

CHAP. 11

An Act to amend the Quebec Controverted Elections' Act

[Assented to 25th April, 1903]

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

1. Paragraph 6 of article 466 of the Revised Statutes, as R. S., 466, § 6, replaced by the act 59 Victoria, chapter 10, section 1, is again replaced by the following :

"6. The term "corrupt practice" means every act declared to be such by article 206 of the Quebec Election Act, 1903, or by any other act of the Legislature of this Province." Corrupt practice defined.

2. Article 482 of the Revised Statutes, as amended by R. S., 482, the act 59 Victoria, chapter 10, section 2, is again amended by replacing the words : "213 of the Quebec Election Act, 1895," by the words : "175 of the Quebec Election Act, 1903."

3. Articles 483 of the Revised Statutes, as replaced by R. S., 483, section 3 of the act 59 Victoria, chapter 10, is again replaced by the following :

"**483.** Nevertheless, if the petition questions the validity of a return or election, upon a specific allegation of corrupt practice, committed since the time of the return of election, such petition may be presented within thirty days after the date of the commission of the corrupt practice alleged, provided that such corrupt practice falls within the scope of articles 209 and 212 of the Quebec Election Act, 1903." Delay to present the petition in certain cases.

4. Article 513 of the Revised Statutes, as amended by R. S., 513, the act 59 Victoria, chapter 10, section 5, is further amended by replacing the words : "corrupt practices prohibited by the Quebec Election Act, 1895," by the words : "corrupt practices."

5. Article 514 of the Revised Statutes, as replaced by R. S., 514, the act 59 Victoria, chapter 10, section 6, is again replaced by the following :

"**514.** On the trial of a petition, the respondent may give evidence to show that any other candidate has been guilty of corrupt practice, in the same manner and with the same Proof against another candidate.

effect as if he had himself presented a petition complaining of such election or of the conduct of such candidate.

Notice to such candidate.

Before entering into such proof, the respondent shall give notice thereof to such candidate, if he be not already in the cause, who may cross-examine the witnesses against him and produce others in his own behalf."

R. S., 551, replaced.

6. Article 551 of the Revised Statutes, as replaced by section 9 of the act 59 Victoria, chapter 10, is again replaced by the following :

Report by the court to the Speaker.

"**551.** When any charge is made in an election petition of any corrupt practice having been committed at the election, the court shall further transmit to the Speaker, together with its judgment, a report in writing, stating :

1. Whether any corrupt practice has or has not been proved to have been committed by or with the knowledge and consent of any candidate at such election, stating the name of such candidate, and the nature of such corrupt practice ;

2. The names of any persons against whom, during the trial of the petition, the commission of any corrupt practice has been proved ;

3. Whether corrupt practices have, or whether there is reason to believe that corrupt practices have extensively, prevailed at the election to which the petition relates."

R. S., 553a, amended.

7. Article 553a of the Revised Statutes, as enacted by the act 52 Victoria, chapter 10, section 1, and amended by the act 59 Victoria, chapter 10, section 10, is again amended by replacing the words : "corrupt practice prohibited by the Quebec Election Act, 1895," by the words : "corrupt practice."

R. S., 576a, amended.

8. Article 576a of the Revised Statutes, as enacted by the act 1 Edward VII, chapter 7, section 2, is amended by replacing the word : "three" in the third line, by the word : "four."

R. S., 588, amended.

9. Article 588 of the Revised Statutes, as amended by the act 59 Victoria, chapter 10, section 13, is again amended by replacing the words : "corrupt practice prohibited by the Quebec Election Act, 1895," by the words : "corrupt practice."

59 V., c. 10, s' 15, repealed.

10. Section 15 of the act 59 Victoria, chapter 10, is repealed.

Coming into force.

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