

C H A P . 1 7

An Act to amend the Quebec Election Act

[Assented to 5th March, 1915]

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

1. Article 174 of the Revised Statutes, 1909, as amended by the act 2 George V, chapter 10, section 1, is replaced by the following:

"174. In the interpretation of this chapter, except where otherwise provided, or where in the context there is something which indicates a different meaning:

1. The expression "voting subdivision" applies, in so far as concerns voting, to any municipality or part of a municipality wherein the number of electors entered on the list then in force does not exceed two hundred;

2. The term "personal expenses", employed in relation to the expenditure of an individual respecting any election in which he is a candidate, includes all his reasonable travelling expenses, his reasonable expenses at hotels or other places to which he may repair for the purpose of and in regard to such election, the other expenses personally incurred in regard to such election which are not prohibited by law, and necessary petty disbursements made in cash on account of such election;

3. The expression "electoral district" means any portion of this Province entitled to return a member to the Legislative Assembly;

4. The word "domicile" means the place where a person has his principal establishment.

Change of domicile takes place by actual residence in another place, coupled with the intention of the person to make it the seat of his principal establishment. Proof of such intention may result from the declarations of such person, or from the circumstances of the case. And any person who has, for more than a year and a day, left his domicile in this province to live outside of Canada, is presumed to have changed his domicile.

A person appointed to a temporary or revocable public office retains his former domicile, unless he manifests a contrary intention.

The domicile of persons of the age of majority, who serve or work continuously for others, is at the residence

of those whom they serve or for whom they work, if they reside in the same house.

Son who is absent.

The son who is absent from his father's or his mother's domicile with his or her consent, to study an art or a profession, or to learn a trade, has his domicile with his father or mother as the case may be;

"Contractor."

5. The term "contractor" or "public contractor" means any person who has undertaken to execute or executes, directly or indirectly, alone or with any other person, by himself or by the interposition of any third party, any contract or agreement, expressed or implied, with or for the Government of the Province;

"Son".

6. The word "son" applies to all descendants, to sons-in-law, to step-sons, to persons commonly called adopted sons, and also to persons who are treated as belonging to the family of those with whom they live;

"Widow's son."

7. The expression "widow's son" applies to the son of any widow who is owner, occupant or tenant of the whole or part of an immoveable entered upon the valuation roll in force in the municipality;

"Tenant."

8. The word "tenant" means every tenant or sub-tenant, and applies to every individual who in good faith occupies the whole or part of an immoveable entered on the valuation roll in force in the municipality, who resides and keeps house there (save in the case of occupation of a shop, workshop, farm or office), and who is obliged, or whose wife is obliged, to pay rent, either in money or in kind, in consideration of the occupation of the said immoveable;

"Mother."

9. The word "mother" applies to all female ascendants, to mothers-in-law, to step-mothers, to so-called mothers by adoption, as well as to all persons of the female sex with whom any person lives and by whom such person is treated as one of the family;

"Municipality."

10. The word "municipality" means every municipality of a parish or part of a parish, of a township or part of a township, of united townships, of a village, or of a town, situated in the Province and governed by the Municipal Code, and every municipality incorporated by charter or special act and situated in the Province;

"Occupant."

11. The word "occupant" applies to every person who, in his own name or that of his wife, occupies in good faith, by any title other than that of owner or tenant, an immoveable or part of an immoveable entered on the valuation roll in force in a municipality, derives revenue therefrom, and there resides and keeps house;

"Election officer."

12. The expression "election officer" applies to the returning-officer, the election clerk and any deputy-return-

ing officer or poll-clerk appointed for the election of a member of the Legislative Assembly;

13. The word "father" applies to all male ascendants, "Father." fathers-in-law, step-fathers, so-called fathers by adoption, as well as all male persons with whom any person lives and by whom such person is treated as one of the family;

14. The word "person" includes any association or "Person." assembly of individuals whether incorporated or not; and when members of such an association or assembly take part in the commission of an act of such association or assembly, they are subject to the penalties enacted in this chapter as if they had acted individually;

15. The word "owner" means any one who possesses, "Owner." or whose wife possesses, in good faith, and either as owner or usufructuary, an immoveable or part of an immoveable entered on the valuation roll in force in a municipality; but does not include anyone who has only the naked ownership of an immoveable or part of an immoveable;

16. The word "registrar" applies to the registrar of any "Registrar." registration division which contains within its boundaries an electoral district, or which is contained within the boundaries of an electoral district, as well as to the registrar of a registration division whose boundaries are the same as those of an electoral district;

17. The word "annuitant" (rentier) means any person "Annuitant." in receipt of an income or annuity in money or in kind;

18. The expression "secretary-treasurer" includes the "Secretary-treasurer." clerk of every town or city municipality.

19. The expression "to vote" means to vote at the elec- "To vote." tion of a member of the Legislative Assembly."

2. Article 176 of the Revised Statutes, 1909, is replaced R.S. 176,
replaced. by the following:

"176. When the last day of a delay falls or expires Delay. on a Sunday or holiday, such delay, whatever its nature or object may be, shall *ipso facto* be continued or extended to and including the first following juridical day."

3. Article 180 of the Revised Statutes, 1909, as replaced R.S. 180,
replaced. by the act 2 George V, chapter 10, section 2, is again re- placed by the following:

"180. The following persons, and no others, being Who may be males, and who, at the time of the deposit of the list under entered on articles 196 and 197, or 222 and 223, as the case may be, list of elec-
tors.

are domiciled within the limits of the municipality for which the list is made, and who are of the full age of twenty-one years, subjects of His Majesty by birth or naturalization and not otherwise legally disqualified, shall be entered upon the list of electors:

1. Owners, occupants and tenants;
2. Sons of owners, occupants or tenants domiciled with their father, and widow's sons domiciled with their mother;
3. Priests, rectors, vicars, missionaries and ministers of any religious denomination;
4. Teachers, professors, principals of educational institutions, and members of teaching congregations;
5. Navigators who are owners in whole or in part of a registered ship, and fishermen who are owners of boats, nets, seines and fishing tackle which together are of the value of at least fifty dollars;
6. Annuitants;
7. Persons who receive by any title whatever, in money or in kind, an average revenue of at least ten dollars per month."

R. S. 182,
re-enacted.

4. Article 182 of the Revised Statutes, 1909, repealed by the act 2 George V, chapter 10, section 4, is re-enacted as follows:

Special provision for persons domiciled in non-organized territory.

"182. Persons who, when the list is deposited, have their domicile in this Province, but in a territory not erected into a municipality, or in a territory whose council is not organized, and who fulfil the other conditions set forth in article 180, may be entered on the list of electors of the municipality to which such territory has been annexed under article 192*a*."

R. S. 184,
am.

5. Article 184 of the Revised Statutes, 1909, as amended by the act 2 George V, chapter 10, section 5, is again amended:

a. By replacing the last paragraph thereof by the following:

Sons of persons disqualified not necessarily disqualified.

"Nevertheless the sons of the persons mentioned in paragraph 1 of this article, shall not, by reason thereof, be prevented from being electors, and may be entered on the list as sons of owners, occupants or tenants, as the case may be." ;

b. By adding thereto a new paragraph, as follows:

Indians on an Indian Reserve.

"2. Indians and individuals of Indian blood domiciled on land reserved for Indians or for any band of Indians, or held in trust for them, whether or not such reserve is within the boundaries of a municipality."

6. Article 188 of the Revised Statutes, 1909, as amended R. S. 108, by the acts 1 George V (2nd session), chapter 11, section 1, ^{am.} 2 George V, chapter 10, section 7, and 3 George V, chapter 14, section 1, is again amended:

a. By striking out the words: "between the first and fifteenth days of July, in the counties of Gaspé and Bonaventure," in the second and third lines thereof;

b. By striking out the words: "and in the other counties", in the third and fourth lines thereof.

7. Article 189 of the Revised Statutes, 1909, as amended R. S. 189, by the act 2 George V, chapter 10, section 8, is replaced ^{replaced.} by the following:

"189. The secretary-treasurer, in drawing up the list of electors, shall, one after the other, and without blanks or spaces between the lines, insert the name, surname, occupation, residence and domicile of each, and his qualification as such, so that it may appear under what head the elector is entered, and the number under which he is entered. He shall also, in case the elector is entered because of the revenue he receives, specify such revenue; in case he is entered as owner, occupant or tenant, he shall specify the immoveable possessed or occupied; and when he is entered as the son of an owner, occupant or tenant, or of a widow, he shall specify the name and surname of his father or mother, or of the person with whom he lives, as well as the immoveable possessed or occupied by his father, his mother, or the person with whom he lives; the whole in such a way that the list may, as nearly as possible, be made according to form A."

Duties of Secretary-treasurer in making list.

8. Article 192 of the Revised Statutes, 1909, is amended: R. S. 192, ^{am.}

a. By adding at the end of the first paragraph thereof, the following words: "and enter at the head of each part of the list the number and description of the voting subdivision to which such part of the list refers";

b. By striking out the words: "which shall have for a title the number of the subdivision to which it relates," in the first and second lines of the third paragraph thereof.

9. The Revised Statutes, 1909, are amended by insert- ^{R. S. 192a,} ing therein, after article 192 thereof, a new article, as ^{enacted.} follows:

"192a. The Lieutenant-Governor in Council may, ^{Non-organ-} for the purposes of this chapter, annex any territory ^{ized territory} not ^{may be an-} erected into a municipality, or whose council is not organ- ^{nexed to}

neighboring municipality.

Deemed to form part thereof.

May be detached from one and annexed to another municipality.

Coming into force of Orders in Council.

ized, to a neighboring municipality situate in the same electoral district.

All territory so annexed to a municipality shall, for all the purposes of this chapter, be deemed to form part of such municipality until such territory is erected into a municipality and its council organized.

The Lieutenant-Governor in Council may likewise detach from a municipality the territory, or a portion thereof, so annexed, and, for the purposes of this chapter, may annex it to another municipality of the electoral district within whose boundaries such territory or portion of territory is situated.

Every order in council issued under this article shall be published in the *Quebec Official Gazette*, and shall not be effective until the thirtieth day following such publication."

R.S. 193, am. **10.** Article 193 of the Revised Statutes, 1909, as replaced by the act 2 George V, chapter 10, section 9, is amended by replacing the words: "of the place and polling division where he has had his domicile", in the third and fourth lines thereof, by the words: "of the municipality where he has his domicile, or of the municipality to which the territory where he has his domicile has been annexed under article 192a."

R. S. 199, am. **11.** Article 199 of the Revised Statutes, 1909, as amended by the acts 2 George V, chapter 10, section 11, and 3 George V, chapter 14, section 3, is again amended:

a. By striking out the words: "of the month of July for the counties of Gaspé and Bonaventure", in the fourth, fifth and sixth lines thereof;

b. By replacing the word "counties", in the seventh line thereof, by the word "municipalities".

R. S. 207a, enacted. **12.** The Revised Statutes, 1909, are amended by inserting therein, after article 207 thereof, a new article, as follows:

Person qualified in any way must not be struck from the list.

"207a. Whenever a complaint in writing against the entry of any person on the list of electors is taken into consideration, if it is established that such person is entitled to be entered on the list by reason of a qualification other than that therein stated, the council may correct the list accordingly, but it may not strike the name of such person from the list."

R.S. 211, am. **13.** Article 211 of the Revised Statutes, 1909, as

amended by the act 3 George V, chapter 14, section 5, is again amended:

a. By striking out the words: "until the month of July following as to the counties of Gaspé and Bonaventure, and", in the sixth and seventh lines thereof;

b. By striking out the words: "as to the rest of the Province", in the eighth line thereof.

14. Articles 217, 218, 219, 221 and 222, of the Revised R. S. 217, Statutes, 1909, the first mentioned article as amended by 218, 219, 221 the act 1 George V (2nd session), chapter 11, section 2, are ^{and 222, re-} replaced by the following:

"217. At the same time that the list of municipal Preparation electors in the city of Montreal is made, in each even- of list of el- numbered year, the chairman of the board of assessors electors for and two assessors appointed by the board of commission- Montreal. ers in accordance with the charter of the said city, shall make, in duplicate, an alphabetical list of the persons in that city qualified, under this chapter, to vote at an election of a member of the Legislative Assembly.

"218. On such list they shall enter the names of the Names to be persons having the said qualifications who are mentioned entered. in the list of municipal electors, those whom they know to have the required qualifications, and those who apply for entry thereon and who establish to their satisfaction that they possess such qualifications.

"219. For the purpose of facilitating such applica- Notice to be tion, the chairman of the board of assessors or, failing published of him, one or both of the assessors so appointed, shall give, the prepara- during the last week in November of the year in which tion of the list, they make the list, in two daily newspapers published in English in the city of Montreal, and also in two daily newspapers published in French therein, a notice calling upon the persons who have the necessary qualification to present themselves in person at the assessors' office to make such application, or to forward their application to that effect in writing to the said office, on or before the twentieth of December following.

"221. In the preparation of the list, the chairman of Provisions the board of assessors and the two assessors so appointed, applicable to shall comply with articles 173, 179 to 187, inclusive, 189 preparation of the list. to 195, inclusive, and 198; and all the provisions of the said articles respecting the secretary-treasurer shall apply to the chairman of the board of assessors and to the two assessors so appointed.

Transmis-
sion of list to
City Clerk
and deposit
thereof.

"222. On or before the 31st of December in the year during which they are obliged to make the list, the chairman of the board of assessors or, failing him, one or both of the assessors so appointed, shall send both duplicates of the list which they have made, after duly attesting the same, to the city clerk, who shall cause one of the duplicates to be deposited in his office, or in some other suitable place in the city hall, for the information of all persons interested."

R. S. 258, am. **15.** Article 258 of the Revised Statutes, 1909, is amended by inserting therein, after the words: "in any municipality", in the second line, and after the word "municipality", in the fourth line, the words: "and the territory thereto annexed under article 192a".

R. S. 262, am. **16.** Article 262 of the Revised Statutes, 1909, is amended by inserting therein, after the word "municipality", in the third and sixth lines thereof, the words: "(including the territory thereto annexed under article 192a)", and after the word "greater" in the fourth line thereof, the words: "or less", and by replacing the word "shall" in the sixth line thereof by the word "may".

R. S. 262a
and 262b,
enacted. **17.** The Revised Statutes, 1909, are amended by inserting therein, after article 262 thereof, new articles, as follows:

Separate pol-
ling places in
voting sub-
divisions. **"262a.** When a voting subdivision contains, according to the list of electors, more than two hundred electors, the returning-officer may establish separate polling-places, according to the total number of electors entered on the said list, near to one another, in such a way that there shall be not more than two hundred names of electors qualified to vote on the list of each polling subdivision.

Separate al-
phabetical
list. **"262b.** 1. In such a case the returning officer may prepare, or have prepared, from the list of electors of the polling subdivision, for each polling place, a separate list arranged in alphabetical order according to the initial letter of the family name of each elector.

Polling-
places to be
marked. 2. Each separate polling place shall be marked by the initial letters of the electors on the list who are to vote at such polling-place, in the following manner, to wit: from A to K, and from L to R, and from S to Z, or otherwise as the case may be.

Where elec-
tors shall
vote. 3. Every elector the initial letter of whose name is included between the letters of the alphabet designating a polling-place, shall vote at the polling-place so designated.

4. The returning-officer shall appoint a deputy-returning-officer for each of such polling-places, and shall hand him in sufficient time a list attested by the returning-officer as being an exact list of all the electors entered on the list of electors whose family names begin with the letters of the alphabet included in the letters which designate such polling-place.”

18. Article 268 of the Revised Statutes, 1909, is amended by replacing paragraph 1 thereof by the following:

“1. The persons who, by virtue of articles 184 and 185, can neither be electors, nor take any part in elections, or who cannot vote.”

19. Article 336a of the Revised Statutes, 1909, as enacted by the act 2 George V, chapter 10, section 20, is amended by replacing all the words which follow the word “the” in the third line thereof, by the words: “certificate of one of the legal custodians of the list of electors which is being used at the current election, that his name was really entered upon such list.”

20. The Revised Statutes, 1909, are amended by inserting therein, after article 339 thereof, a new article, as follows:

“**339a.** Any person presenting himself to vote, shall, before receiving his ballot-paper, if thereunto required by the deputy-returning-officer, the poll-clerk, one of the candidates, or one of their agents, or by any elector present, take the following oath or affirmation:

“You swear (*or affirm, as the case may be*) to answer the truth and nothing but the truth to the questions which will be put to you; So help you God:

1. Are you of Indian blood?

2. Are you domiciled on land reserved for Indians, or for any band of Indians, or held in trust for them?”

No ballot-paper shall be given to any person who shall have refused to take the above oath or affirmation, or who, having taken the same, shall have answered in the affirmative to the two questions contained in such oath or affirmation.”

21. Form A of schedule one of the Quebec Election Act is replaced by the following:

Deputy
returning-
officers.

Oath to be
submitted to
electors.

No ballot
paper to be
given to per-
son refusing
to be sworn
or answering
questions in
the affirma-
tive.
Form A of
Schedule one
replaced.

SCHEDULE ONE
FORMS

PROVINCE OF QUEBEC,
Municipality of
In the County of

A—(Articles 189, 192, 195, 198.) *

List of Electors for the Legislative Assembly

No.	Surname	Names	Occupation	Residence	Domicile	Nature of Qualification	Name and surname of father or mother, if the person is entered as proprietor's son, &c.	Description of immoveable	Remarks
1	Aubin.....	Jean-Baptiste	Farmer.....	St. James.	St. James	Owner.....	.....	Conc. des Pins No	
2	Aubin, fils..	Jean-Baptiste	Farmer.....	St. James.	St. James	Owner's son.....	Jean-Baptiste Aubin	Idem.....	Adopted son.
3	Barrette....	Joseph.....	Farmer.....	St. James.	St. James	Idem.....	Jean-Baptiste Aubin	Idem.....	
4	Bédard.....	Joseph.....	Butcher.....	St. James.	St. James	Tenant.....	.....	Village No.....	
5	Bédard, fils	Joseph.....	Apprentice ..	St. Liguori	St. James	Tenant's son....	Joseph Bédard.....	Idem.....	
6	Brousseau..	Louis.....	Annuitant ..	St. James.	St. James	Annuitant ..	.....	.....
7	Jacques.....	Stanislas.....	Wheelwright	St. James.	St. James	Revenuc ..	.....	Cadastre No.....	\$35 per month
8	Lorimier ..	Charles.....	Farmer.....	St. James.	St. James	Widow's son....	Widow of C. Lorimier.....	Conc. des Pins No	
9	Lorimier ..	David.....	Farmer.....	St. James.	St. James	Widow's son....	Idem.....	Idem.....	Grandson.
10	Lorimier ..	Jean-Baptiste	Priest.....	St. James.	St. James	Curé.....	.....	.....
11	Marchand ..	Gabriel.....	School-teacher.....	St. James.	St. James	School-teacher..	.....	.....	Village school.
12	Sylvestre..	Louis.....	Farmer.....	St. James.	St. James	Occupant.....	.....	Rng St. Mich. No.	
13	Sylvestre..	Pierre.....	Student.....	Quebec...	St. James	Occupant's son.	Louis Sylvestre.....	Idem.....	
14	Tourville..	Jean.....	Fisherman.....	St. James.	St. James	Fisherman.....	.....	.....	Fishing tackle, \$50.00
15	Tourville..	Paul.....	Navigator....	St. James.	St. James	Navigator.....	.....	.....	Owner of registered ship.
16	Viger.....	Arthur.....	Professor....	St. James.	St. James	Member of teaching cong..	.....	.....

Made in duplicate this day of the month of , nineteen hundred and
I, P. P. swear that, to the best of my knowledge and belief, the foregoing list of electors is correct, and that nothing has been entered therein or
omitted therefrom, unduly or by fraud. So help me God.
Sworn at , this day 19 } P. P.
before me the undersigned F. F.

(Justice of the peace, (or as the case may be.)

Secretary-Treasurer.

* In the Case of a list of a polling subdivision, the number and description of the subdivision must be given.

22. Form T of the first schedule of the Quebec Election Act is amended: Form T of
Schedule one,
am.

a. By inserting therein, after the words "polling-place" in the ninth line thereof, and after the word "election" in the thirteenth line thereof, the words: "whether in this or another electoral district,";

b. By replacing, at the end thereof, the words: "A. B., Returning-officer," by the words: "A. B., Deputy-returning-officer (or clerk of polling place)".

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

C H A P . 1 8

An Act to amend the Revised Statutes, 1909, relating to the Agent-General for the Province in the Kingdom of Belgium.

[Assented to 5th March, 1915]

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

1. The Revised Statutes, 1909, are amended by inserting therein, after the second section of the second chapter of the fourth title thereof, a new section and articles, as follows: Section and
articles of
R.S. enacted.

"SECTION III

"AGENT-GENERAL FOR PROVINCE IN THE KINGDOM OF BELGIUM

"712a. The Lieutenant-Governor in Council may appoint an Agent-General for the Province, in the Kingdom of Belgium. Agent-Gen-
eral for Pro-
vince, in
Belgium.

"712b. The said Agent-General shall be the official representative of the Province in the Kingdom of Belgium, and shall reside at Brussels, or at any other place in or outside of Belgium, as may from time to time be fixed by the Lieutenant-Governor in Council. His duties.

He shall be under the control of the Prime Minister, and shall follow the instructions which may be given him, from time to time, by the latter.