



## CHAPTER 19

### An Act respecting certain elections for the Legislative Assembly

[Assented to, the 17th of May, 1941]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Any electoral district for which a writ of election is issued before the electoral lists made after the first of January, 1941, have come into force therein, for all the municipalities comprised in such territory, shall be deemed a territory without an electoral list. The election shall be held therein in accordance with the following provisions.

Procedure when writ issued before electoral lists in force.

**2.** In the electoral districts of Abitibi, Magdalen Islands and Temiscamingue, the nomination of candidates shall not take place before the twenty-fifth day following the issuing of the writ of election. In the other electoral districts, except those of Charlevoix and Saguenay, the nomination of candidates shall not take place before the twenty-eighth day following that of the issuing of the writ of election.

Time of making nominations.

**3.** In any electoral district containing a city of over five thousand souls at the last decennial census or a part of such a city, the Lieutenant-Governor in Council shall appoint, not later than eight days after the issuing of the writ of election, two revisors for the electoral district, one on the recommendation of the Prime Minister, and the other on the recommendation of the leader of the official Opposition. If the leader of the official Opposition, having been notified by the Clerk of

Revisors to be appointed in certain districts.

the Crown in Chancery at least three days in advance, has made no recommendation, the Lieutenant-Governor in Council shall make the appointment.

**Appointment of third revisor.** The revisors shall appoint a third revisor. Upon their failure so to do within the three days following their appointment, the Lieutenant-Governor in Council shall make such appointment.

**Oath of revisors.** The revisors shall take oath, before the returning-officer, to well and faithfully perform the duties of their office.

**Replacement.** Any revisor who dies or resigns shall be replaced in the same manner as he was appointed.

**Qualifications.** The revisors must be chosen from amongst the electors entitled to vote in the electoral district concerned and who have not been candidates within the last ten years in any Dominion, Provincial or Municipal election in the Province. Members of the Senate or of the Legislative Council shall not be revisors.

**Enumerators to be appointed.** 4. On the thirty-first day before the date fixed for polling, the returning-officer must appoint, in writing, in the form A, two enumerators to draw up the list of electors for each polling-subdivision, one upon the recommendation of the Prime Minister and the other upon that of the leader of the official Opposition.

**Idem.** In default of recommendation, the returning-officer must make the appointment in such manner that one of the two enumerators shall belong to the Government party and the other to the party in opposition.

**Several lists.** The same enumerators may have charge of the drawing up of several lists in the same electoral district.

**Qualifications of enumerators.** 5. Each enumerator must be qualified to vote in the electoral district and must, as far as possible, reside in the territory for which he is appointed. Every enumerator must take the oath in accordance with form B.

**List of enumerators.** 6. The returning-officer must draw up and keep a list of the names and addresses of the enumerators and of the polling-subdivisions for which they are appointed.

**Copy of list.** A copy of such list must be sent by mail to the Clerk of the Crown in Chancery and another must be kept posted up in the official office of the returning-officer throughout the whole period of the election.

**Enumerators act together.** 7. The enumerators appointed for each polling-subdivision must always act together and not separate-

ly. They must at once submit any disagreement to the returning-officer, who shall decide the same forthwith, and they must accept such decision as their own.

**8.** The returning-officer may, at any time, replace, Replacement of enumerators. for cause, an enumerator by a person belonging to the same political party. Every enumerator so replaced must, on the written demand of the returning-officer, return the election papers, forms and written information obtained by him for the performance of his duties.

**9.** After being sworn, the enumerators must, from Duties of enumerators. the twenty-eighth day, inclusive, to the twenty-third day, exclusive, before the date of the polling, working together, gather the names, addresses and occupations of the persons possessing the qualifications requisite to be electors in the polling-subdivision assigned to them. They must obtain the necessary information by joint house-to-house visit, or in any other way.

**10.** At the residence of any individual who applies Notice of enumerators' decisions. to be entered as an elector, they shall leave a notice, in the form C, detached from their register, signed by them and attesting that they have granted or refused such application.

**11.** In cities and towns, the enumerators must Enumerators to make two visits in cities and towns. visit every dwelling in their polling-subdivision twice, once between nine o'clock in the morning and six o'clock in the evening, and once between the hours of seven and ten in the evening, unless after the first visit they are certain that no qualified elector remains unrecorded.

**12.** Enumerators who, voluntarily and without Enumerators falsifying, etc., lists forfeit remuneration. reasonable excuse, omit from their electoral list any person entitled to have his name thereon, or who enter upon the said list any person who is not entitled to have his name thereon, shall, in addition to any other penalty, forfeit all right to the remuneration for their services.

**13.** On the twenty-third day, at the latest, before Completion and attestation of lists. polling-day, the enumerators must complete the electoral list in the manner prescribed by law and certify the correctness thereof by a joint oath, drawn up in the form 1 of The Quebec Election Act and taken before

the returning-officer or the election-clerk, a justice of the peace, a notary or a commissioner of the Superior Court.

*Copies of list.* The enumerators must draw up six copies of such list. Not later than the twenty-first day before polling-day, the enumerators must deliver or cause to be delivered to the returning-officer, with their register, four copies of the list.

*List to be posted up.* They must post up one copy in a place to which the public has access in the polling-subdivision, with a notice of the day and hour when and the place where the revision of the list will be made.

*In large cities.* In cities of over five thousand souls at the last decennial census, they must deliver the other copy to the revisors.

*Disposal of copies of list.* As soon as the returning-officer has received the list, he must furnish a copy thereof without charge to each candidate regularly nominated. He must, for such purpose, dispose of two of the copies, furnished by the enumerators, in favour of one candidate whom the Prime Minister may designate to him and of one candidate whom the leader of the official Opposition may designate to him.

*Revision.* **14.** The revision shall take place on the fourteenth, thirteenth and twelfth days before polling-day. In cities of over five thousand souls at the last decennial census, the revision shall be done by the revisors at the place fixed by the returning-officer.

*Applications for changes.* **15.** Applications to have entries made or struck off must be filed, before the first day of the revision, in the office of the returning-officer, who shall communicate them, without delay, to the revisors.

*Notice and procedure.* The delay of the special notice to the persons interested shall be one day only. In other respects, the revisors shall act as a board of revisors, in accordance with the provisions of sections 79, 80, 81, 82, 83, 86, 89, 92, 93, 94, 95 and 96 of The Quebec Election Act.

*Disposal of corrected lists.* As soon as the revisors have completed the correction of the lists, they shall forward them, attested by their signatures, to the returning-officer.

*Election-clerk's duties.* The election-clerk shall act as secretary of the revisors.

*Revision outside certain cities.* **16.** Outside of cities of over five thousand souls at the last decennial census, the revision shall be made by

the enumerators on the fourteenth, thirteenth and twelfth days before polling-day. Every correction by the enumerators must be made by means of references. If the enumerators disagree on any matter, they must submit the case to the returning-officer and abide by his decision. Not later than the eleventh day before the day fixed for the polling, the enumerators must forward the revised list to the returning-officer.

**17.** The lists prepared according to the foregoing provisions shall, as soon as they have been delivered to the returning-officer, become the official lists for the purposes of the election and all the provisions of The Quebec Election Act shall apply thereto, in so far as the present provisions are not incompatible. As soon as possible after the election, such lists must be forwarded by the returning-officer to the registrar of the registration division in which the territory for which they are made is situated and such lists shall thereupon be treated as the electoral lists in force for the purposes of The Quebec Election Act, until other electoral lists come into force.

Lists become official on delivery.

**18.** For every election contemplated by section 1 of this act, the Clerk of the Crown in Chancery must furnish to the returning-officer, in addition to the other forms mentioned in section 143 of The Quebec Election Act, the enumerators' registers and forms to be used for preparing the electoral lists.

Enumerators' registers, etc., how furnished.

For the purpose of any such election, the provisions of this act shall form part of The Quebec Election Act and must be read as if they were incorporated therein, striking out only what is incompatible.

Interpretation.

**19.** During 1941, the notice required by section 35 of The Quebec Election Act may be given at any time in the month of May.

Notice during 1941.

**20.** This act shall come into force on the day of its sanction.

Coming into force.

## SCHEDULE

## FORM A (Section 5)

*Appointment of an enumerator*

To (*names in full, occupation and address of the enumerator*)

Know you that, in my capacity of returning-officer for the electoral district of \_\_\_\_\_, I do hereby appoint you an enumerator for the polling-subdivision (*description of polling-subdivision*) in the said electoral district, there to draw up the electoral list, according to the provisions of The Quebec Election Act.

Given under my hand, at  
this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

A. B.  
Returning-Officer.

## FORM B (Section 5)

*Oath of an enumerator*

I, the undersigned,  
an enumerator appointed for the polling-subdivision of \_\_\_\_\_, in the electoral district of \_\_\_\_\_, solemnly swear (*or, in the case of a person permitted by law to make affirmation in civil cases, solemnly affirm*) that I will act faithfully in my capacity of enumerator, without partiality, fear, favour or affection and in all respects according to law: So help me God.

E. F.  
Enumerator

*Certificate of the enumerator having taken the Oath of Office*

I, the undersigned, \_\_\_\_\_, hereby certify that,  
on the \_\_\_\_\_ day of \_\_\_\_\_,  
19 \_\_\_\_\_, E. F., an enumerator for the polling-subdivision \_\_\_\_\_,

of (*description of the polling-subdivision*), in the electoral district of  
took and subscribed before me the above oath (*or affirmation, as the case may be*).

Given under my hand at \_\_\_\_\_, this  
day of \_\_\_\_\_ 19 .

C. D.,  
Justice of the Peace.

(*or as the case may be*).

FORM C (Section 10)

*Notice by the enumerators to the elector*

Electoral District of  
Municipality of  
Polling-Subdivision

To.....  
(*Surname, Christian names and occupation*)

.....  
(*Address*)

Application having been made to enter your name in the list of electors for the above polling-subdivision,

**SUCH APPLICATION HAS BEEN GRANTED.**  
(*Strike out this line if the application has been rejected*)

Know you that the electoral list will be revised at the place and hours whereof notice will be posted up by us with a copy of the list.

.....19.....

Enumerator.

Enumerator.

