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No. 295.
(LOCAL BILL.)

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

To regulate the Elections of Church-wardens (*marguillers*) in the Parishes of *Notre Dame de Québec*, *St. Roch's de Québec*, and elsewhere.

Received and read a first time, Wednesday, 16th
March, 1853.

Second reading, Monday, 21st March, 1853.

Mr. DUBORD.

QUEBEC :

PRINTED BY JOHN LOVELL, MONTREAL, QUEBEC.

An Act to regulate the Elections of Churchwardens (*marguillers*) in the Parishes of *Notre Dame de Québec*, *St. Roch de Québec*, and elsewhere.

WHEREAS it is expedient that Churchwardens (*marguillers*) in the Parishes of *Notre Dame de Québec* and *St. Roch de Québec*, and any other Roman Catholic Parish hereafter to be erected out of the territory now comprised within the said Parishes, or either of them, should be elected in the manner hereinafter prescribed and by persons duly qualified, and to define what persons are qualified to vote at such Elections; Be it therefore declared and enacted, &c. And it is hereby declared and enacted by the authority of the same, That all Pewholders in the Churches of the said Parishes respectively and they only, are and shall be qualified to vote at the Elections of Churchwardens therein.

Preamble.

Who may vote at Elections.

II. And be it enacted, That in the said Parishes, all Elections of Churchwardens shall take place as hereinafter provided; any usage or custom to the contrary notwithstanding.

All Elections to be had in the following manner.

15 *1st.* Notice of the Election of a Churchwarden to succeed the Churchwarden going out of office in the *Banc de l'œuvre et Fabrique* of any Roman Catholic Church entitled to elect Churchwardens, in any of the said Parishes, shall be given from the pulpit at parochial mass, by the *Curé* or other person officiating in the Church, on the Sunday next but one before the first day of January in each year.

Notice.

25 *2ndly.* The nomination of candidates shall take place on the following Sunday, after Vespers, and if there are several candidates, the voting shall commence on the day following, at eight in the forenoon, and terminate at five in the afternoon of the same day, when the person presiding at the said Election shall declare duly elected the person having the greatest number of votes.

Nomination. Voting.

30 *3rdly.* The Churchwarden going out of office (or in the event of his absence from illness or any other cause, the second Churchwarden,) shall preside at the said Election, which shall be held in

Declaration of result of election.

Who shall
preside.
His powers
and duties.

the Sacristy of the Church, or other place in which meetings for a like purpose are usually held in the Parish ; but he shall not vote at such Election except the votes be equally divided, when he shall be entitled to a casting vote ; he shall appoint a Clerk to take down the names of the voters, and shall make a return of the said Election before the said first day of January. 5

Person pre-
siding and his
Clerk to be
sworn.

4thly. Before taking down the said votes, the Churchwarden so presiding and the Clerk by him appointed, as aforesaid, shall be respectively sworn before a Justice of the Peace faithfully and impartially to perform the duties assigned to them respectively, under 10 this Act.

Penalty for
obstructing
proceedings.

III. And be it enacted, That if any person shall wilfully obstruct the operation of this Act, or refuse or neglect to perform any of the duties herein assigned to him, he shall forfeit for every such offence a sum not exceeding *twenty-five pounds* currency, recoverable before 15 any Court of competent jurisdiction.

Extent of Act.

IV. And be it enacted, That this Act shall apply to all Parishes which may hereafter be erected out of any part of the territory now comprised within either of the said Parishes of *Notre Dame de Quebec* and *St. Roch's de Quebec*, and to all Roman Catholic 20 Churches therein which may be entitled to Churchwardens.

Public Act.

V. And be it enacted, That this Act shall be a Public Act.