



## CHAPTER 97.

An Act to amend the “Sumas Development Company, 1905, c. 71.  
Limited, Act, 1905.”

[4th March, 1914.]

**W**HEREAS a petition has been presented by the Commissioners Preamble.  
of the Sumas Dyking District praying that chapter 71 of the  
“Statutes of British Columbia, 1905,” known as the “Sumas Develop-  
ment Company, Limited, Act, 1905,” be amended:

And whereas it is expedient to grant the prayer of the said  
petition:

Therefore, 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 “Sumas Development Company, Short title.  
Limited, Act, 1905, Amendment Act, 1914.”

2. The said chapter 71 is hereby amended by adding to section 2  
the following subsections:—

“(6.) To make contracts for the erection or carrying-out of any Contracts for  
dyking-work.  
works which said Commissioners are empowered to con-  
struct or carry out with such persons or corporations  
as the Commissioners may select including said Sumas  
Development Company, Limited:

“(7.) The Commissioners are hereby authorized and empowered  
to levy the assessments for maintenance authorized by the  
‘Drainage, Dyking, and Irrigation Act, 1913,’ upon the  
bed of Sumas Lake and upon the other lands held by the  
Crown in the right of the Dominion of Canada in said  
Sumas Dyking District so soon as the said lands shall  
have been granted by the Crown:

“(8.) The Commissioners are hereby authorized and empowered to levy the assessments for maintenance authorized by the ‘Drainage, Dyking, and Irrigation Act, 1913,’ upon all lands now included in the Indian reserve within the Sumas Dyking District as soon as the interests of the Indians in or to the said reserves or any of them shall cease for any cause whatever and the lands have been granted by the Crown.”

**Returning Officer.**     **3.** The Clerk for the Corporation of the Township of Chilliwack, or such other person as the Lieutenant-Governor in Council may appoint, shall be the Returning Officer for the election hereinafter mentioned, and shall have power to appoint deputies and Poll Clerks, and exercise all the powers herein conferred on the Returning Officers.

**Additional powers.**     **4.** The additional powers hereby conferred shall not be exercised by the existing Commissioners, but may be exercised by the Commissioners to be elected as hereinafter mentioned, who shall have, in addition to the said powers, all the powers conferred upon Commissioners by this Act.

**Election.**             **5.** On the sixth Monday after the coming into force of this Act an election shall be held for the purpose of electing five Commissioners to supersede the existing Board of Commissioners; and such election shall be held at the Town Hall, Upper Sumas, British Columbia, and Atchlitz Hall, Chilliwack, British Columbia, between the hours of nine a.m. and seven p.m.

**Nomination.**         **6.** Nominations for such election shall take place at the said Town Hall between the hours of twelve noon and two o’clock in the afternoon on the Thursday preceding the day of election above mentioned.

**Duties of Returning Officer.**     **7.** The Returning Officer shall publish a notice in the Chilliwack “Progress” and Huntingdon “Star,” in two issues of each of the said papers, stating the date, place, and time of nomination and election, and calling for nomination of candidates for said election of Commissioners. Nominations shall be in writing, and any person on the voters’ list hereinafter mentioned who is nominated in writing by two other such persons on the voters’ list during the hours of nomination as above mentioned shall be deemed to be validly nominated.

**Voters’ list.**         **8.** The Returning Officer shall forthwith proceed to prepare a voters’ list, and the persons entitled to be put on the said list are as follows:—

(1.) Any registered owner of lands to be assessed for any work to be undertaken hereunder.

9. The said voters' list shall be prepared on or before the third Monday after this Act comes into force, and copies thereof shall then be posted up at the Town Hall at Upper Sumas, British Columbia, and Atchlitz Hall, British Columbia, at least two weeks before election-day, and there shall be attached to such voters' list so posted up a notice signed by the said Returning Officer to the effect that the said voters' list will be revised and settled at the Town Hall at Upper Sumas, British Columbia, at a time and date to be fixed by said notice, which date shall be not less than seven (7) days after the date of posting of said notice.

Voters' list  
to be posted.

10. On the date and at the place fixed in the preceding clause the Returning Officer shall hear and determine any application to strike out the name of any person which has been improperly placed on the said voters' list, or to place on the said voters' list the name of any person improperly omitted from the said voters' list, and shall finally correct and revise the said voters' list, and shall then certify to the same, and shall forthwith post copies thereof on the front doors of the said Town Hall, Upper Sumas, and the said Atchlitz Hall. The said voters' list shall be used at the election provided for in this Act, and when certified by the Returning Officer hereinbefore provided shall be deemed to be absolutely valid, binding, and conclusive; and no appeal or application to the Courts, of any sort whatsoever, shall lie to vary, quash, change, or question in any way or to affect the said voters' list.

Revision of  
voters' list.

11. The mode of voting at the said election shall be by ballot, and all persons whose names shall appear on the voters' list shall be entitled to vote, and, in addition, any person holding a proxy from a person whose name is on the voters' list shall be entitled to vote in lieu of such person whose name is on the voters' list: Provided such last-mentioned person has not already voted. The proxies shall be in the following form:—

Mode of voting.

I, \_\_\_\_\_, hereby appoint \_\_\_\_\_, of \_\_\_\_\_, to vote for me at the election of five (5) Commissioners for Sumas Dyking District to be held pursuant to the "Sumas Development Company, Limited, Act, 1905, Amendment Act, 1914."

12. The Returning Officer shall have prepared ballots upon which shall be written the full name and description of each candidate, with a sufficient space to the right of each name to permit of the placing of an "X."

Ballots.

13. Each person entitled to vote shall receive, on application on the day of election and between the hours mentioned, one of the said ballots, and shall mark opposite the name of each candidate for whom he votes an "X," and each voter shall be entitled to vote for five (5) candidates only. The five (5) candidates who have received

Election of  
Commissioners.

the highest number of votes shall be duly declared elected as Commissioners, and in case of a tie between any number of the candidates the Returning Officer shall have a casting-vote in respect thereof.

Further provision  
as to carrying out  
election.

**14.** Should any difficulty arise in connection with the carrying-out of the said election, the Lieutenant-Governor in Council shall have power by Order in Council to provide for said difficulty, and shall have power by Order in Council to provide anything additional which may be necessary to carry out said election.

Costs of election.

**15.** The costs of any election to be held hereunder shall be assessed pro rata upon the land included in any such work of reclamation.

Election of  
Commissioners  
after expiration of  
three years.

**16.** Notwithstanding anything herein or in the "Drainage, Dyking, and Irrigation Act, 1913," contained, the Lieutenant-Governor in Council may, after the expiration of three years from the date of the said election, direct and make provision for the election of Commissioners to supersede the Commissioners to be elected under this Act: Provided, however, that nothing herein contained shall be deemed to prejudice or affect the powers of removal, supercession, or appointment of Commissioners referred to in the said "Drainage, Dyking, and Irrigation Act, 1913."

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VICTORIA, B.C.:

Printed by WILLIAM H. CULLIN, Printer to the King's Most Excellent Majesty.  
1914.