

C A P. V I I I .

An Act to amend article 186 of the Revised Statutes of the the Province of Quebec, respecting the notice of the deposit of the list of electors.

[Assented to 21st March, 1889.]

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

1. Article 186 of the Revised Statutes of the Province of Quebec is amended by striking out, in the first line thereof, the words " on the day upon," and substituting therefor the words " within two days from." R. S. Q., art. 186 amended.

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

C A P. I X .

An Act to amend the Quebec Election Act respecting the electoral lists in the city of Montreal.

[Assented to 21st March, 1889.]

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

1. Article 228 of the Revised Statutes of the Province of Quebec, is repealed. R. S. Q., art. 228 repealed.

C A P. X .

An Act to amend the Quebec Controverted Elections' Act.

[Assented to 21st March, 1889.]

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

1. The following subsection is added after subsection 8 of section third of chapter third of title second of the Revised Statutes of the Province of Quebec : Subsection added after R. S. Q., 1. 2. c. 3, s. 3, § 8.

§ 8a.—*Appeals.*

Appeal to lie to Court of Queen's Bench from judgment convicting of corrupt practice.

“ **553a.** An appeal to the Court of Queen's Bench sitting in appeal may be taken from any judgment which declares that any person or persons has or have committed any corrupt practice, whereby such person or persons is or are deprived of the right of being elected to and of sitting in the Legislative Assembly, of voting at any election of a member of that House and of holding an office in the nomination of the Crown or of the Lieutenant-Governor.

To what branch of the court to be taken.

The appeal from any such judgment shall be to the Court of Queen's Bench sitting in appeal at Montreal, if it was rendered in a district whence, in virtue of the Code of Civil Procedure, cases are taken in appeal to Montreal, and to the Court of Queen's Bench sitting in appeal at Quebec, if it was rendered in a district whence, in virtue of the said Code, cases are taken in appeal to Quebec.

Inscription in appeal.

“ **553b.** Such appeal shall be taken, in a summary manner, by means of an inscription in appeal, signed by the appellant in person or by his attorney, filed in the office of the prothonotary of the district in which the judgment was rendered, within fifteen days after the rendering thereof, together with a deposit of the sum of two hundred dollars as security for costs and a further sum of twenty dollars for making up and transmitting the record.

Duty of prothonotary upon inscription and deposit.

So soon as the said inscription and deposit have been made, the prothonotary who received the same shall remit the record to the Court of Queen's Bench in the usual manner prescribed by the Code of Civil Procedure.

Notice of inscription to be served and when.

Within the said fifteen days after the rendering of the said judgment, the appellant shall serve a notice of the inscription in appeal upon the parties to the case affected by the said appeal and file the same in the office of the clerk of the Court of Queen's Bench.

Evidence already printed to be used.

If the evidence was printed for the purposes of the case in the court below, such printed evidence will suffice for the appeal, provided ten copies at least are produced.

Provisions if evidence not printed for court below.

If the evidence was not printed for the purposes of the case in the court below, the parties shall be obliged to print only so much of the evidence as refers to that issue of the case respecting which the appeal is brought, and for that purpose they shall, ten days after the inscription in appeal apply, after notice, to one of the judges of the Court of Queen's Bench in chambers, and have him select the evidence that is to be printed.

Filing of factums.

Printed factums shall be produced by the parties as in ordinary appeals to the Court of Queen's Bench, within fifteen days after the filing of the said inscription.”

" 553c. Appeals under this subsection shall have precedence over all other cases." Precedence of such appeals.

2. Any person who, since the twenty-seventh day of May, eighteen hundred and eighty-two, date of the coming into force of the Act 45 Victoria, chapter 6, has been, by a judgment rendered upon a controverted election petition, declared guilty of a corrupt practice and been deprived, as set forth in section 1, may avail himself of the right of appeal granted by this act, provided the inscription and deposit above mentioned be made within thirty days after its coming into force. Application to certain judgments and right to appeal given in such cases.

Upon such appeal taken under this section, the respondent has no costs to bear, whatever be the judgment in appeal. No costs to be payable by respondent therein.

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

C A P . X I .

An Act to amend the Controverted Elections' Act.

[Assented to 21st March, 1889.]

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

1. The following article is added after article 576 of the Revised Statutes of the Province of Quebec. Art added after R. S. Q., 576.

" 576a. The trial of every election petition shall be commenced within six months from the time when such petition has been presented, and shall, saving the adjournments ordered by the judge or the court, be proceeded with *de die in diem*, until the trial is over ; but, if at any time the court or judge deems the respondent's presence at the trial necessary, such trial shall not be commenced during a session of the Legislature ; and, in the computation of any delay allowed for any step or proceeding in respect of such trial or for the commencement of such trial as aforesaid, the time occupied by any such session of the Legislature shall not be reckoned. Trial of election petitions to be begun within six months. Except if respondent's presence required, and Legislature is in session.

2. If, at the end of three months after the presentation of such petition, the day for the trial has not been fixed, any elector may on application be substituted to the petitioner upon such terms as the court or a judge shall deem just." substitution of petitioner, if trial not fixed within certain delay