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c 485 Voters' Lists Act

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CHAPTER 485

The Voters’ Lists Act

1. In this Act,

   (a) “judge” means the judge of the county or district court of the county or district and includes a junior or acting judge, but does not include a deputy judge;

   (b) “prescribed” means prescribed by this Act or by the regulations made under this Act;

   (c) “voter” means a person entitled to be a voter, or to be named in the voters’ list as qualified to be a voter at a municipal election. R.S.O. 1960, c. 420, s. 1; 1968-69, c. 138, s. 1.

2. — (1) The Lieutenant Governor in Council may prescribe rules and forms of procedure for the purpose of better carrying out Parts I and II.

   (2) The forms in the Schedule to this Act may be modified or varied, but any such modification or variation is subject to the approval of the judge. R.S.O. 1960, c. 420, s. 2.

APPLICATION OF PARTS

3. — (1) Part I applies to towns, villages, townships and, except as varied by Part II, to cities.

   (2) Part II applies to every city in which a by-law has been passed fixing separate dates for the return of the assessment rolls for each ward or division of a ward, as defined in the by-law.

   (3) Where through accident, fire or otherwise a municipality has no assessment roll or voters’ list prepared under Part I or II, the municipality shall for the purposes of this Act be deemed to be a part of Ontario without municipal organization. R.S.O. 1960, c. 420, s. 3.

PART I

LIST OF VOTERS

4. — (1) The clerk of each municipality, immediately after the return of the assessment roll in every year, shall make a correct list for each polling subdivision of the municipality (Form I) of all
persons appearing by the assessment roll or by the supplementary roll prepared by the assessor to be voters.

(2) The list shall be made up in the same order as the assessment roll is prepared in the municipality except where the council by resolution has directed that it be made up alphabetically.

(3) Notwithstanding any other provision in this Act, the clerk of the municipality is not required to prepare a voters' list in any year in which a municipal election is not to be held. R.S.O. 1960, c. 420, s. 7 (1-3).

(4) The name of the same person shall not be entered more than once on the list, except that in the case of a municipality divided into wards the name of the same person shall be entered upon the list as qualified to vote at municipal elections in every ward in which he is assessed for a sufficient amount to qualify him so to vote.

(5) Where a municipality is divided into polling subdivisions, lists shall be made for each subdivision.

(6) In the case of a person who is a municipal elector by reason of being the wife or husband of the person rated or entitled to be rated for land as provided by The Municipal Act, or by reason of being a farmer's daughter, farmer's sister or farmer's son's wife, the clerk shall insert the letters "M.F.N.C." opposite the name of such person in the proper column, meaning that such person is entitled to vote at municipal elections, but is not to be counted for the purpose of determining representation in the county council.

(7) Where the qualification of a person to be a voter at a municipal election is in respect of real property, the clerk shall insert in the proper column opposite the name of such person, the number of the lot or other proper description of the parcel of real property in respect of which such person is so qualified adding thereto, where the person is so qualified in respect of more than one lot or parcel, the words "and other premises".

(8) In the case of a person being a farmer's son or a farmer's daughter, the clerk shall insert opposite the name in the proper column the words "Farmer's Son" or "Farmer's Daughter" or the letters "F.S." or "F.D.", as the case may be.

(9) Where a ward is divided into polling subdivisions and it appears by the assessment roll that a person is assessed in each of two or more polling subdivisions for property sufficient to entitle him to be a voter at a municipal election, the clerk shall enter his
name on the list for one subdivision only, and shall insert opposite his name the words “and other premises”, and where to the knowledge of the clerk the person resides in one of the subdivisions, his name shall be entered on the list for that subdivision.

(10) Where it appears by the assessment roll that a person is assessed for property within the municipality sufficient to entitle him to be a voter at a municipal election, but that the property lies partly within one subdivision and partly within another or others, the clerk shall enter the name of such person on the list of voters in only one of the subdivisions in which the property is situate, and add the words “Partly qualified in subdivision No. .......”.

(11) Where the word “Owner” or the letter “O”, or the word “Tenant” or the letter “T”, appears in the assessment roll opposite the name of a person entitled to be entered on the list, such word or letter shall be placed opposite the name of such person.

(12) The clerk in making out the list shall, in a separate column provided for the purpose, insert the letter “J” in the list opposite the name of every person over twenty-one and under seventy years of age who by the roll appears to be qualified and liable to serve as a juror, and the list shall show at or near the end thereof the aggregate number of names of persons upon the list qualified to serve on juries, and in the case of municipalities divided into wards the list shall give the same information for each ward.

(13) The clerk shall, in a separate column of the voters’ list, insert the letter “S” opposite the name of every person who is shown on the assessment roll as a separate school supporter and also after the name of the wife or husband of every such person if the wife or husband is shown by the roll to be a Roman Catholic. R.S.O. 1960, c. 420, s. 7 (5-14).

5.—(1) The clerk of every township, in making out the list, shall insert therein a schedule (Form 1) containing the name, numbered consecutively, of every post office which by the assessment roll appears as the address of any person on the list and shall, according to the form and in the proper column therefor, insert opposite the name of every voter entered on the list the consecutive number which according to the schedule is his post office address, so far as the address appears by the assessment roll or is within the knowledge or belief of the clerk, but no appeal or complaint, on the ground of any error, mistake or omission in or from the list in respect of any matter or thing directed to be inserted therein by this section, shall be made or allowed by or under this Act.
(2) Where it appears by the assessment roll of a township that a person who is not resident in the township is entered upon the assessment roll and assessed for sufficient property to entitle him to vote at municipal elections in the township, such non-resident person at any time after the return of the assessment roll and before the reproduction of the voters' list by the clerk may give notice in writing, signed by him and verified by a statutory declaration, to the clerk requesting that his name be entered on the voters' list for some other polling subdivision in the township than that in which he is so assessed, and thereupon the clerk may enter the name of the non-resident person on the list for any other polling subdivision so designated and after the name shall enter the property in respect of which he is qualified to vote and the polling subdivision in which the property is situate. R.S.O. 1960, c. 420, s. 8.

6.-(1) Immediately after the clerk has made the list, and within thirty days after the return of the assessment roll, the clerk shall cause at least 75 copies of the list to be reproduced by mechanical means in pamphlet form, and immediately thereafter shall cause one of such copies to be posted up and kept posted up in a conspicuous place in his office, and deliver or mail fifteen copies to the clerk of the peace and one copy,

(a) to the judge or senior judge of the county or district court of the county or district to which the municipality belongs for judicial purposes;

(b) to the head and every member of the council of the municipality;

(c) to the sheriff;

(d) to every postmaster in the municipality;

(e) to the secretary of every school board in the municipality;

(f) to the clerk of the council of the county in which the municipality is situate;

(g) to the registrar of deeds, if he has so requested in writing before the 1st day of July in the year;

(h) to the clerk of the small claims court within whose division the municipality or any part thereof is situate, if he has so requested in writing before the 1st day of July in the year;

(i) to the member of the House of Commons and of the Assembly for the electoral district in which the municipality or any part thereof is situate; and
(j) to every other candidate for whom votes were given at the then last election of a member of the House of Commons and of the Assembly, respectively, for the electoral district in which the municipality or any part thereof is situate, who has so requested in writing before the 1st day of July in the year. R.S.O. 1960, c. 420, s. 9 (1); 1962-63, c. 142, s. 1.

(2) Where the assessment roll of a municipality is not returned on or before the 1st day of October and there is not or will not be time after its return to complete the preparation and revision of the voter's list in accordance with the other provisions of this Act before the time set for the polling in the municipality, the clerk shall print, post up and distribute in accordance with subsection 1 the required number of copies of the voters' list as certified in the next preceding year, and the proceedings thereafter shall be the same as if the list so printed, posted up and distributed was a list prepared by the clerk in accordance with sections 4 and 5. R.S.O. 1960, c. 420, s. 9 (2).

7.—(1) Upon each of the copies of the list so delivered or mailed there shall be a certificate of the clerk (Form 2) stating that the list is a correct list of all persons appearing by the assessment roll to be voters at municipal elections, and the certificate shall contain a clause calling upon all voters to examine the lists and to take immediate proceedings to have omissions or errors corrected according to law.

(2) Upon the outside or cover of each of the copies so sent shall be printed or written conspicuously the date of the posting up of the list thus:

“This list was posted up in the Clerk’s Office on the .......... day of .............. , 19 .......... “.

R.S.O. 1960, c. 420, s. 10, amended.

8. Upon receipt of the copies of the list, the sheriff shall post up one copy in a conspicuous place in the court house, the clerk of the peace shall post up one copy in a conspicuous place in his office, and every postmaster shall post up one copy in a conspicuous place in his post office. R.S.O. 1960, c. 420, s. 11.

9. The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality, or, if none is published therein, in a newspaper having a general circulation in the municipality, a notice (Form 3) signed by him which shall state that he has delivered or transmitted the copies of the list as directed by this Act, and the date of the first posting up of the list.
in his office, and the last day for entering appeals. R.S.O. 1960, c. 420, s. 12.

10.—(1) The list is subject to revision by the judge at the instance of any voter who complains that the names of voters have been omitted from the list or wrongly stated therein, or that the names of persons who are not entitled to be voters have been entered in the list, and the following provisions of this Part and of Part II, so far as they are applicable, apply to revision of the list.

(2) Upon the revision, the assessment roll is not conclusive evidence in regard to any matter.

(3) Upon the revision, no person is disentitled to have his name entered on the list by reason of his having omitted to make, sign or deliver any statement or affidavit required by The Assessment Act, or of his name not having been entered on the assessment roll.

(4) The decision of the judge as to the right of any person to vote, or as to the right to enter on or strike from the list the name of any person as a voter, is final.

(5) In the case of a list for a town, village or township, the judge shall receive, as evidence in support of an application to have the name of a person entered on the list, the affidavit of such person or of some other person who has and deposes that he has personal knowledge of the matter set forth in the affidavit (Form 4), if the affidavit is made not earlier than the tenth day next preceding the last day for making complaints to the judge and is delivered to the clerk before the time for making complaints has expired. R.S.O. 1960, c. 420, s. 13.

11.—(1) Any voter whose name is entered on or who is entitled to have his name entered on the list has the right for all purposes of this Act, upon giving notice in writing (Form 5) within fourteen days after the clerk has posted up the list in his office, to apply, complain or appeal to have his own name or the name of any person corrected in, entered on or removed from the list.

(2) Any person who has acquired the qualification entitling him to vote at a municipal election before the time for giving the notice of appeal to the judge has expired shall be deemed to be a person entitled to be entered on the list, and if entered thereon he shall be entered also on the assessment roll and shall be assessed for his property if not already assessed therefor without any request on his part, and the judge and clerk, for the purpose of such assessment, have the powers and shall perform the duties mentioned in section 38.
(3) A person whose name is entered on the list and has, before the time for giving notice of appeal to the judge has expired, ceased to possess the qualification in respect of which his name was so entered, on complaint being duly made under section 13, shall be deemed to be wrongfully entered on the list and, subject to section 15, his name shall be removed therefrom.

(4) For the purpose of determining whether a person has acquired or has ceased to possess the qualification entitling him to vote at a municipal election for the purposes of this section, the assessment roll upon which the current voters’ list is based shall be deemed not to have been returned. R.S.O. 1960, c. 420, s. 14.

12. The judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of a person entered on the list, correct any mistake that appears to have been made in compiling the list in respect of the name, place of abode, qualification, or the local or other description of the property of a person entered on the list and with respect to whose right to be so entered an appeal or complaint is pending before the judge. R.S.O. 1960, c. 420, s. 15.

13.—(1) A voter making a complaint in respect of the list shall, within fourteen days after the clerk has posted up the list in his office, give to the clerk or leave for him at his residence or place of business notice in writing (Form 5) of his complaint.

(2) If the office of clerk is vacant, the notice may be given in like manner to the deputy clerk or to the head of the council of the municipality, and he shall perform all the duties of the clerk.

(3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons shall be the same, as nearly as may be, as in the case of an appeal from the Assessment Review Court under The Assessment Act, but no deposits shall be required. R.S.O. 1970, c. 32, amended.

[NOTE.—See Forms 5-10.]

(4) The judge shall be paid by the municipality such allowances and expenses as may be prescribed by the Lieutenant Governor in Council.

(5) The clerk shall forthwith after posting up the list of appeals in his office deliver or send by registered mail one copy of the list to the judge, the clerk of the peace and each of the persons described in clauses b, i and j of section 6. R.S.O. 1960, c. 420, s. 16, amended.

14.—(1) Any person may obtain from the county or district court of the county or district a subpoena (Form 11) or from the judge an order, requiring the attendance of a witness residing or
served with the subpoena or order in any part of Ontario and requiring the witness to produce any papers or documents mentioned in the subpoena or order, and every witness served with the subpoena or order shall obey the same if his expenses according to the scale allowed in small claims courts are paid or tendered to him at the time of service.

(2) Any person in respect of the entry or omission of whose name a complaint is made shall, if resident within the municipality for or in which the court is held, upon being served with a subpoena or order obey the same without being tendered or paid his expenses, and the subpoena or order shall be deemed to have been sufficiently served,

(a) if the subpoena or order is served upon him personally; or

(b) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order is left for him with some adult person at his residence or place of business; or

(c) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order, at least six days before the sitting of the court, is sent to him by registered mail directed to him at the post office address contained in any affirmation made by him under The Assessment Act, and where no such affirmation has been made, directed to him at his last known post office address, and also by separate registered letter directed to the post office described as his post office in the voters' list unless the last-mentioned post office is his last known post office address, or in the case of cities, towns and villages if no post office is described for him in the voters' list, directed to the post office of such city, town or village; or

(d) where he is a farmer's son, if a copy of the order or subpoena is left for him with some person at the residence of the farmer whose son he is.

(3) If a person whose right to be a voter is the subject of inquiry does not attend in obedience to the subpoena or order, the judge, in the absence of satisfactory excuse being shown for the non-attendance or of proof of right of the person to be a voter, may, on the ground of his non-attendance, strike his name off or refuse to enter his name on the list.

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district is prima facie evidence that he is a British subject and twenty-one years of age.

(5) The names of any number of witnesses may be inserted in one subpoena or order.  R.S.O. 1960, c. 420, s. 17.
15. If on complaint or appeal to strike off the name of a person on the list it appears that the qualification of the person is incorrectly set forth therein but that he has the qualification necessary to entitle his name to be entered on the list, the judge shall not strike off the name of the person but shall make such alterations in the list as are necessary to set forth the proper qualifications of the person. R.S.O. 1960, c. 420, s. 18, amended.

16. The judge shall so arrange and proceed and fix the sittings of the court that all the complaints shall be heard and determined and the list finally revised, corrected and certified within one month from the last day for making complaints. R.S.O. 1960, c. 420, s. 19.

17.—(1) If no complaint is made within fourteen days after the clerk has posted up the list in his office, he shall forthwith deliver or mail to the clerk of the peace his report (Form 12), and the clerk of the peace shall thereupon certify (Form 13) a sufficient number of copies of the list as being the last revised list of persons entitled to be voters at municipal elections, to furnish one copy of the list,

(a) to the judge;

(b) to the clerk of the peace;

(c) to the clerk of the municipality;

(d) to every candidate for whom votes were given at the then last election of a member for the House of Commons and the Assembly, respectively, for the electoral district in which the municipality or any part thereof is situate, who has so requested in writing before the 1st day of July in the year.

(2) The clerk of the peace shall retain one certified copy and shall deliver or mail one certified copy to each of the persons described in clauses a, c and d of subsection 1. R.S.O. 1960, c. 420, s. 20, amended.

18.—(1) If any complaint is made and allowed by the judge, he shall, immediately after the list has been finally revised, certify (Form 14) to the clerk a statement of the changes made by him in the list.

(2) The clerk shall thereupon prepare a sufficient number of copies of the statement of changes made by the judge to furnish one copy for each of the persons described in clauses a, c and d of subsection 1 of section 17, and shall, within one week after the
revised has been made by the judge, deliver or mail such copies of the statement of changes, together with the certificate of the judge, to the clerk of the peace, and such statement shall be made out according to polling subdivisions and shall show the changes made in the list for each polling subdivision.

(3) The clerk of the peace shall thereupon sign and certify (Form 15) such copies together with a copy of the voters' list received by him from the clerk and deliver or send by registered mail one copy to each of the persons described in clauses a, c and d of subsection 1 of section 17.

(4) Instead of proceeding as provided in subsections 1, 2 and 3, the judge may direct the clerk to prepare a sufficient number of copies of the list as revised by the judge to furnish one copy for each of the persons described in clauses b, c and d of subsection 1 of section 17, and the clerk shall within one week after the revision has been made transmit or deliver such copies to the judge, and the judge shall thereupon sign and certify (Form 16) such copies and shall retain one and shall deliver or mail one copy to each of the persons described in clauses b, c and d of subsection 1 of section 17. R.S.O. 1960, c. 420, s. 21.

19. The clerk of the peace is entitled to remuneration at the rate of $1 per copy for the services performed by him under subsection 2 of section 17 and subsection 3 of section 18, such remuneration to be paid by the municipality. R.S.O. 1960, c. 420, s. 22.

20—(1) After the list has been certified and before the nomination day at a municipal election, the judge may, upon the application of a voter, strike from the list the name of a person who has died since the list was certified, and for that purpose the certificate of the Registrar General is sufficient evidence of death, but if the identity of the person proved to be dead with the person whose name is sought to be struck off is disputed or open to reasonable doubt, proof of the identity shall be required.

(2) The proceedings shall be the same as nearly as may be as those prescribed for the revision of the list, and the judge and the officers named in this Act have the same jurisdiction as in the case of proceedings to revise the list under this Act. R.S.O. 1960, c. 420, s. 23.

21. If the assessment roll is not certified by the regional registrar or revised by the judge before the time limited for the final revision, correction and certifying of the voters' list by the judge, and, upon appeal to the Assessment Review Court or to the judge, alterations are made in the assessment roll affecting the right of a person to be entered on the list, the regional registrar shall forthwith after certifying the roll and the judge shall
forthwith after revising the roll, make out and certify a list of such alterations and deliver it to the clerk who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the changes. R.S.O. 1960, c. 420, s. 24, amended.

22. The certified list is final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any municipal election at which such list was, or was the proper list to be, used except,

(a) persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the judge;

(b) persons who, subsequent to the list being certified, have ceased to be qualified to vote at a municipal election in the municipality to which the list relates and who by reason thereof are, under The Municipal Act, disentitled to vote;

(c) persons whose names are entered on the list under the authority of a certificate issued pursuant to subsection 7 of section 38 of The Municipal Act. R.S.O. 1960, c. 420, s. 25.

23.—(1) The municipality within which a court is to be held shall provide a suitable and convenient place, properly furnished, heated and lighted, for the holding of the court, and in default thereof the judge may hold the court at such place in the county or district as he considers proper, and if the court is held elsewhere than in the court house of the county or district, the occupant of the building in which it is held may recover from the municipality the sum of $5 for each day on which the building was used for the purpose of the court.

(2) Every court held in the county or district town shall be held in the court house, or in such other place as the judge considers proper. R.S.O. 1960, c. 420, s. 26.

24. In all proceedings before the judge he has all the powers that belong to or might be exercised by him in the county court. R.S.O. 1960, c. 420, s. 27.

25. The clerk of every municipality is subject to the summary jurisdiction and control of the judge in the performance of his duty under this Act in the same manner as an officer of the county court is to the court. R.S.O. 1960, c. 420, s. 28.

26. The clerk is entitled to all reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him under this Act and is also entitled to the following compensation:
27.-(1) The judge has power to appoint a proper person to attend as constable at the sitting of the court, and the duties and powers of such person shall be as nearly as may be the same as those of a bailiff at a sitting of a small claims court.

(2) The constable is entitled to the following compensation:

1. For every day’s attendance .................. $4.00
2. For every service of any process or notice, including the receipt and return thereof, and all other duties connected therewith when allowed by the judge, a sum not exceeding 20 cents per mile one way for each mile necessarily and actually travelled to effect such service.

R.S.O. 1960, c. 420, s. 30.

28. The compensation to which the clerk and constable are respectively entitled shall be certified by the judge and paid to the clerk and constable respectively by the treasurer of the municipality upon the production and deposit with him of the judge’s certificate. R.S.O. 1960, c. 420, s. 31, amended.

29. If the judge who holds the court is of the opinion that any person has contravened section 43 or 45, or that frauds in respect of the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Minister of Justice and Attorney General with particulars as to names and facts. R.S.O. 1960, c. 420, s. 32.
30. The judge may amend any notice or other proceeding upon such terms as he may think proper. R.S.O. 1960, c. 420, s. 33, amended.

31. If an appellant or complainant dies or abandons his appeal or complaint or is found not to be entitled to be an appellant, the judge may in his discretion allow any other person who might have been an appellant or complainant to intervene and prosecute the appeal or complaint upon such terms as the judge may think proper. R.S.O. 1960, c. 420, s. 34.

32.—(1) If errors are found in the voters’ list on the revision thereof in the omission of names, the inaccurate entry of names or the entry of names of persons not entitled to vote and it appears to the judge that the clerk was blamable for any of the errors, the judge may order (Form 17) the clerk to pay all costs occasioned by such errors.

(2) In all cases not provided for, the costs are in the discretion of the judge. R.S.O. 1960, c. 420, s. 35, amended.

33. The costs to be allowed on any proceeding under this Act shall be according to the lowest scale of costs in an action in a small claims court. R.S.O. 1960, c. 420, s. 36, amended.

34. An unsuccessful appellant or complainant is liable to pay the witness fees only, unless in the opinion of the judge the complaint or appeal is frivolous or vexatious or has not been made in good faith, in which case the judge may order the appellant or complainant to pay in addition any other costs allowed by section 33. R.S.O. 1960, c. 420, s. 37.

35. Payment of costs may be enforced by an execution (Form 18) against goods and chattels, to be issued from the small claims court of the division within which the municipality or part thereof is situate upon filing therein the order of the judge and an affidavit showing the amount at which the costs have been allowed and the non-payment thereof. R.S.O. 1960, c. 420, s. 38.

36.—(1) In order to facilitate uniformity of decision without the delay and expense of appeals,

(a) a judge may state a case on any question arising or likely to arise and may transmit it to the Lieutenant Governor in Council who may immediately refer it to the Court of Appeal for the opinion of the court; or

(b) the Lieutenant Governor in Council may state a case on any such question to the Court of Appeal for the opinion of the court.
(2) Immediately upon receipt of the case, the court shall appoint a time and place for hearing argument, of which written notice shall be given by the Registrar of the Supreme Court posting up a copy of the notice in his office in Osgoode Hall, Toronto, at least ten clear days before the time appointed.

(3) At the time appointed the court shall hear the argument by such of the counsel present as the court may think proper to hear, and shall certify to the Lieutenant Governor in Council the opinion of the court thereon, and the opinion shall be published forthwith in The Ontario Gazette, and a copy of the opinion shall forthwith be sent to the judge of every county and district court. R.S.O. 1960, c. 420, s. 39.

37. The Court of Appeal may also give an opinion on any question at the instance of a voter if the court sees fit, and the proceedings with respect thereto shall be, as nearly as may be, the same as upon a case referred; but the court or a judge thereof may require a deposit of money to cover the costs of hearing the question argued by counsel and may require notice of the proceedings, or any of them, to be given to such person as the court or judge may direct. R.S.O. 1960, c. 420, s. 40.

38. If a person who is found entitled to be a voter at municipal elections is not assessed or is insufficiently assessed, the judge shall enter the name of such person on the roll together with the other particulars required by The Assessment Act to be set opposite the name of the person assessed including the value of the property in respect of which the assessment is made, which shall be determined by the judge, and corresponding corrections shall be made by the clerk in the collector's roll. R.S.O. 1960, c. 420, s. 41.

39. The non-performance by the clerk of any of his duties under this Act within the times appointed shall not affect the validity of any list. R.S.O. 1960, c. 420, s. 42.

40. — (1) If the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily (Form 19) to the judge to enforce the performance thereof.

(2) The application may also be made by any voter.

(3) The judge shall require (Form 20) the clerk and any other person he sees fit to appear before him and produce the assessment roll and any documents relating thereto or to the list, and to submit to examination on oath, and may thereupon make such order and give such directions as he considers proper.

(4) The clerk shall pay the costs of the proceedings unless on special grounds the judge otherwise orders, in which case the judge may direct how and by whom the costs are to be paid.
(5) The proceedings and order of the judge do not relieve the clerk from the penalty mentioned in section 41. R.S.O. 1960, c. 420, s. 43.

**OFFENCES**

**41.** Every clerk who omits, neglects or refuses to perform any of the duties hereinbefore required of him is guilty of an offence and on summary conviction is liable to a fine of $200. R.S.O. 1960, c. 420, s. 43.

**42.** The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof is an offence, and every clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits it to be committed, is guilty of an offence and on summary conviction is liable to a fine of not less than $500 and not more than $2,000 and in addition may be imprisoned for a term of not more than three months. R.S.O. 1960, c. 420, s. 45.

**43.**—(1) No person shall be a party to any instrument or to any verbal arrangement whereby a colourable qualification is conferred or sought to be conferred upon himself or any other person in order to enable him to become a voter.

(2) Every person who contravenes the provisions of this section, in addition to any other penalty prescribed in that behalf, is guilty of an offence and on summary conviction is liable to a fine of $100.

(3) Every person who induces or attempts to induce another to commit an offence under this section is guilty of an offence and on summary conviction is liable to a like penalty. R.S.O. 1960, c. 420, s. 46.

**44.** To prevent the creation of false votes, where a person claims to be assessed or to be entered or named in an assessment roll or claims that another person should be assessed, entered or named in an assessment roll so as to entitle him to be a voter, and the assessor has reason to suspect that the person claiming, or for or in respect of whom the claim is made, ought not to be so assessed, or so entered or named in the roll, the assessor shall make reasonable inquiries before assessing, entering or naming any such person in the assessment roll. R.S.O. 1960, c. 420, s. 47.

**45.** Every person who wilfully and improperly enters or procures or causes to be entered the name of a person in an assessment roll, or assesses or procures or causes the assessment of a person at too high an amount, with intent to give to a person not entitled thereto either the right or an apparent right to be a voter, or who wilfully enters or procures or causes to be entered a
fictitious name in an assessment roll, or who wilfully and improperly omits or procures or causes to be omitted the name of a person from the assessment roll, or assesses or procures or causes the assessment of a person at too low an amount, with intent to deprive a person of his right to be a voter, is guilty of an offence and on summary conviction is liable to a fine of $200. R.S.O. 1960, c. 420, s. 48.

46. A voter and an agent of a voter may, at all reasonable times and under reasonable restrictions, inspect and take copies of or extracts from assessment rolls, notices, complaints, applications and other documents and proceedings necessary or of use for carrying out the provisions of The Municipal Act, The Assessment Act or this Act, and the clerk for such purposes shall accord all reasonable facilities consistent with the safety of the documents and the rights and interests of all persons concerned, and is in regard to such matters subject to the direction of the judge. R.S.O. 1960, c. 420, s. 49.

47. The fees payable to the clerk of the peace and to the clerk of the municipality for furnishing copies of a list or any part of a list shall be those fixed by the Lieutenant Governor in Council. R.S.O. 1960, c. 420, s. 50.

PART II

PREPARATION OF WARD LISTS

48. Immediately after the return by the assessor of the assessment roll for any ward or division of a ward, and without waiting for the revision and correction of the roll by the assessment review court or by the judge, the clerk of every city to which this Part applies shall prepare and cause to be reproduced the voters' list in the manner prescribed by Part I. R.S.O. 1960, c. 420, s. 51, amended.

49.—(1) Forthwith after the preparation and reproduction of the last of such lists, the clerk shall post up and distribute each of the lists for each ward or division in the manner prescribed by Part I, and forthwith after the clerk has posted up the lists in his office, he shall cause a notice to be inserted once a week for three weeks in such daily newspapers published in the city as may be directed by the judge, calling upon persons who are aware of errors or omissions in the lists, or of changes which have been rendered necessary by reason of the death or removal of any person named therein, or by reason of any person having acquired the necessary qualifications as a voter since the return of the assessment roll for any such ward or division of a ward to give notice of the same, and shall name a time and place at which the judge will hold a court for revising the lists for the whole city.
(2) The time for making complaints as to errors or omissions in
the lists shall be within fourteen days after the first publication of
the notice. R.S.O. 1960, c. 420, s. 52.

50. The judge shall so arrange and proceed and so fix the
sittings of the court for hearing complaints against or in respect of
the lists that the complaints will be heard and determined and the
lists finally revised and certified in the manner provided by Part I
before the day fixed for the nomination meeting. R.S.O. 1960,
c. 420, s. 53.

51. If no complaint respecting any of the lists is received by
the clerk within fourteen days after the first publication of the
notice, the clerk shall apply forthwith to the judge to certify three
copies of each of the lists as being the last revised list of voters for
the ward or division and the judge shall certify such three copies
and retain one and deliver or send by registered mail one to the
clerk of the peace, and one to the clerk of the municipality, to be
kept by him among the records of his office. R.S.O. 1960, c. 420,
s. 54.

52. If any complaint is made as aforesaid with respect to any
of the lists within such period, the judge shall proceed as provided
by section 18, and sections 20 to 22 apply to the list prepared
under this Part. R.S.O. 1960, c. 420, s. 55.

53. Subject to subsection 7 of section 38 of The Municipal Act,
the lists as so revised, corrected and certified by the judge shall
together form from time to time the last revised voters’ list for the
city within the meaning of this Act and The Municipal Act, and
the date fixed by section 49 as the last day for making complaints
to the judge shall be deemed to be the last day for making
complaints to the judge within the meaning of any oath pre-
scribed by that Act and such date shall be inserted in any such
oath when the voting is upon a list prepared under this
Part. R.S.O. 1960, c. 420, s. 56.
## SCHEDULE
### FORM 1

*The Voter’s Lists Act*

*Sections 4 (1), 5 (1)*

**FORM OF VOTERS’ LIST**

Voters’ List, 19... of... (municipality)

### SCHEDULE OF POST OFFICES

3. Wright’s Corners.
4. Prescott.

**Polling Subdivision No. 1, Comprising, Etc.:—(Giving the Limits)**

<table>
<thead>
<tr>
<th>Name</th>
<th>Condition</th>
<th>Lot or Street Number</th>
<th>Concession Name</th>
<th>Address</th>
<th>Jurors’ Coll.</th>
<th>School Supporter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelly, Patrick...</td>
<td>M</td>
<td>1</td>
<td>Spruce St.</td>
<td>Owner</td>
<td>1</td>
<td>S</td>
</tr>
<tr>
<td>Phillips, Frederic</td>
<td>B</td>
<td>3</td>
<td>&quot; &quot; &quot; &quot;</td>
<td>Tenant</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Murray, Alma....</td>
<td>MW</td>
<td>5</td>
<td>&quot; &quot; &quot; &quot;</td>
<td>M.F.N.C.</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Welland, John.....</td>
<td>B</td>
<td>7</td>
<td>&quot; &quot; &quot; &quot;</td>
<td>Owner</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

(or where council has directed alphabetical arrangement)

<table>
<thead>
<tr>
<th>Name</th>
<th>Condition</th>
<th>Street Number</th>
<th>Concession Name</th>
<th>Address</th>
<th>Jurors’ Coll.</th>
<th>School Supporter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, Henry...</td>
<td>M</td>
<td>NW ½ 6</td>
<td>3</td>
<td>Owner</td>
<td>1</td>
<td>S</td>
</tr>
<tr>
<td>Andrews, John.....</td>
<td>B</td>
<td>W 14 acr. 8</td>
<td>1</td>
<td>F.S.</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Archer, Mary......</td>
<td>MW</td>
<td>2</td>
<td>9</td>
<td>M.F.N.C.</td>
<td>4</td>
<td>S</td>
</tr>
<tr>
<td>Burton, Samuel....</td>
<td>W'er</td>
<td>E ½ 17</td>
<td>4</td>
<td>See Subdiv.</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Clark, Edith......</td>
<td>W</td>
<td>W ½ 17</td>
<td>4</td>
<td>Tenant</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

**Polling Subdivision No. 2, Comprising, Etc.:—(Giving the Limits)**

(Note: In the Column headed “Condition” insert the initial letter or letters “M” (Married); “M.W.” (Married Woman); “S” (Spinster); “W” (Widow); “W’er” (Widower); “B” (Bachelor), according to the circumstances.

R.S.O. 1960, c. 420, Form 1, amended.)
FORM 2

The Voters' Lists Act

Section 7 (1)

CERTIFICATE TO BE ENBASED ON THE VOTERS' LIST

I, A. B., Clerk of the .................................. of ........................................, in the County of ................................, certify that the within (or above) list is a correct list of all persons appearing by the assessment roll to be entitled to vote at municipal elections in this municipality and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this .................................. day of ................................, 19 ....

A. B.,
Clerk of ..................................

R.S.O. 1960, c. 420, Form 2, amended.

FORM 3

The Voters' Lists Act

Section 9

CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST

Voters' List, 19 .................................. of ................................., County of ..................................

Notice is hereby given that I have complied with section 6 of The Voters' Lists Act, and that I have posted up at my office at ....................................... on the .................................. day of .................................., 19 ...., the list of all persons entitled to vote in the municipality at municipal elections and that such list remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law, the last day for appeal being the .................................. day of .................................., 19 ....

Dated this .................................. day of .................................., 19 ....

Clerk of ..................................

R.S.O. 1960, c. 420, Form 3.
FORM 4

The Voters’ Lists Act

Section 10 (a)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR NAME TO BE PLACED ON REVISED LIST

I, ................................ of ........................................................., in the County of ................................................., make oath and say:

1. That I am (or that .......................................................... is to the best of my personal knowledge) a British subject of the full age of twenty-one years, and not a citizen or a subject of any foreign country.

2. That on the ............. day of .............................................., 19 .......... (Fill in the last day for making complaint to the county judge), I will have (or ......................... will have) resided in Canada for the twelve months next preceding that day and that I am (or .............................................. is) a resident of this municipality.

3. That I am (or .......................................................... is) entitled to be entered on the voters’ list for the ......................................................... of ......................................................... in the County of ................................................. this ............. day of ................................................., 19 .......... }

Sworn before me at the ............. of ......................................................... in the County of ................................................. this ............. day of ................................................., 19 .......... }

A Commissioner, etc.

R.S.O. 1960, c. 420, Form 4, amended.

FORM 5

Sections 11 (1), 13 (1)

The Voters’ Lists Act

NOTICE OF COMPLAINT OR APPEAL

Polling Subdivision No. ............. Ward No. ............. of ......................................................... (municipality)

(This notice must not apply to the lists for more than one polling subdivision)

To ........................................................., Clerk of the ......................................................... for the ......................................................... of .........................................................., complain that the persons whose names are set forth in List No. 1, are entitled to be on the voters’ list for the above-mentioned polling subdivisions, but are omitted from the list; that the persons whose names are set forth in List No. 2 are incorrectly described in the list;
that the persons whose names are set forth in List No. 3 ought not to have been entered on the voters' list for the above-mentioned polling subdivision; and take notice that I intend to apply to the Revising Officer in respect thereof pursuant to the statute in that behalf.

(Signed) ......................................

Dated this .................. day of ......................, 19...

---

**LIST No. 1**

(Showing voters omitted from or not entered on the Voters' List)

<table>
<thead>
<tr>
<th>NAMES OF PERSONS</th>
<th>ADDRESS</th>
<th>CONDITION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(Here write letters: &quot;M.&quot; meaning Married; &quot;B.&quot; meaning bachelor; &quot;W.&quot; meaning Widower; &quot;M.W.&quot; meaning Married Woman; &quot;S.&quot; meaning Spinster; &quot;W.&quot; meaning Widow; &quot;S.F.&quot; meaning Soldier's Franchise.)</td>
</tr>
</tbody>
</table>

Insert full name and do not use initials.

---

**LIST No. 2**

(Showing persons whose names are wrongly stated in Voters' List)

<table>
<thead>
<tr>
<th>NAMES OF PERSONS</th>
<th>ADDRESS AS STATED IN LIST</th>
<th>The Errors in Statement upon Voters' List</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Insert name as entered on list.

---

**LIST No. 3**

(Showing persons whose names ought not to be on Voters' List)

<table>
<thead>
<tr>
<th>NAMES OF PERSONS</th>
<th>ADDRESS AS STATED IN LIST</th>
<th>Grounds on Which Such Persons' Names Ought Not to be on the Voters' List</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Insert name as entered on list.
The Voters’ Lists Act

VOTERS’ NOTICE OF COMPLAINT

(For use by individual complainants)

Complaint as to Voters’ List for Polling Subdivision No. ...........................................

in the ........................................ of ..................................................

(municipality)

I, ........................................................................................................................

(Full name of complainant)

entitled to be entered on a voters’ list in the above-mentioned municipality hereby complain that my name has been omitted from the list for the above polling subdivision, and appeal to have it entered thereon.

I hereby state and declare that

(1) I am a British subject by birth.

(If naturalized, cross out “birth”, write in “naturalization” and give date of your certificate. Naturalized citizens must bring their certificate of naturalization with them when their appeals are to be heard.)

(2) My occupation is ...............................................................

(In case of women, give occupation and also state whether married, widowed or single.)

(3) I have resided in Canada since ...........................................

(4) I have been living at ...................................................... since ...........................................

(Give present street address, or lot and concession number.)

(If you have moved within the last five months, give each address at which you have lived in that period and date of moving from each.)

(5) I am over twenty-one years of age.

And take Notice that I intend to apply to the judge in respect thereof, pursuant to the statute in that behalf.

Dated this .................. day of ........................................... 19 ..................

(Complainant sign here)

R.S.O. 1960, c. 420, Form 5, amended.

FORM 6

The Voters’ Lists Act

Section 19 (3)

CLERK’S REPORT IN CASE OF APPEALS AND COMPLAINTS TO THE JUDGE

To His Honour the Judge of the County Court of the County of ...........................................

The Clerk of the ........................................ of ........................................ reports that the several persons mentioned in column 1 of the subjoined schedule, and no others, have given to him written notice complaining of errors or omissions in the voters’ list for the municipality for 19 ........ on the grounds mentioned in column 2 of the schedule, and that such notices were received respectively at the dates set down in column 3 of the schedule.

Clerk of ..............................................
Schedule

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF COMPLAINANT</td>
<td>ERRORS OR OMISSIONS COMPLAINED OF</td>
<td>DATE WHEN NOTICE OF COMPLAINT RECEIVED BY CLERK</td>
</tr>
</tbody>
</table>


FORM 7

The Voters' Lists Act

Section 13 (3)

Judge's Order Appointing Court for Hearing Complaints and Appeals

To ............ , Clerk of the ............ of ............ ,

I appoint the ............ of ............ , 19 ...., at the hour of ............ at ............ in the said county, for holding a court to hear and determine the several complaints of errors and omissions in the voters' list for the ............ of ............ for 19 .....

I direct that the assessor for the municipality shall attend the sittings of the court, and that the assessment roll and the minutes of the Assessment Review Court for the municipality for 19 .... be produced thereat.

Dated this ............ day of ............ , 19 ....

Judge C. C.

R.S.O. 1960, c. 420, Form 7, amended.

FORM 8

The Voters' Lists Act

Section 13 (3)

Notice to be Posted by Clerk in His Office with List of Complaints

Notice is hereby given that a court will be held, pursuant to The Voters' Lists Act, at ............ on the ............ day of ............ , 19 ...., at ............ o'clock, for hearing all complaints made against the voters' list for the ............ of ............ for 19 ...., particulars of which complaints are shown in the subjoined schedule.

Dated this ............ day of ............ , 19 ....

Clerk of ............
FORM 9

The Voters' Lists Act

Section 13 (3)

CLERK'S NOTICE TO PARTY COMPLAINING

You are hereby notified that a Court for the revision of the voters' list, 19..., for the... of... will be held by the Judge of the County Court of the County of... at... on the... day of... 19..., at... o'clock at which court all complaints will be heard and determined. A list of complaints is posted up... and take notice that the Judge may proceed to hear and determine the complaints whether the parties complaining appear or not.

By order of His Honour the Judge of the County Court of the County of...

Dated this... day of... 19...

To... A person complaining of error in the voters' list.

Clerk of the Municipality, and... of the Court

R.S.O. 1960, c. 420, Form 9, amended.

FORM 10

The Voters' Lists Act

Section 13 (3)

CLERK'S NOTICE TO PARTY COMPLAINED AGAINST

You are hereby notified that a Court for the revision of the voters' list, 19..., for the... of... will be held by the Judge of the County Court of the County of...
at ........................................ on the .................... day of ..................
 ........................................, 19 .. ... , at ................ o'clock, and that ...........................................................
 has complained that your name ........................................................... is wrongly omitted (or inserted as the case may be) in the voters' list because (state matter of complaint concisely). A list of all complaints lodged is posted up in ...........................................................; and take notice that the Judge may proceed to hear and determine the complaint whether you appear or not.

By order of His Honour the Judge of the County Court of the County of ...........................................................

To .............................................................
Entered on voters' list.

Clerk of the Municipality, and .................................................

R.S.O. 1960, c. 420, Form 10, amended.

---

FORM 11

The Voters' Lists Act

Section 14 (1)

SUBPOENA

ONTARIO: ..........................................................

County of ..........................................................

To Wit: ..........................................................

We command you, that, all excuses being laid aside, you be and appear in your proper person before our Judge of our County Court of the County of ........................................................., at ................ o'clock in the ................ noon, at a court appointed, and there and then to be held, for hearing complaints of errors in the voters' list for 19 .... of the ........................................................., and for revision of the voters' list, then and there to testify to all and singular those things that you know in a certain matter (or matters) of complaint made and now depending before the Judge, under The Voters' Lists Act, where one ........................................................... is complainant, and which complaint is to be tried at the court. (And if the witness is required to produce documents) that you bring with you and produce at such time and place (Set out the documents to be produced). Herein fail not.

Witness, His Honour ........................................................., Judge of the Court at ........................................................., on the ................ day of ........................................................., in the year of our Lord 19 ....

Clerk

R.S.O. 1960, c. 420, Form 11.
FORM 12
The Voters' Lists Act
Section 17 (1)

REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER
SECTION 17

To the Clerk of the Peace of the County of ________________________________

1. ________________________________________________________________

in the County of ________________________________, do hereby certify as follows:

That I did, on the __________ day of __________, 19__.__, post up, and for a period of __________ days next thereafter did keep posted up in a conspicuous place in my office at ________________________________, a correct printed copy of the voters' list for the __________ of ________________________________, for 19__., made in pursuance of The Voters' Lists Act, with the certificate required by section 7 of that Act endorsed thereon.

That I did also deliver or transmit by post the required number of similar printed copies of the list, with my certificate endorsed, to each of the persons entitled thereto under section 6 of that Act.

That I did on the __________ day of __________, 19__., cause to be inserted in the newspaper called the ________________________________, published in ________________________________, the notice required by section 9 of that Act.

That no person gave me nor did I receive, within 14 days after I had posted up the list in my office, any written notice of complaint or intention to apply to the Judge in respect of the list.

And to the best of my knowledge and belief, I have complied with all the requirements of that Act, so as to entitle me to apply for certified copies under section 17, and I now apply to you to certify the requisite number of the copies of the list received by you as being the revised list of voters for the municipality of ________________________________ for 19__.

Witness my hand this __________ day of __________, 19__.

Clk. of the ________________________________ P.O.

R.S.O. 1960, c. 420, Form 12.

FORM 13
The Voters' Lists Act
Section 17 (1)

CERTIFICATE WHERE NO COMPLAINTS

A. B., Clerk of the ________________________________, having certified under his hand that no complaints respecting the list of voters for the municipality, for the year 19__., had been received by him within 14 days after the first posting of the same; and on application of the Clerk:

I, ________________________________________________________________, Clerk of the Peace of the County of ________________________________, in pursuance of The Voters' Lists Act, certify that the annexed printed list of voters, being one of the copies received by
Form 16

VOTERS' LISTS

Chap. 485 1073

me from the clerk under section 6 of that Act, is the last revised list of persons entitled to vote at municipal elections for the year 19...

Given under my hand at .........................................................,
this................day of ........................................ 19... ....

Clerk of the Peace

R.S.O. 1960, c. 420, Form 13, amended.

——

FORM 14
The Voters' Lists Act
Section 18 (1)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE

I, .................................................., Judge of the County Court of the County of ........................................................., pursuant to section 18 of The Voters' Lists Act, do hereby certify that the above (as the case may be) is a correct copy of the statement of changes made by me in the list of voters, for the year 19... ...., received by me from the Clerk of the .......................................of ........................................................., pursuant to that Act.

Dated this................... day of ........................................ 19... ....

Judge


——

FORM 15
The Voters' Lists Act
Section 18 (3)

CERTIFICATE OF CLERK OF THE PEACE WHEN COMPLAINTS HAVE BEEN MADE

I, .................................................., Clerk of the Peace of the County of ........................................................., pursuant to section 18 of The Voters' Lists Act, do hereby certify that the above (as the case may be) is a correct copy of the statement of changes made by His Honour, Judge ........................................................., Judge of the County Court of the County of ........................................................., in the list of voters for the year 19... ...., as certified by the Judge.

Dated this................... day of ........................................ 19... ....

Clerk of the Peace

R.S.O. 1960, c. 420, Form 15.

——

FORM 16
The Voters' Lists Act
Section 18 (4)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE

I, .................................................., Judge of the County Court of the County of ........................................................., pursuant to subsection 4 of section 18 of The Voters' Lists Act, do hereby certify that the above (as the case may be) is a correct copy of the list of voters for the year
FORM 16

The Voters' Lists Act

Section 32 (1)

ORDER FOR PAYMENT OF COSTS

In the matter of the voters' list for the ........ of ........, on the complaint or appeal of A. B., complaining of the name of C. D. being wrongly inserted in the said list (or, as the case may be, stating in brief the nature of the complaint).

On the proceedings taken before me I find and adjudge that the name of C. D. was rightly inserted in the list (or was wrongly inserted in the list), and order that A. B. do pay C. D. his costs occasioned by the complaint (or and order that C. D. shall pay A. B. his costs incident to the complaint) (or and order that E. F., the clerk of the municipality, do pay A. B. his costs incident to the complaint) (or, as the case may be, stating it in brief), which I fix at the sum of $ .......... .

Dated this . . . . . . . . . . . . day of . . . . . . . . . , 19 . . . . . . . . . . . .

Judge

R.S.O. 1960, c. 420, Form 16.

FORM 17

The Voters' Lists Act

Section 36

WRIT OF EXECUTION

In the ........ Small Claims Court in the County of .........

Whereas on the ........ day of ........., His Honour, Judge of the County Court of the County of ........, made his order that C. D. should pay to A. B. ........ dollars as and for his costs sustained by him on the trial of a complaint against the voters' lists for the ........ of ........ in the County, for 19 . . . . . . . . . . . . (or as the case may be) made and prosecuted under The Voters' Lists Act, which costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of C. D., in the County (not exempt from execution) the said money and your lawful fees, so that you may have the same within 30 days from the date hereof and pay the same over to the Clerk of this Court for A. B.

Given under the seal of the Court, this ........ day of ........., 19 . . . . . . . . . . . .

Clerk

To

Bailiff of the Court.

R.S.O. 1960, c. 420, Form 17, amended.
The Voters’ Lists Act

Section 40 (1)

Application to Judge against Delinquent Clerk

Pursuant to section 40 of The Voters’ Lists Act, I, A. B., Clerk of the Peace of the County of .................................................., (or a person entitled to be entered on the voters’ list for the ........................................, for 19 .... ), hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the ........................................ of ........................................, in the County, has failed to perform the duties required of him as such Clerk by that Act, in this, that he has not made out the list of voters for 19 .... for the municipality, within 30 days after the return of the assessment roll thereof (or has not delivered or transmitted copies of the voters’ list for the municipality, for 19 ...., to ........................................ and ........................................ or to any of them) (or, as the case may be, stating in brief the duty not performed), according to the requirements of the Act; and I apply to you to enforce the performance of the duties aforesaid.

Dated at ........................................., this ............... day of ........................................., 19 .... ....

A. B., Clerk of the Peace

R.S.O. 1960, c. 420, Form 19.

FORM 20

The Voters’ Lists Act

Section 40 (3)

Summons

In the matter of the voters’ list for the ........................................, in the County of ........................................, for 19 .... ....

Whereas it appears by the application of A. B., the Clerk of the Peace of the County (or a person entitled to be entered on the list), made to me, in pursuance of The Voters’ Lists Act, that you have failed to perform certain duties required of you by that Act, in this, that you have not made out the list of voters for 19 .... for the municipality, within 30 days after the return of the assessment roll thereof (or as the case may be, following the application); and whereas A. B. has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at ........................................., on the ............... day of ........................................., 19 .... ...., at the hour of ........................................., and produce before me the assessment roll for 19 .... for the municipality, and any documents in your custody, power or control, relating to the assessment roll, or to the list aforesaid; and submit yourself for examination on oath.

Dated this ............... day of ........................................., 19 .... ....

To C. D.,

Clerk of the ........................................

Judge
