatives of Victoria City for the year 1863, and that each voter shall have one vote for Mayor and a vote for each Councillor in each ward in which he has a property qualification, and that the

election of such Mayor and Councillors shall be held in other respects as in and by the said Act is provided; and that the said Mayor and Councillors and said electors shall (save as herein otherwise provided) be subject to the same disqualifications and possess the same qualifications as in the said Act provided, and that in addition to the oaths prescribed by the said Act the voters shall take an additional oath as hereinafter provided if called on to do so as hereinatter provided:

Be it therefore enacted by the Governor on Her Majesty's behalf, by and with the advice and consent of the Legislative Council and Assembly of Vancouver Island and its dependencies:

1. That the election of a Mayor and Councillors shall be held on the sixth day of November next, in conformity with the provisions of the said Act, at such place as the Mayor and Council shall, by due notice, as in the said Act mentioned, appoint.

Next election to be held at the place appointed by the Mayor and Council.

2. That so much of the said Act as provides that at the said election the qualification of voters shall be, being rated on the Municipal Assessment Roll of the said City for Freehold or for Leasehold Estate to the amount of £20 or upwards, is hereby repealed.

Repeal of so much of the Corporation Act as provides that the electors shall be taken from the Assessment Roll at the next election.

3. That so much of the said Act as provides that at the said election the qualification of the Mayor and Councillors shall be:

"Being a male British subject of full age."

"Having resided within the Island of Vancouver and its dependencies for a space of six calendar months previous to election."

"Being at and having been for three calendar months next preceding the time of election rated on the Municipal Assessment Roll of the same city in respect of Freehold to at least the value of £50, or in respect of Leasehold to at least the value of £150," is hereby repealed.

Repeal of so much of the Act as provides for the qualification of Mayor and Councillors at the next election.

4. That the voters entitled to vote at the said election shall be the persons whose names are registered on the list of voters for the election of representatives for the Town of Victoria.

Qualification of Voters at the next election.

5. That each voter shall have one vote for Mayor and a vote for each Councillor to be elected in and for every ward in which such voter has a property qualification.

Number of Votes for Mayor and Councillors.

6. That the qualificatiou of a Mayor and Councillor at the said next election shall be the same as at the first.

Qualification of Mayor and Councillors.

Oath of Qualification to be taken by Voter.

7. That each voter voting for a Councillor may be called upon by any duly qualified elector in the same ward to take the oath following: "I, A. B., do hereby swear that I am the said A. B. mentioned in the revised list of voters for the City of Victoria, and that I am entitled in my own right to a vote for the election of two Councillors for the Ward in respect of [*Describe the nature of the qualification, specifying the block and lot, and where situated.*]"

Penalty on False Oath.

8. That any person wilfully misrepresenting himself as being entitled to vote, or wilfully misdescribing his qualification, shall be deemed guilty of misdemeanor.

Act to operate for one year.

9. This Act shall remain in operation for one year.

Act may be Repealed.

10. Nothing in this Act shall be taken or deemed to prevent the repeal or amendment of this Act or the Victoria Incorporation Act, 1862, during the present session of the Legislature.

Short Title.

11. This Act may be cited as "The Provisional Act for the Election of Mayor and Councillors, 1863."

Passed the House of Assembly the fourteenth day of October, A.D., 1863.

R. W. Horne,
Clerk of the House.

Passed the Council, with Amendment, the twenty-seventh day of October, A.D., 1863.

Edwin James Nesbitt,
Clerk of the Council.

Council Amendment agreed to, October 30th, 1863.

R. W. Horne,
Clerk of the House.

Received my assent this thirtieth day of October, A.D., 1863.

JAMES DOUGLAS,
Governor.