



CHAPTER 38.

An Act for the redistribution of British Columbia into Electoral Districts, and to amend the “Provincial Elections Act.”

R. S., B. C., c. 47
and c. 67.

[May 20th, 1898.]

HER 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 “Redistribution Act, 1898.”

Short title.

2. Section 20 of the “Constitution Act” is hereby repealed and the following section is substituted therefor :—

Re-enacts c. 47, s. 20.

“20. The Legislative Assembly of British Columbia shall consist of thirty-eight members to be elected in manner provided by the ‘Provincial Elections Act’ and to represent the Electoral Districts constituted and defined by and in the said Act.”

Number of Legislative Assembly.

3. Sub-section (3) of section 5 of the “Provincial Elections Act” is hereby amended by striking out the word “three” in the last line of said sub-section and substituting therefor the word “four.”

Amends c. 67, s. 5, s.-s. (3).
Four members to Vancouver City.

4. Sub-section (4) of said section 5 is hereby repealed and the following is substituted therefor :—

Re-enacts c. 67, s. 5, s.-s. (4).

“YALE ELECTORAL DISTRICT.

“(4.) All that tract of land contained within the following boundaries, viz.:—

Yale Electoral District.

“Commencing at a point on the 49th parallel of latitude, being the south-east corner of Westminster Electoral District; thence due east along said parallel of latitude to the south-west corner of Township sixty-eight (68), Osoyoos Division of Yale District; thence due north to the centre line of the Kettle River; thence northerly following the

said centre line of the Kettle River to the junction therewith of the East Fork of said Kettle River; thence in a north-easterly direction in a straight line to the north-west corner of Township sixty-nine (69), Osoyoos Division of Yale District; thence due north to Inonoaken Creek; thence northerly in a course parallel to the general course of the Columbia River and distant from it about ten miles, following the summit of the mountains dividing the waters running into the Columbia River from those flowing to the west, to a point on the 52nd parallel of latitude; thence due west along said parallel to its intersection with the meridian passing through the mouth of Tranquille River, Kamloops Lake; thence due south along said meridian to a point about twelve miles north of the mouth of the said Tranquille River; thence west to the 114th-mile post on the Yale-Cariboo Waggon Road; thence south-westerly on a right line to a point on the Fraser River just north of Watkinson's Ranch, on the east boundary of Lillooet Electoral District; thence south on a right line following the eastern boundary, in part, of Lillooet Electoral District and the eastern boundary of Westminster Electoral District to the place of commencement, shall constitute one Electoral District, to be designated "Yale Electoral District," and shall be divided into three Ridings as follows, each of which shall return one member, viz.:—

"West Riding of Yale District.

West Riding of Yale District.

"All that tract of land situated within the Electoral District of Yale, which lies to the west and south of the following line, viz.:—

"Commencing at a point on the northern boundary of the Electoral District of Yale, one mile east of Copper Creek; thence in a southerly direction parallel to the said creek, to a point on the north bank of Kamloops Lake; thence crossing said lake to a point on the south side thereof, situated two miles east of the mouth of Three-Mile Creek; thence in a southerly direction to a point three miles west of the foot of Nicola Lake; thence in a southerly direction to a point one mile west of Aspen Grove; thence in a southerly direction to a point about two miles north-west of Princeton; thence due east to the intersection of the 120th meridian; thence due south along said meridian to the 49th parallel.

"East Riding of Yale District.

East Riding of Yale District.

"All that tract of land situated in the said District which lies to the east and south of the following line, viz.:—

"Commencing at the point of intersection of the 49th parallel with the 120th meridian; thence due north along said meridian to Trepanege River; thence north-easterly on a right line to a point two miles east of the mouth of Salmon River, on Shuswap Lake; thence due east to the western boundary of Kootenay District.

“North Riding of Yale District.”

“All the remaining tract of land within the said District which is not included in the other Ridings before mentioned.”

North Riding of
Yale District.

5. Sub-section 6 of said section 5 is hereby repealed and the following is substituted therefor:—

Re-enacts s.-s. (6) of
said s. 5.

“WEST KOOTENAY ELECTORAL DISTRICT.”

“(6.) All that tract of land bounded on the west by the eastern boundary of Yale District, up to the north-eastern corner thereof, and thence by a line (being also the south-eastern boundary of Cariboo Electoral District) following the general course of the Columbia River, and distant from it about ten miles, to the intersection of Canoe River, on the east by a line down Canoe River to the Columbia River; thence in a south-easterly direction to the dividing ridge of the Selkirk Range of Mountains; thence following said dividing ridge in a south-easterly direction to the summit of Rogers’ Pass; thence in a south-easterly direction following the watershed nearest the Upper Columbia River to the 50th parallel of north latitude; thence in a southerly direction following the watershed nearest and to the westward of the Upper Kootenay and Moyie Rivers to the 49th parallel of north latitude (being also the western boundary of East Kootenay Electoral District), and on the south by the International Boundary Line, shall constitute one Electoral District, to be designated ‘West Kootenay Electoral District,’ and shall be divided into four Ridings, as follows, each of which shall return one member, viz:—

West Kootenay
Electoral District.

“Revelstoke Riding of West Kootenay”

“Shall comprise all that portion of the said District of West Kootenay which lies to the north of a line commencing at the point where the westerly boundary of the said district intersects the height of land lying to the south of Inonoaken Creek and its tributaries; thence along the said height of land, following down the said creek, to Lower Arrow Lake and the centre line thereof; thence northerly along the centre line of Lower Arrow Lake to a point opposite the height of land south of Cariboo Creek; thence along the height of land to the south of Cariboo Creek and its tributaries, and following the said creek to its head; thence following the height of land between the waters flowing into Slocan Lake and those flowing into Upper Arrow Lake, and the height of land between Poplar Creek and Cascade Creek, to the Lardo River, at a point half-way between Trout Lake and Kootenay Lake; thence north-easterly to the height of land between Duncan River and Trout Lake; thence northerly along the summit to the head-waters of the Duncan River; thence due east to the eastern boundary of West Kootenay District.

Revelstoke Riding of
West Kootenay.

"Slocan Riding of West Kootenay"

Slocan Riding of
West Kootenay.

"Shall comprise all that portion of the said District of West Kootenay which is bounded on the north by the Revelstoke Riding; on the west by Lower Arrow Lake and the Columbia River; on the south by the Kootenay River and the west arm of Kootenay Lake and a line running from the mouth of the said west arm to the mouth of Crawford Bay, and thence to the mouth of Gray's Creek, and thence due east to the eastern boundary of West Kootenay District; and on the east by the said eastern boundary of West Kootenay District.

"Nelson Riding of West Kootenay"

Nelson Riding of
West Kootenay.

"Shall comprise all that portion of the said District of West Kootenay lying to the south of the Slocan Riding of West Kootenay and east of the Columbia River."

"Rossland Riding of West Kootenay"

Rossland Riding of
West Kootenay.

"Shall comprise all that portion of the said District of West Kootenay which lies to the south of the Revelstoke Riding and to the west of the Columbia River and Lower Arrow Lake."

Re-enacts s.-s. (7) of
said s. 5.

6. Sub-section (7) of said section 5 is hereby repealed and the following is substituted therefor:—

"EAST KOOTENAY ELECTORAL DISTRICT."

East Kootenay Elec-
toral District.

"(7.) All that tract of land bounded on the west by the eastern boundary of West Kootenay Electoral District; on the north by a line (being also the south-eastern boundary of Cariboo Electoral District) following the general course of the Columbia River, and distant from it about ten miles, to a point on the 118th meridian, about fifteen miles north-east of the Boat Encampment, and thence by the 118th meridian (being also the eastern boundary, in part, of Cariboo Electoral District) to the summit of the Rocky Mountains, the eastern boundary of the Province; on the east by the said eastern boundary of the Province; and on the south by the 49th parallel, the southern boundary of the Province, shall constitute one Electoral District, to be designated 'East Kootenay Electoral District,' and shall be divided into two Ridings, as follows, each of which shall return one member, viz:—

"North Riding of East Kootenay"

North Riding of
East Kootenay.

"Shall comprise all that portion of the said District of East Kootenay which lies to the north of a line commencing at the intersection of the eastern boundary of the District with Kananaskis Pass; thence south-westerly along the centre of said pass and the centre of the Palliser River to the Kootenay River; thence south-westerly down the centre line of the said Kootenay River to its junction at Canal

Flat with the canal leading to Upper Columbia Lake; thence due west to the western boundary of the said East Kootenay District.

"South Riding of East Kootenay

"Shall comprise all that portion of the said District not included in the North Riding of the said district."

South Riding of East Kootenay.

7. Sub-section (9) of said section 5 is hereby amended by striking out the word "one" in the last line of said sub-section and by substituting therefor the word "two."

Amends s.-s. (9) of said s. 5.
Two members to Cassiar.

8. Sub-section (14) of said section 5 is hereby repealed and the following is substituted therefor:—

Re-enacts s.-s. (14) of said s. 5.

"COWICHAN ELECTORAL DISTRICT.

"(14.) That tract of land contained within the following boundaries, viz.:—

Cowichan Electoral District.

"Commencing at a point on the west shore of Saanich Inlet, being the south-east corner of Shawnigan District; thence in a northerly direction following the coast line to a point on Stewart Channel, about one mile north of Horseshoe Bay, being the north-east corner of Chemainus District; thence due west along the northern boundary of Chemainus District, and on a line in continuation thereof, to its intersection with the western boundary of the Esquimalt and Nanaimo Railway Company's land grant; thence to a point where the said westerly boundary of the said Esquimalt and Nanaimo Railway Company's land grant crosses the Nitinat River; thence westerly along the Nitinat River and Nitinat Lake and the coast line to its intersection with the northern boundary of Esquimalt Electoral District; thence due east along the said northern boundary of the said Esquimalt Electoral District to the place of commencement, shall constitute one Electoral District, to be designated the 'Cowichan Electoral District,' and return one member."

9. The following is inserted after said sub-section (14) as (14a):—

Adds (14a).

"ALBERNI ELECTORAL DISTRICT.

"(14a.) That tract of land contained within the following boundaries, viz.:—

Alberni Electoral District.

"Commencing at a point where the westerly boundary of the Esquimalt and Nanaimo Railway Company's land grant intersects the Nitinat River; thence northerly on a right line to the west end of Cameron Lake; thence north-westerly to the west end of Horne Lake; thence in a north-westerly direction to the south end of Comox Lake; thence north-westerly on a right line to the head of the south-east Arm of Quatsino Sound; thence following the easterly shore line of said south-east Arm and the south shore line of Quatsino Sound to a point

opposite the centre of the West Arm of Quatsino Sound; thence up the centre of the said West Arm to the head thereof; thence north-westerly on a right line to the mouth of Cache Creek in Township 35, Rupert District; thence westerly and southerly following the coast of Vancouver Island to the mouth of Nitinat Lake; thence north-easterly up Nitinat Lake and Nitinat River to the point of commencement, together with and including all islands adjacent to the west coast of Vancouver Island north of the north-west corner of Esquimalt Electoral District, shall constitute one Electoral District, to be designated the 'Alberni Electoral District,' and return one member."

Re-enacts s.-s. (15)
of said s. 5.

10. Sub-section (15) of said section 5 is hereby repealed and the following is substituted therefor:—

"NANAIMO CITY ELECTORAL DISTRICT.

Nanaimo City Elec-
toral District.

"(15.) That tract of land contained within the following boundaries, viz.:—

"Commencing at the mouth of the Chase River, where it flows into Nanaimo Harbour; thence in a northerly direction, following the sinuosities of the shore line, to the south-east corner of Millstone River bridge; thence to the north-east corner of said bridge; thence following the shore line in a northerly direction to the north-east corner of Lot 24, Block 2, as shown on the official map of Newcastle Town; thence in a westerly direction along the southern boundary of the road which passes to the north of Blocks II, I, and XII, and following the said road to the north-east corner of Suburban Block XVII, Newcastle Townsite; thence south-west to the north-east corner of Wakesiah Park; thence westerly following the centre line of the Comox Road to the eastern bank of the Millstone River; thence along the bank of the Millstone River to the eastern boundary of Mountain District; thence south to the north-west corner of Cranberry District; thence east to the north-east corner of section 20, Range IV., Cranberry District; thence north to Chase River and the point of commencement, shall constitute one Electoral District, to be designated 'Nanaimo City Electoral District,' and return one member."

Re-enacts s.-s. (16)
of said s. 5.

11. Sub-section (16) of said section 5 is hereby repealed, and the following is substituted therefor:—

"NORTH NANAIMO ELECTORAL DISTRICT.

North Nanaimo
Electoral District.

"(16.) That tract of land contained within the following boundaries, viz.:—

"Commencing at a point on the east coast of Vancouver Island, being the north-east corner of the Municipality of the City of Nanaimo; thence due west on a right line to the eastern boundary of Cowichan Electoral District; thence north along the eastern boundary of said district to the west end of Cameron Lake; thence north-westerly along

the north-easterly boundary of Cowichan Electoral District to Horne Lake; thence following the south shore of Horne Lake to its outlet at Qualicum River; thence down said river to its mouth; thence south-easterly, following the coast line, to the point of commencement; together with any small islands adjacent thereto not included in any other Electoral District, shall constitute one Electoral District, to be designated 'North Nanaimo Electoral District,' and return one member."

12. Sub-section (17) of said section 5 is hereby repealed, and the following is substituted therefor:—

Re-enacts s.-s. (17)
of said s. 5.

"SOUTH NANAIMO ELECTORAL DISTRICT.

"(17.) That tract of land, other than and except Nanaimo City Electoral District hereinbefore described, contained within the under-mentioned boundaries, viz.:—

South Nanaimo
Electoral District.

"Commencing at a point on the east coast of Vancouver Island, being the north-east corner of the Municipality of the City of Nanaimo; thence due west on a right line to the eastern boundary of Cowichan Electoral District; thence southerly along the eastern boundary of Cowichan Electoral District to its intersection with the western boundary line of the Esquimalt and Nanaimo Railway Company's land grant; thence due east along the Northern boundary of Cowichan Electoral District to a point on the east coast of Vancouver Island, being the north-east corner of Chemainus District; thence northerly, following the coast line, to the point of commencement; including Texada, Lasquiti, Gabriola, DeCourcy, Valdes, Thetis, Kuper, and Reid Islands and other small islands adjacent thereto and not included in any other Electoral District, shall constitute one Electoral District, to be designated 'South Nanaimo Electoral District,' and return one member."

13. Sub-section (18) of said section 5 is hereby repealed, and the following is substituted therefor:—

Re-enacts s.-s. (18)
of said s. 5.

"COMOX ELECTORAL DISTRICT.

"(18.) That tract of land contained within the following boundaries, viz.:—

Comox Electoral
District.

"Commencing at the mouth of the Qualicum River; thence following that river to Horne Lake; thence along the north shore of Horne Lake to the north-eastern boundary of Alberni Electoral District; thence in a north-westerly direction following the north-easterly boundary of Alberni Electoral District, to the mouth of Cache Creek, in Township 35, Rupert District; thence north-easterly on a right line to the point of intersection of the 128th meridian with the 51st parallel of latitude; thence due east along said parallel of latitude to the 124th meridian; thence due south along said

meridian to its intersection with Jervis Inlet; thence on a line following the centre of the channel down Jervis Inlet to a point opposite Scotch Fir Point, Malaspina Strait; thence on a line following the centre of the channel between Texada Island and the Mainland to the southern end of Harwood Island; thence to the south-east end of Hornby Island; thence to the point of commencement at the mouth of Qualicum River, and including all the islands within the said boundary lines, shall constitute one Electoral District, to be designated 'Comox Electoral District,' and return one member."

Reference maps of Electoral Boundaries.

14. Section 6 of the "Provincial Elections Act" shall be construed as referring to two certain maps or plans deposited on the date of the passage hereof.

Meaning of "former District" and newly constituted District.

15. In the following sections, unless the context prevents, the expression "former District," or former Riding, means and has reference to the particular Electoral District or Riding as existing immediately prior to the passing of this Act, and the expression "newly-constituted District," or newly-constituted Riding, means and has reference to the particular Electoral District or Riding as created and defined by this Act.

Collectors and registers of voters of East Kootenay, North and South Ridings of West Kootenay, East Yale, Comox, Cowichan-Alberni, Nanaimo City, North Nanaimo and South Nanaimo.

16. Forthwith, after the passage of this Act the register of voters for the former Districts or Ridings of East Kootenay, North and South Ridings of West Kootenay, East Yale, Comox, Cowichan-Alberni, Nanaimo City, North Nanaimo and South Nanaimo shall be closed, and the Lieutenant-Governor in Council shall appoint a person to be Collector for each newly-constituted District or Riding, and it shall be the duty of the new Collectors to be appointed under this Act, in addition to the duties laid down in the "Provincial Elections Act," or otherwise required to be performed by law, to make up new registers of voters for the several Districts or Ridings for which they shall be so appointed.

Distributing Collectors, duties of, etc.

17. The closed registers, and other books and papers as aforesaid, for the former Districts or Ridings of East Kootenay, North and South Ridings of West Kootenay, East Yale, Comox, Cowichan-Alberni, Nanaimo City, North Nanaimo and South Nanaimo, shall be delivered to or retained by such Collectors as may be appointed by the Lieutenant-Governor in Council, who shall be designated "Distributing Collectors." There shall be five of such Distributing Collectors, that is to say: One in the former District of East Kootenay; one in the former District of West Kootenay; one in the former Riding of East Yale; one in the newly-constituted District of Comox, or of Cowichan and Alberni, and one in Nanaimo City or North or South Nanaimo: and it shall be the duty of each Distributing Collector, in conjunction with the Collector or Collectors of the new divisions of or extensions of the former District in which he is Distributing Collector, to scrutinize the

closed register applicable to the particular District, and to distribute the names thereon by transferring the name of each voter to the register of voters for the newly-constituted District in which he resides. In case the place of residence of any voter cannot be ascertained, or in case his place of residence is ascertained to be beyond the limits of the former District, then in either such case he shall for the purposes of this section be deemed to be resident at the place stated as his residence in the application to vote, or answers to interrogatories, in pursuance of which his name was placed on the register of voters for the former District. The Collectors shall deal similarly with all applications to be placed upon the register of voters which shall have been received before the coming into force of this Act from any person entitled to be registered as a voter, who shall not have been entered upon the register.

18. The work of distributing the names, as in the preceding paragraph mentioned, shall be proceeded with with all convenient dispatch after the coming into force of this Act, and when concluded the Distributing Collector shall forthwith publish for two successive issues in the British Columbia Gazette, of which a copy shall be sent by the Queen's Printer to each Postmaster in the District, and shall also publish in a weekly newspaper circulating in the District, and shall also post on the nearest Court House (a) the date on which he concluded his distribution, (b) the distribution of the names which appeared upon the closed list, and of those having sent in their claims to vote before the coming into force of the Act whose names shall not then have been placed upon the register of voters.

Publication of distribution, etc.

19. Section 12 of the "Provincial Elections Act" is hereby amended by adding the following sub-sections thereto :—

Amends c. 67, s. 12.

"(a.) Upon the written request of any registered voter, in manner aforesaid, for the transfer of his name from any Register of Voters to any other Register, it shall be the duty of the Collector forthwith to remove the name of such person from the Register of Voters, and to deliver or forward to such registered voter a certificate that his name has been so removed from the said Register, and the said voter may forward the said certificate to the Collector of the District in which he resides and desires to become a registered voter, and the Collector of such last-mentioned District shall, forthwith upon receipt thereof and of satisfactory answers to the sixth, eighth and ninth interrogatories in section 15 provided, place his name on the Register accordingly.

Transfer of name of voter from one Register to another.

20. In order to give full and due effect to the meaning and intent of the provisions contained in this Act, or in the "Provincial Elections Act," the Lieutenant-Governor in Council may, by regulations, provide for any proceeding, matter or thing for which express provision has not been herein made, or for which only partial

Lieut.-Governor may make rules for carrying out of Act.

provision has been made, or where any alteration of any of the forms contained in the said Act may be found necessary, or where it shall be found that the time allowed to do any act is insufficient, and an alteration or extension of such time, and any alteration of dates consequent thereon, shall appear to be necessary, the Lieutenant-Governor in Council may declare, either by regulation or notification in the British Columbia Gazette, that such alteration shall be made, and thereupon the same shall be made and take effect accordingly.

Publication of regulations.

21. All such regulations, on being published in one issue of the British Columbia Gazette, shall have the full force of law as if hereby expressly enacted, and shall be laid before the Legislature within fourteen days after such publication, if the Legislature be then in Session, and if not, then within fourteen days after the commencement of the next ensuing Session.

Collectors' duties in entering of names on Register.

22. It shall be the duty of each Collector of Voters to transfer to and enter upon his Register of Voters the names of all persons who, on or prior to the date of the issue of the Writ of Election for a general election, shall have sent in their claims to vote, and shall have complied with the requirements of sections 14 and 15 of the "Provincial Elections Act," notwithstanding that such names may not have been posted for two months, as required by sub-section (c) of section 11 of the "Provincial Elections Act":

List to be posted.

(1.) Each Collector shall forthwith post up in his office a list of all names so transferred to the Register of Voters, and a copy thereof shall be placed in some conspicuous place on the outside of the door of such office:

Objection.

(2.) Any voter may, by written notice to the Collector, to be given not less than eighteen days before the election, object (stating the ground of such objection) to the retention of any name or names entered under authority of this section upon the Register, and it shall be the duty of such Collector forthwith to cause written notice of such objection to be mailed to the person whose vote is objected to, and that he will hear and decide such objection on a day to be named by the Collector in such notice:

Court of revision.

(3.) The Collector shall hold a Court on the tenth day before the election (not being Sunday, and if Sunday, then on the ninth day) for the purpose of hearing and deciding all objections, notice of which have been given as aforesaid, to the retention of names on the Register under authority of this section, and at such Court shall retain the name on the Register of Voters or erase it therefrom, according to law. Compliance with sections 14 and 15 of the "Provincial Elections Act" shall be *primâ facie* evidence entitling the voter to have his name retained on the Register:

- (4.) Any person dissatisfied with the decision of the Collector of Appeal. Voters in leaving any name off or placing any name on the Register, may, within forty-eight hours after the decision complained of, give written notice to the Collector of appeal to the County Court Judge having jurisdiction in the district, and such Judge, or any acting Judge, shall thereupon forthwith hear and determine such appeal, and may direct the name in question to be retained or omitted, as the case may require. The Judge, or acting Judge, shall be at once notified of such appeal, and the same shall be brought on for hearing at the earliest time when the Judge can sit to dispose of the same, which he may do in a summary manner; and in default of being so brought on shall be deemed to have been abandoned. An appeal shall not stay the Collector in completing or certifying his Register, or in doing or completing any other matter or thing required by law, but after so completing or certifying his Register he shall amend the same if the decision of the Court of Appeal shall require it.

VICTORIA, B. C.:

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