



CHAPTER 15

An Act to amend The Quebec Election Act respecting voting

[Assented to, the 1st of April, 1927]

HIS MAJESTY, with the advice and consent of the R. S., c. 4:
Legislative Council and of the Legislative Assembly 1926, c. 11.
of Quebec, enacts as follows:

1. The Quebec Election Act (Revised Statutes, 1925, R. S., c. 4, chapter 4) is amended by inserting therein, after section ss. 374*a* to 374*w*, added 374 thereof, the following subdivision and sections:

"14.—Special polling-stations"

"374*a*. Besides the ordinary polling-stations, special Special polling-stations in certain districts. polling-stations shall be established in the cities of Joliette, Levis, Montreal, Quebec, Rivière-du-Loup, St. Hyacinthe, Sorel, Three Rivers and Sherbrooke, and in the towns of Farnham and Richmond, and also in the villages of Charny, New Carlisle, L'Enfant Jésus de Beauce and Mont-Joli.

"374*b*. Save in the electoral district of Jacques-Cartier, Returning-officer shall establish same. the returning-officer of each electoral district, the limits of which include the territory or part of the territory of one of the municipalities enumerated in section 374*a*, shall establish in such territory or part of territory as many special polling-stations as he may deem necessary for the purpose of this subdivision.

"374*c*. Every returning-officer who establishes one or more special polling-stations shall, immediately after the nomination of candidates, post up a notice in his office set- Notice to be posted by returning-officer. ting forth:

1. The place where each of the special polling-stations Contents.

will be located, as well as the designation of the municipality or part of municipality for which it is established;

2. The days and hours during which such special polling-stations will be open and votes received therein;

3. The days and hours during which the certificate required to vote at such special polling-stations may be procured at the office of the returning-officer.

Location.

"374d. Every special polling-station shall be located so as to suit the convenience of the largest number of voters for whose advantage it was established.

List of
names, etc.,
to can-
didate, etc.

"374e. On the day following the nomination of candidates, the returning-officer must furnish each candidate or his agent with a list giving the names in full and the occupations and addresses of all the deputy returning-officers whom he has appointed to keep the special polling-stations, as well as the name or number of the special polling-station at which each is to act.

List of
clerks, etc.,
to returning-
officer.

"374f. Each deputy returning-officer appointed to keep a special polling-station shall supply the returning-officer, at least twenty-four hours before opening such poll, with the name in full and the occupation and address of the clerk who is to assist him.

Idem.

On the morning of the day for the opening of the special polling-stations, the returning-officer shall post up in his office a list giving the names in full and the occupations and addresses of the deputy returning-officers and clerks of the special polling-stations as well as the name or number of the special polling-station at which each is to act.

Opening of
polling-
stations.

"374g. The special polling-stations shall be open at one o'clock in the afternoon and remain open until ten o'clock, in the evening of the two days, which are not holidays, immediately preceding the general polling date.

Procedure.

During such hours, the deputy returning-officer of each special polling-station shall receive, in the polling-station, in the manner hereinafter prescribed, the votes of the electors entitled to vote at such polling-station.

Posting of
placard.

"374h. Before opening any special polling-station, the deputy returning-officer shall cause to be posted up outside of the building in which such poll is established, near the entrance, a placard bearing, in conspicuous type, the words: *Bureau spécial de votation—Special Poll*, and also instructions for the electors in voting.

Removal.

This placard and the instructions for the electors shall be removed at the closing of the polling-station on the first evening and be again posted up on the following day before reopening the poll.

"374i. The only persons permitted to vote at a special polling-station are railway employees, navigators and commercial travellers, who have reason to believe that their ordinary employment will, on the general polling day, necessitate their absence from the city, town or village in which they have their domicile and consequently prevent them from voting at the then election, and who comply with the following provisions. Persons permitted to vote.

"374j. The returning-officer or the election clerk of every electoral district in which a special polling-station is established shall issue *gratis* a certificate in the form following, to every railway employee, navigator and commercial traveller, whose name appears on the list of electors for the municipality or part of municipality for which such special polling-station is established, who applies for same in person and who affixes his ordinary signature to such certificate in the presence of the election officer called upon to sign and deliver it. Certificate to certain persons, upon certain conditions.

"I, the undersigned, returning-officer (or election clerk) for the electoral district of _____, hereby certify: Form.

"1. That (*insert name in full, occupation, residence, domicile and electoral qualification of the railway employee, etc., as entered on the electoral list*) is an elector whose name appears on the electoral list for polling-subdivision No. of the city (town or village) of _____ in use for the pending election in this district;

2. That, the said elector having himself come before me on this _____ day of _____ 19____, and having personally requested of me a certificate enabling him to vote at the pending election in advance of the general polling day, I, being satisfied that he is entitled thereto, pursuant to section 374i of the Quebec Election Act, have signed and issued this certificate after he had signed same with his ordinary signature in my presence.

"(*Signature of elector*)

"(*Signature of election officer*)."

"374k. The returning-officer or election clerk who issues a certificate in pursuance of section 374j shall forthwith enter in the "remarks" column of the copy or extract from the electoral list to be used for the ordinary polling, opposite the name of the elector to whom the certificate was delivered, the words: "*Special Poll*", and subscribe the initials of his Christian names and surname thereto. Entry in copy of electoral list.

If such copy or extract from the electoral list has been delivered or sent to the deputy returning-officer for the Duplicate certificate.

Entry by deputy. ordinary poll, the returning-officer or election clerk called upon to issue the certificate shall make it in duplicate and forthwith deliver or cause to be delivered one of the duplicates to such deputy returning-officer. The latter, upon receipt of such duplicate, shall enter in the "*remarks*" column of the copy or extract from the electoral list to be used for the ordinary polling, opposite the name of the elector to whom the certificate was delivered, the words: "*Special Poll*", and subscribe the initials of his Christian names and surname thereto.

Issue of certificate, deemed vote. "**374l.** For the election officers at ordinary polling-stations, the elector who has secured a certificate under section 374j shall be deemed to have already voted at the election.

Exception. Nevertheless, if an elector who has obtained a certificate has not voted at a special polling-station, he shall be entitled to vote on general polling day at the ordinary polling-station at which his name appears on the list of electors. But, before so voting, he shall surrender his certificate to the deputy returning-officer, who shall mark it "*Used*" and retain it to be deposited in the ballot-box after the counting of the votes.

No lists. "**374m.** No list of electors shall be used in special polling-stations.

Vote at special polling-stations. "**374n.** Every railway employee, navigator or commercial traveller to whom a certificate has been delivered pursuant to section 374j may vote at any one of the special polling-stations established within the electoral district where the election officer who issued the certificate is returning-officer or election clerk; but he cannot vote in another electoral district.

Conditions for voting. "**374o.** Every person applying to vote at a special polling-station shall immediately deliver, to the deputy returning-officer, the certificate obtained by him under section 374j and, in presence of the deputy returning-officer, sign with his ordinary signature, at the foot of the certificate, the following declaration under oath:

Declaration under oath. "I, the undersigned, having been duly sworn, declare as follows:

"I am the elector mentioned in the above certificate.

"I am a railway employee (navigator or commercial traveller) and have reason to believe that my ordinary occupations on general polling-day will oblige me to be absent from the city (town or village) in which I have my domicile and consequently prevent me from voting at this election.

"I know that, having voted or applied to vote at a special polling-station, I am not entitled to vote or attempt to vote at another polling-station during the present election.

"And have signed with my ordinary signature.

(*Elector's signature*)

Sworn (*or affirmed*) and signed
before me at
this

19 .

Deputy returning-officer."

A ballot-paper shall not be given to any person who does not produce a certificate issued pursuant to section 374j, or who refuses to sign the declaration under oath above required, or whose signature, at the foot of the declaration, is different from the signature on the certificate.

"**374p.** Before receiving a ballot-paper, every person applying to vote shall, in addition, if thereunto required by the deputy returning-officer or the clerk of the special polling-station, or by one of the candidates or one of their agents, or by any elector present, take the oath or affirmation prescribed by section 253 (save as to question 1) and by section 256.

"**374q.** The deputy returning-officer shall write the word "*Used*" on every certificate handed him and shall keep it to be deposited in the ballot-box, at the closing of the polling-station.

"**374r.** Every special polling-station shall be closed and the polling terminated at precisely ten o'clock in the evening, each day.

Mention thereof shall be made in the poll-book.

Mention.

"**374s.** Immediately after the close of the poll, the deputy returning-officer shall, in the presence of the clerk and of any other person entitled to be present at the counting of the ballots and who is present:

1. Count the spoiled ballots and place them in an envelope marking on the envelope the words "*Spoiled Ballots*" and the number of spoiled ballots it contains and seal it;

2. Count the number of electors whose names appear in the poll-book as having voted and make an entry thereof immediately below the name of the voter who voted last, thus: "*The number of voters who voted, in this special polling-*

station for the electoral district of _____ on
the _____ 19____, is _____ (stating the
number at length)" and he shall sign his name thereto;

3. Count the unused ballots, place them in an envelope and endorse on the envelope the words "*Unused Ballots*" and the number of unused ballots it contains and seal it;

4. Count the certificates received, place them in an envelope and endorse on the envelope the word "*Certificates*" and the number of certificates it contains and seal it;

5. Open the ballot-box, place the ballots which it contains in an envelope, in such a manner as not to see or allow to be seen in favour of what candidates they are marked and endorse on the envelope the word "*Votes*" and seal it.

Signatures, etc., on flaps. Any candidate, agent or elector present in the poll may, if he so desire, place his signature and seal upon the flaps of the four envelopes.

Closing and sealing of ballot-box. The deputy returning-officer shall then place these four envelopes and the poll-book in the ballot-box and lock and seal it with his seal in such a manner that it cannot be opened nor anything deposited therein nor removed therefrom without breaking the seal.

Signatures, etc., on ballot-box. Any candidate, agent or elector present in the poll may, if he so desire, affix his signature and seal on the ballot-box or over the seal of the deputy returning-officer.

Opening of ballot-box, etc.] "**374t.** At the reopening of the poll, on the second day, the deputy returning-officer shall, in presence of the clerk and of any other person entitled to be present and who is in the poll, open the ballot-box and take out the poll-book as well as the envelope containing the ballots not used on the previous evening, and open the said envelope and remove therefrom the said ballots and lock the ballot-box.

Counting of votes. "**374u.** The deputy returning-officer, who has kept a special polling-station, shall, at six o'clock in the afternoon of the general polling day, in presence of his clerk and of such other persons as are entitled to attend at the counting of the votes and are present, proceed at such polling-station to open the ballot-box and the envelopes containing ballots given, and count the votes in accordance with the provisions of subdivision 8 of this division.

Offences and penalties. "**374v.** The following persons shall be guilty of an offence triable summarily, and be liable to a fine of from one hundred to five hundred dollars and, in default of payment of the fine, to imprisonment for a period of from three months to one year:

1. Any person who makes a false statement to a return-

ing-officer or election clerk for the purpose of obtaining from such election officer a certificate under section 374j;

2. Any person who fraudulently fabricates, forges or alters a certificate required to vote at a special polling-station;

3. Any person who, not being the person named in a certificate issued under section 374j, presents any such certificate to a deputy returning-officer, whether at a special polling-station or at an ordinary polling-station, for the purpose of obtaining a ballot;

4. Any person who, for the purpose of voting at a special polling-station, makes a false declaration to the deputy returning-officer of such polling-station;

5. Any person who, after having obtained a certificate under section 374j, votes or attempts to vote at any other than a special polling-station, except upon presentation of such certificate;

6. Any returning-officer or election clerk who delivers a certificate in the form of section 374j to a person whom he knows is not entitled to such certificate;

7. Any deputy returning-officer who allows to vote at a special polling-station any person whom he knows is not entitled to vote at such station;

8. Any deputy returning-officer who allows to vote at a special polling-station any person whom he knows to have already voted at a special polling-station or to have received a certificate authorizing him to vote at a special polling-station, unless such person presents his certificate.

"374w. Under reserve of the foregoing provisions of this subdivision, the provisions of the other subdivisions of division V, saving those of sections 271, 345, 346 and 347, shall apply in the case of special polling-stations, *mutatis mutandis*."

2. This act shall come into force on the day of its sanction. Coming into force.