

CAP. XV

An Act to amend the Quebec Election Act, 1895.

[Assented to 10th March, 1899]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 8 of the act 60 Victoria, chapter 21, is amended : 60 V., c. 21,

(a) By replacing the sixth clause by the following :

“ Each revisor shall, during the whole time he occupies the office of revisor, reside in the city for which he is appointed, and shall not vote or be elected or take part in elections, in any of the electoral divisions comprised within the limits of the city for which he acts.”

s. 8, amended.
Sixth clause replaced.
Residence of revisor.
Not to vote at elections.

(b) By inserting, after the twelfth clause, the following :

“ Every oath under this act may be validly taken before the board of revisors, each of the members thereof or its clerk, or before a commissioner of the Superior Court or a justice of the peace.”

Clause added after twelfth.
Oaths before whom may be taken.

2. Section 12 of the said act is amended by replacing, in the fourth and sixth lines, the word “thirty” by the word “sixty.”

Id., s. 12, amended.

3. Sections 13 and 14 of the said act are replaced by the following :

Id., sec. 13 and 14, replaced.

“ 13. Such examination and correction take place upon complaint to that effect produced, under either of the two following articles, and not otherwise.”

Complaint to be produced.

“ 13a. Any person, who deems himself aggrieved, either by the insertion of his name in the list or its omission therefrom, may, either by himself or through his agent, file in the office of the board of revisors a complaint to such effect, in writing and under oath, within the fifteen days next after the publication of the notice mentioned in article 26 of the said Election Act if it concerns the cities of Quebec and Three-Rivers, and in section 7 of this act if it concerns the city of Montreal.”

Complaint to enter or remove complainant's name from list.

“ 13b. Any person, believing that the name of any person entered on the list should not have been so entered, owing to his not possessing the qualifications required for an elector, or that the name of any other person not entered thereon should be so entered, owing to his possessing the qualifications required, may, within a like delay of fifteen days, file in the office of the board of revisors a complaint in writing and under oath, to that effect, attesting that, to the

Complaint to enter or remove other person's name from list.

personal knowledge of the deponent, the person whose name he requires to be entered on, or omitted from the list is or is not qualified as an elector.

Public notice
to be given
of place, day
and hour of
examination.

“**13c.** Before proceeding to any examination or correction of the list of electors, the board of revisors shall cause to be given, through its clerk, public notice of the place where, and day and hour when such examination shall begin. Such notice may specify that the board shall proceed on the distinct days therein mentioned to examine and correct the lists for any ward of the city in question.

Special notice
and what to
contain.

Previous to taking into consideration the complaints filed in the office of the board of revisors with respect to the list of electors, the board shall also cause a special notice, signed by its clerk, to be given, containing the names of the persons whose insertion in or omission from the list has been demanded.

Delays after
notice.

The public notice and special notices required by this section shall be of five days duration.

Notices how
published.

In the cities of Quebec and Montreal, the notices must be published once in a French newspaper and once in an English newspaper of the city in which the list is prepared; and in the city of Three Rivers they must be given and published or served in the same manner as municipal notices.

Fee of clerk,
and by whom
payable.

There is allowed to the clerk of the board of revisors, at the expense of the complainant, a fee of twenty-five cents for each special notice by him given to any person whose name shall neither be added to nor struck from the list by the board of revisors or by the judge if there is an appeal.

Duty of revisors
in examining or
correcting
list.

“**13d.** The board of revisors, in proceeding to the examination, first verifies the correctness and regularity of the proceedings had in preparing the list and draws up a *procès-verbal* thereof, then takes into consideration all the complaints in writing and under oath, relating to the said list, and hears all persons interested and their proof on oath, if necessary.

Decision.

“**13e.** The board of revisors, by its decision on each complaint, may confirm or amend each of the duplicates of the list; then, if necessary, it redivides the list in consequence thereof, according to the polling subdivisions, keeping the alphabetical order of the electors thereon.

Fraudulent
title.

“**13f.** If, upon sufficient proof, the board of revisors is of opinion that a property has been leased, assigned or made over under any title whatsoever, with the sole object of giving to a person the right of having his name entered on the list of electors, it shall, upon complaint to that effect, in writing and on oath and on evidence under oath, strike the name of such person from the said list.

"13g. Every insertion in, erasure from, or correction of the list in virtue of the two preceding articles shall be authenticated by the initials or *paraphe* of the president of the board of revisors. Initialing, &c., of corrections.

"14. The list of electors, as it then exists, shall come into force at the expiration of the sixty days following the notice given under the above mentioned article 26 of the said Election Act if it concerns the cities of Quebec and Three Rivers, and under section 7 of this act if it concerns the city of Montreal. Coming into force of list after certain delay.

It shall remain in force for two years from the time of its coming into force, and thereafter, until a new list shall have been validly made and put into force. Duration in force.

Notwithstanding the appeal to a judge of the Superior Court touching a portion of the list, such portion of the list shall remain in force until the final decision of the judge before whom the petition in appeal is pending. Appeal not to affect remainder of list.

"14a. Saving, nevertheless, any correction made under article 50 of the said Election Act, every list of electors so put into force, even although the valuation roll, which has served as the basis thereof, be defective or shall have been quashed or set aside, shall, for the whole period during which it remains in force, be deemed the only true list of electors within the territorial division to which it relates. List to remain in force, even if valuation roll set aside.

"14b. So soon as the list of electors has come into force, it shall be the duty of the clerk of the board of revisors to insert at the end of such list, in the duplicates thereof, the certificate prescribed by article 42 of the said Election Act. Certificate upon list when it has come into force.

4. Paragraph 9 of article 2 of the Quebec Election Act, 1895, is amended by adding after the word "work-shop," in the sixth line, the word "farm." 59 V., c. 9, art. 2, § 9, amended.

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