

**3.** Article 2520of of the Revised Statutes, 1909, as R. S., enacted by the act 11 George V, chapter 46, section 1, is 2520of, am. amended by adding thereto, after paragraph c, the following:

“d. if made by employees who are members of various Signature by labour unions affiliated to a federation or other central two officers organization, be signed by two officers of such federation of federa- or central organization, provided that such officers be do- tion, etc. domiciled in this Province, on the authorization of the majority of the members of the said unions, obtained in the manner set forth in paragraph b of this article.

The decision of the Minister, as to the authorization or Decision of refusal to form a council of arbitration, shall be final and the Minister without appeal, no court having authority to question to be final. such authorization or refusal to form a council, nor to hinder the working or putting into operation of such council when so formed.”

**4.** Article 2520og of the Revised Statutes, 1909, as R. S., enacted by the act 11 George V, chapter 46, section 1, is 2520og, am. amended by adding thereto, after the word: “members”, in the second line, the words: “not interested in the dispute”.

**5.** Article 2520oj of the Revised Statutes, 1909, as R. S., enacted by the act 11 George V, chapter 46, section 1, is 2520oj, am. amended by replacing the words: “one hundred”, in the third and fourth lines thereof, by the words: “two hundred”.

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

## C H A P. 41

An Act to amend the Education Act with respect to voting  
by ballot in certain school municipalities

[Assented to, the 29th of December, 1922]

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

**1.** Subsection fourth a of section fourth of chapter third R. S., 2668a of title fifth of the Revised Statutes, 1909, as enacted by to 2668f, re- the act 4 George V, chapter 24, section 1, (comprising ar- placed. ticles 2668a to 2668f), and amended by the acts 5 George V, chapter 36, sections 5 and 6, and 9 George V, chapter 34, section 2, is replaced by the following:

“ § 4a. *Vote by ballot at elections of school commissioners and trustees in certain municipalities*

Voting, in a school municipality situated within the boundaries of a local municipality.

Where special acts.

Date of voting.

Duration.

Public notice; contents.

Polling-stations.

Returning-officer.

Poll-clerk, etc.

Sec.-treas., may be clerk.

Ballot-boxes, etc.

“**2668a.** In every school municipality whose territory is wholly or partly situated within the boundaries of a local municipality where the election for the municipal councillors is held by ballot, if, at the time of the meeting for the election of school commissioners or trustees, a vote has to be taken, such voting shall be held in accordance with the provisions of this subsection.

This article shall not apply to school municipalities now governed by special acts.

“**2668b.** The voting shall take place on the first Monday after the day of the meeting or, if such Monday be a holiday, on the first following juridical day.

It shall last from eight o'clock in the forenoon until six o'clock in the afternoon.

The person who presided over the meeting shall, the next day, post up a public notice indicating:

1. The place and day fixed for the voting and the hour at which it will begin;
2. The names, surnames, residences and occupations of the candidates nominated, in alphabetical order.

“**2668c.** At an election a single polling-station shall be established at a central point in the municipality, or at a point determined by resolution of the commissioners or trustees in a neighboring city, town or village municipality, if such neighboring municipality form part of the same parish or township. However, when there are more than six hundred electors on the valuation roll, other polling-stations may be established so as to make an equal division of the electors.

“**2668d.** The officer who presides over the meeting shall act as returning-officer.

He shall appoint the poll-clerk, and if there has to be several polling stations, the deputy returning-officers. The latter choose their clerks.

The secretary-treasurer of the municipality may be appointed clerk if he is not acting as presiding officer.

“**2668e.** In the interval between the meeting and polling, the presiding officer shall procure all necessary ballot-boxes, and cause a sufficient number of ballots to be printed, which must be all of the same description and as like each other as possible, and must contain, in alphabet-

ical order, the name, surname, residence and occupation of each of the candidates.

“**2668f.** The ballot-box shall be made of some durable material, with lock and key, and with a slit or narrow opening in the top, and so constructed that the ballots may be introduced therein, but cannot be withdrawn therefrom unless the box is opened. Construction of ballot-boxes.

“**2668g.** 1. The ballot of each voter is a printed paper, called a ballot, on which must be printed the particulars set out in article 2668e; and the ballot shall also be provided with a counterfoil, and there shall be a line of perforations between the ballot and the counterfoil, the whole as set forth in form No. 26. Form of ballot-papers.

2. The ballot shall be printed upon writing paper sufficiently thick so that the pencil mark shall not appear through it on the back. Description of paper to be used.

3. The ballots shall bear the name of the printer who prints them. Name of printer thereon.

4. The printer shall, upon delivering the ballots to the presiding officer, file in his hands an affidavit setting forth the description of the ballots so printed by him, the number of ballots supplied to such officer, and the fact that no other ballots have been supplied by him to any one else. Printer's affidavit.

“**2668h.** If a candidate withdraws too late to allow of the printing of new ballots, and polling is proceeded with for other candidates, the presiding officer must make use of the ballots on hand, after plainly striking out, in a uniform manner by a line in ink, the name of the candidate who has withdrawn, and such ballots serve for all the purposes of the election. Use of ballot with name of retired candidate thereon.

“**2668i.** The ownership of the ballot-boxes, ballots, envelopes and marking instruments procured for or used at any election shall be in the school commissioners. Ownership of ballot-boxes, etc.

“**2668j.** One of the agents of each candidate and, in the absence of such agent, one of the electors representing each candidate, if there is such elector, on being admitted to the polling station, must take an oath, as set forth in form No. 27, to keep secret the name of the candidate for whom any of the voters has marked his ballot in his presence, as hereinafter required. Oath of the agents.

“**2668k.** Agents and electors entitled to be present in Inspection

of ballot-papers, etc., before opening of poll. the polling-station during polling hours, are entitled to have the ballots intended for use thereat carefully counted in their presence before the opening of the poll, and to inspect such ballots, and all other papers, forms and documents relating to the poll; provided that such agents or electors are in attendance at least fifteen minutes before the hour fixed for opening the poll.

Opening the poll; showing and locking ballot-box.

**"2668l.** At the hour fixed for opening the poll, the presiding officer and poll-clerk must, in the presence of the candidates, their agents and such of the electors as are present, open the ballot-box and ascertain that there are no ballots or other papers therein; after which the box shall be locked, and the presiding officer shall keep the key thereof.

Calling upon electors to vote.

**"2668m.** 1. Immediately after the ballot-box is locked, as above provided, the presiding officer must, at eight o'clock precisely, call upon the electors to vote.

Voters not to be impeded.

2. The presiding officer must secure the admittance of every elector into the polling-station, and must see that he is not impeded or molested at or about the polling-station.

Elector to declare his name, etc.

**"2668n.** 1. Not more than one elector for each compartment may, at any time, enter the room where the poll is held, and each elector upon so entering shall declare his name and occupation, which particulars shall be entered in the poll-book by the poll-clerk, a number being prefixed to the name.

Poll-book.

2. The poll-book shall be kept in the manner set forth in form No. 28.

Ballot-paper to be initialed.

**"2668o.** The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the presiding officer a ballot, on the back of which such presiding officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the back of the counterfoil of which he has also placed his initials.

Information to be given to electors.

**"2668p.** Only the presiding officer may, and he must when requested so to do, sincerely and openly give to an elector the information necessary to show him how to make his mark, but without the slightest indication of preference or suggestion.

Mode of voting and

**"2668q.** The voter, on receiving the ballot, shall forthwith proceed into one of the compartments of the polling-

station and there mark his ballot, making a cross with a marking black lead pencil within the white space containing the name of the candidate for whom he intends to vote, and shall then fold up the ballot so that the initials on the back of it and on the counterfoil can be seen without opening it, and hand it to the presiding officer, who shall, without unfolding it, ascertain by examining his initials that it is the same which he furnished to the voter, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot in the ballot-box, which box shall be placed on a table in full view of those present. <sup>ballots, etc.</sup>

“**2668r.** A voter who has inadvertently marked, de- <sup>Voter spoil-</sup> faced or torn the ballot given him in such manner that it <sup>ing his bal-</sup> cannot be conveniently used, shall—on returning it to <sup>lot-paper.</sup> the presiding officer, who shall cancel it by writing thereon the word “null” with his initials—obtain another ballot in its place.

“**2668s.** 1. The presiding officer, on the application of <sup>Elector un-</sup> any elector who is unable to read or is incapacitated by <sup>able to</sup> blindness or other physical cause from voting in the man- <sup>mark his</sup> ner prescribed by this subsection, must assist such elector by <sup>ballot-pa-</sup> marking his ballot in the manner directed by such elector, <sup>per.</sup> in the presence of the sworn agents of the candidates, or of the sworn electors representing them in the polling-station, and of no other person, and by placing such ballot in the ballot-box; and the presiding officer must require the elector making such application, before voting, to make oath, as set forth in form No. 29, of his inability to vote without such assistance.

2. The presiding officer must enter in the poll-book, <sup>Entry in</sup> op- <sup>poll-book.</sup> posite the name of each voter whose ballot has been so marked, the reason why such ballot was marked by him.

“**2668t.** Every one who—

Offences.

a. forges, counterfeits, fraudulently alters, defaces or fraudulently destroys a ballot or the initials of the presiding officer signed thereon; or

b. without authority supplies a ballot to any person; or

c. fraudulently puts into a ballot-box a paper other than the ballot which he is authorized by law to put in; or

d. fraudulently takes a ballot out of the polling-station; or

e. without due authority destroys, takes, opens or otherwise interferes with a ballot-box or packet of ballots then in use for the purposes of the election; or

*f.* being a presiding officer, fraudulently puts, otherwise than as authorized by article 2668o, his initials on the back of any paper purporting to be or capable of being used as a ballot at an election; or

*g.* with fraudulent intent prints any ballot or what purports to be or is capable of being used as a ballot at an election; or

*h.* being authorized by the presiding officer to print the ballots for an election, prints, with fraudulent intent, more ballots than he is authorized to print; or

*i.* attempts to commit any offence specified in this article;—

Penalty. is liable, if he is a presiding officer, or other officer engaged at the election, to a fine of one hundred to five hundred dollars, and to imprisonment for six months to three years, in default of payment of such fine,—and, if he is any other person, to a fine of fifty to four hundred dollars, and to imprisonment for six months to two years, in default of payment of such fine.

Counting of ballots at the close of the poll.      **“2668u.** At the close of the poll, the ballots are counted and added in the presence of the persons mentioned in article 2668l, by the presiding officer, who must write the result of his operations in the poll-book, as provided by article 2664, and proclaim elected the candidates who have obtained the majority of votes.

Proclamation of election.

Duty of officer when ballots are found not initialed.      **“2668v.** When, at the counting of the ballots, the presiding officer notices in counting, for the purpose of assigning them to each candidate, that, by oversight or forgetfulness, he has omitted to initial any or all of the ballots on the back, he may then do so in presence of the persons in the polling-station, and at the same time indicate it by a note initialed by him in the poll-book.

Oath to be taken by him.      But, before so affixing his initials on the said ballots, the presiding officer must write, sign and attest under oath, before the election-clerk, the following declaration:

Form of oath.      “I swear that, through forgetfulness or oversight, I did not affix my initials on (*state the number*) ballots, which I acknowledge as having been supplied by me during the polling, and which I have found in the ballot-box. So help me God.”

Sworn before me, at  
this            day of            19 . }            A. F.  
                  C. D.

*Election Clerk.*

Such declaration must be deposited with the other documents in the ballot-box. Deposit thereof.

Such ballots are then counted as if all formalities had been duly complied with in respect thereto. Ballots to be then counted.

“**2668w.** The decision of the presiding officer with respect to the admission or rejection of a ballot is final, and can only be reversed upon contestation of the election. Decision of the presiding officer is final.

“**2668x.** The notices required by articles 2666 and 2667 shall, under the same penalties, be given by the returning-officer, within eight days after the day on which he added the votes or that fixed for the voting, if no voting took place, according to the circumstances. Notices to be given by the returning officer.

“**2668y.** The presiding officer is a keeper of the peace from eight o'clock in the morning on the day of nomination of candidates, until nine o'clock in the morning on the day which follows the close of the poll. He possesses in this respect all the powers of a justice of the peace, and may exercise them throughout the municipality. Presiding officer is a keeper of the peace. Powers.

He must secure the admittance of every elector into the polling-station, and must see that he is not impeded or molested at or about the polling-station. He must secure admittance of elector, etc.

“**2668z.** The presiding officer may, moreover, for the purpose of preserving peace and good order: Additional powers.

1. Swear in as many special constables as he deems necessary;

2. Call for the assistance of all justices of the peace, constables or other persons residing in the municipality, by verbal or written order;

3. Commit, on view, to the custody of a constable or of any other person, for a period of not more than forty-eight hours, any one disturbing the public peace or good order;

4. Cause such offender, upon summary conviction, to be imprisoned in the common gaol of the district, or in any house or other place of detention within the county municipality, for a period not exceeding ten days.

“**2668aa.** No hotel bar, inn, shop or store, whether licensed or otherwise, where intoxicating liquor is habitually sold, may be kept open on any day when voting takes place for the election of the school commissioners or trustees in any municipality governed by the provisions of this subsection; and no person whosoever, in such establishment, Sale, etc., of liquor prohibited on election day.

may sell, exchange, lend, deliver, or give gratuitously any such liquor.

Offence and penalty.

Every offence against any of the provisions of this article shall render the offender liable to a fine of not more than fifty dollars, and to imprisonment not exceeding three months, in default of payment."

R. S., 2709b, added.

**2.** The following article is inserted in the Revised Statutes, 1909, after article 2709*a*, as enacted by the act 2 George V, chapter 24, section 3:

Appointment of a superintendent, etc.

"**2709b.** School commissioners or school trustees may appoint a superintendent, special supervisors or teachers, either alone or jointly with other school boards, to perform the duties which may be assigned to them for purposes of administration or teaching."

R. S., 2721, am.

**3.** Article 2721 of the Revised Statutes, 1909, is amended by replacing the word: "May", in the third line, by the word: "June".

R. S., 2995, am.

**4.** Article 2995 of the Revised Statutes, 1909, as amended by the acts 5 George V, chapter 36, section 15, and 9 George V, chapter 34, section 5, is further amended:

*a.* By replacing the words: "a Normal school professor or a school inspector", in the second line of the last paragraph, by the words: "an officer of primary instruction";

*b.* By replacing the words: "professor or inspector", in the seventh line of the said paragraph, by the words: "officer of primary instruction".

R. S., am., forms added after art. 3051.

**5.** The Revised Statutes, 1909, are amended by inserting therein after the forms which follow article 3051 of the said Statutes, the following forms:

FORMS

“26—(Article 2668g)

“Ballot for the Election of Commissioners (or Trustees)

Election of commissioners for the municipality of 19	<b>1</b>	<p>BUREAU</p> <p>(Jean Bureau, school municipality of Beauport, county of Quebec, merchant.)</p>
	<b>2</b>	<p>MEUNIER</p> <p>(Joseph Meunier, school municipality of Beauport, county of Quebec, farmer.)</p>
	<b>3</b>	<p>RICHARD</p> <p>(Antoine Richard, school municipality of Beauport, county of Quebec, physician.)</p>

**X**

*The initials of the Presiding Officer should be placed here.*

*The name of the Printer to be printed here.*

---

COUNTERFOIL

*The initials of the  
Presiding Officer should  
be placed here.*

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*The ballot to be perforated by a line of points, along the line of black dots, to facilitate the detaching thereof from the counterfoil.*

*The names of the candidates are entered in the ballot as in the nomination-paper.*

*There shall be no margin on the left of the ballot.*

*The elector is supposed to have marked his ballot in favour of Antoine Richard.*

“27—(Article 2668j)

“Oath of Agent of a Candidate, or of Elector representing  
a Candidate

“I, the undersigned,            agent for (or elector represent-  
ing, *as the case may be*),            one of the candidates at the  
election now pending for the school municipality of            ,  
solemnly swear (*or, if one of the persons permitted by law to  
affirm in civil cases, solemnly affirm*) that I will keep secret  
the name of the candidate for whom any of the voters at the  
poll in the municipality of            may have marked  
his ballot in my presence, at this election. So help me  
God.

(Signature)

Sworn (*or affirmed*) before me, }  
at            , this            day }  
of            , 19            . }

(Signature)

Presiding Officer

(*or Justice of  
the Peace.*) }

	Numbers of the voters
	NAMES OF THE VOTERS
	Occupations
	Residences
	Owners
	Tenants or occupants
	Objections
	Sworn or affirmed
	Voters refusing to take the oath or affirmation
	Votes given
	Electors voting after others had voted in their names
	Ballots prepared with the aid of the presiding officer
	General remarks

"28—(Article 2668n)  
"Poll-Book"

“29.—(Article 2668s.)

“Oath of Elector unable to mark his Ballot

“You swear (*or* solemnly affirm) that you are unable to read and to understand the ballot so as to mark it (*or* that you are incapacitated by blindness or other physical cause, *as the case may be*, from voting) without assistance. So help you God.”

**6.** Article 2870 of the Revised Statutes, 1909, as amended by the act 10 George V, chapter 34, section 4, is again amended by replacing the first paragraph thereof by the following:

“**2870.** The service prescribed by article 2869 shall be effected, as respects ratepayers residing in the municipality, by leaving a copy of the special notice with the person to whom it is addressed, in person, or with a reasonable person at his domicile or place of business, or by leaving a copy thereof at the post office of the locality in a sealed and registered envelope addressed to the person to whom such notice must be given.”

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

C H A P. 42

An Act to amend Acts respecting the Board of Roman Catholic School Commissioners of the City of Quebec.

[Assented to, the 29th of December, 1922]

**W**HEREAS the Board of Roman Catholic School Commissioners of the City of Quebec has, by its petition, represented:

That it is necessary for the Board of Roman Catholic School Commissioners of the city of Quebec to contract new loans for the purpose of erecting new school-houses, for providing furniture for them, and for completing the present school-houses generally;

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

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows: