

No. 62.

2nd Session, 7th Parliament, 26th Victoria, 1868

BILL.

An Act to amend the law regulating the qualification and the registration of Voters in Lower Canada.

Received and read, first time, Friday, 27th
February, 1868.

Second reading, Monday, March 2nd, 1868.

HON. MR. DORION.

QUEBEC.

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An Act to amend the law regulating the qualification and the registration of Voters in Lower Canada.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :—

1. From and after the first day of July next, every male person entered on the then last Valuation Rolls, revised, corrected and in force in any City or Town entitled to send a Member or Members to the Legislative Assembly, as the owner or as the tenant or occupant of real property therein as bounded for Municipal purposes, and inscribed on the said Roll as of the actual value of three hundred dollars or upwards, or of the yearly value of thirty dollars or upwards, if the Municipal taxes and assessments are levied on the annual value of such property;—or who is entered on such last revised and corrected Valuation Roll of any Township, Parish or Place, as the owner, tenant, or occupant of any real property which is within the limits of any such City or Town for the purposes of Representation, but not for Municipal purposes, and inscribed on the said Roll as of the actual value of two hundred dollars or upwards, or of the yearly value of twenty dollars or upwards, if the Municipal taxes and assessments are levied on the annual value of such property,—shall be entitled to vote at any election of a Member to represent in the Legislative Council the Electoral Division of which such City or Town forms a part; and shall also be entitled to vote at any election of a member to represent in the Legislative Assembly the said City or Town: subject always to the provisions contained in chapter six of the Consolidated Statutes of Canada.

Qualifications
in Cities and
Towns of
Voters at elec-
tions for Le-
gislative
Council and
Assembly.

2. Every male person entered on the then last Valuation Roll, revised, corrected and in force in any Parish, Township, Town, Village, or place, not being within any City or Town entitled to send a Member or Members to the Legislative Assembly, as the owner, tenant or occupant of real property, inscribed on the said Roll as of the actual value of two hundred dollars or upwards, or of the yearly value of twenty dollars or upwards, if the Municipal taxes and assessments are levied on the yearly value of such property,—shall be entitled to vote at any election of a Member to represent in the Legislative Council the Electoral Division of which such Parish, Township, Town, or Village or place forms a part; and shall also be entitled to vote at any election of a Member to represent in the Legislative Assembly the Electoral Division which such Parish, Township, Town, Village or place is included: subject always to the provisions contained in chapter six of the Consolidated Statutes of Canada.

Qualifications
of Voters not
in Cities and
Towns.

3. From and after the first day of July next, notwithstanding anything to the contrary contained in the Lower Canada Consolidated Municipal Act and the Acts amending it, or in any other Act incorporating any City or Town in Lower Canada, every assessor, valuator, or other person employed to make the Valuation Roll of the properties in any City, Town, Village, or other local Municipality in Lower Canada, shall insert in such Roll, in separate columns and in addition to all other information required by law to be inserted, the actual value of every real

Value of real
property to be
inserted in
Valuation
Roll.

property, the annual value thereof, or income derived or derivable from every such property, if the Municipal taxes or assessments are levied on such income or annual value, and the names of the owners, tenants or occupants (each in separate columns) of every such property.

Revision and
correction of
Valuation
Roll.

4. It shall be the duty of the assessors, valuers or other persons appointed to prepare the assessment or Valuation Rolls in every incorporated City, and in every local Municipality in Lower Canada, before the first day of July in each year, to revise and correct until the next general Assessment Roll is made, the then existing Assessment Roll so far as regards the names of the owners and tenants or occupants of all real property, entitled under the provisions of this Act, and of chapter six of the Consolidated Statutes of Canada, to be entered on the list of voters at the elections of Members of the Legislative Council or Assembly; they shall not, however, be empowered to change or alter the said Roll in so far as it relates to the actual or annual value of the properties therein set forth, and every such revised and corrected assessment or valuation Roll shall be delivered to the Treasurer or Secretary-Treasurer of the Municipality immediately after such Roll shall have been so revised and corrected. 5 10 15

Alphabetical
lists of per-
sons qualified
to vote:

5. The Clerk, Treasurer, or Secretary-Treasurer of every such City, and of every such local Municipality shall, within one month after he has received the Valuation or Assessment Roll, make an alphabetical list of the persons who appear by the said Roll to be qualified, under this Act, to vote at elections of Members of the Legislative Council or Assembly, in respect of property mentioned in such Assessment Roll, distinguishing such persons as appear qualified as owners from those qualified as tenants or occupants, and showing the number of the lot or part of lot, or other description of the real property in respect of which they are so qualified; and in every such incorporated City, the Clerk or Secretary-Treasurer, shall make out for each Ward a separate list, in a similar form, of all persons entitled to vote in respect of real property situate within such Ward. 20 25 30

Similar Lists
to be made
when no an-
nual Assess-
ment Rolls.

6. And the Clerk, Treasurer or Secretary-Treasurer in any City or Municipality in which the Valuation or Assessment Roll is not made annually, shall make out in the same manner and within the same delay a similar alphabetical list from the Roll as revised and corrected by the Assessors or Valuers. 35

Lists to be
furnished to
Returning
Officer.

7. The Lists of Voters furnished to the Returning Officer, and which shall be used at any election of a Member of the Legislative Assembly, shall be the last lists made, revised and corrected in conformity with the provisions of this Act, and of chapter six of the Consolidated Statutes of Canada, provided that such lists shall have been so made, revised and corrected, at least two months before the date of the Writ, in virtue of which the election is to be held. 40

In case list
shall not have
been two
months before
date of writ.

8. In case the last list of voters shall not have been made at least two months before the date of the Writ of election, the list to be used at such election shall be that one which shall have been made at least two months before the date of the Writ of Election, and if no such list has been made in conformity with the provisions of this Act, the last list made at least one month before the date of the Writ of Election under the provisions of chapter six of the Consolidated Statutes of Canada, shall be the list to be used at such election. 45 50

9. The Clerk, Treasurer or Secretary-Treasurer of every City and of every local Municipality shall, within two months from the passing of this Act, prepare an alphabetical list of the persons who according to the last Assessment Roll, made and revised for such City or local Municipality, appear to have the right in virtue of this Act to vote at elections of Members of the Legislative Council and of the Legislative Assembly, in respect of real property mentioned in the said Roll; such list be made in conformity with the provisions contained in the fifth section of this Act, and the list so made shall serve at the first election which takes place after the passing of this Act, even although the said list shall not have been revised and corrected more than two months before such election, and at every other subsequent election, until another list shall have been made in conformity with the fifth section of this Act.

Certain lists to be made within two months from passing of this Act.

10. The lists of voters, made in virtue of this Act, shall be revised and corrected in the manner prescribed by the twelfth, thirteenth, fourteenth and fifteenth sections of chapter six of the Consolidated Statutes of Canada.

Their revision &c.

11. Every list of voters made before the passing of this Act shall be null and of no effect after the expiration of three months from such passing, and shall not be used at any election which may take place after that period.

Lists made before this Act.

12. Every Assessor or Valuator who shall refuse or neglect to revise the Assessment Roll before the first day of July in each of the years in which a new Assessment Roll shall not have been made before that date, and every Clerk, Treasurer or Secretary-Treasurer of any City, Town or Municipality who shall refuse or neglect to prepare the list of voters within the delays fixed by sections five and nine of this Act, shall be liable to a fine of fifty dollars, and to a further fine of ten dollars for every day that such Assessor or Valuator shall refuse or neglect to revise the Assessment Roll, or that such Clerk, Treasurer or Secretary-Treasurer shall refuse or neglect to prepare the list of voters in accordance with the Assessment Roll so prepared, revised and corrected.

Penalty on Assessors, &c. neglecting their duty.

13. Paragraphs one and two of section four, paragraph two of section nine, section ten, and paragraph one of section eleven of chapter six of the Consolidated Statutes of Canada, are repealed, and this Act shall apply to Lower Canada only, and shall be deemed to form part of chapter six of the Consolidated Statutes of Canada.

Repeal of contrary provisions and application of this Act.