



BRITISH COLUMBIA.

ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. 23.

An Act to make provision for enquiring into Controverted Elections and Disputed Returns of Members to serve in the Legislature.

[30th March, 1871.

WHEREAS it is expedient to make provision for enquiring into Controverted Elections and Disputed Returns of Members to serve in the Legislature; Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council, as follows:

1. No Election, or Return to a Writ of Election, shall be questioned except in accordance with the provisions of this Act. Questions to be determined in accordance with Act.

2. The expression the "Court," shall, for the purposes of this Act, mean the Supreme Court of British Columbia, and such Court shall, subject to the provisions of this Act, have the same powers, jurisdiction, and authority, with reference to an Election Petition and the proceedings thereon, as it would have if such Petition were an ordinary cause within its jurisdiction. Definition and jurisdiction of Court.

3. The following terms shall, in this Act, have the meanings hereinafter assigned to them, unless there is something in the context repugnant to such construction, that is to say:— Interpretation of terms.

"Governor" shall mean the Officer for the time being administering the Government of this Colony. "Governor."

"Election" shall mean an Election of a Member or Members to serve in the Legislature. "Election."

"Candidate" shall mean any person Elected to serve in the Legislature at an Election, and any person who has been Nominated as or declared himself a Candidate at an Election. "Candidate."

"Corrupt Practices" or "Corrupt Practice," shall mean bribery, treating, and undue influence, or any of such offences as defined by "The Corrupt Practices Prevention Act, 1871," or any other Law in force in this Colony. "Corrupt practices"

"Rules of Court" shall mean rules to be made as hereinafter mentioned. "Rules of Court."

"Prescribed" shall mean "prescribed by the Rules of Court." "Prescribed."

4. For the purposes of this Act "Speaker" shall be deemed to include the person for the time being lawfully acting as Speaker; and when the office of Speaker is vacant, the Clerk of the Legislative Council or any other Officer for the time being performing the duties of the Clerk of the Legislative Council, shall be deemed to be substituted and to be included in the expression "the Speaker." Provision as to Speaker.