CHAPTER 6.

An Act respecting Voters' Lists.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as The Ontario Voters' Lists Act.

7 Edw. VII. c. 4, s. 1.

INTERPRETATION.

2.—(1) In this Act,—

"Judge."

(a) "Judge" shall mean judge of the county or district court for the county or district within which the municipality for which the voters' list is made lies; and

"Scrutiny."

(b) "Scrutiny" shall mean any scrutiny of the votes polled at an election within the meaning of section 76 and the next succeeding nine sections of The Ontario Controverted Elections Act;

"Voter."

(c) "Voter" shall mean a person entitled to be a voter, or to be named in the voters' list as qualified to be a voter either at an election of a member of the Assembly within the meaning of The Ontario Election Act, or at any municipal election, as the case may be.

(2) Every Judge of a district court, within his district, shall, for the purposes of this Act, have the jurisdiction and powers of a county judge acting in his county.

(3) Where there are more county or district judges than one, a junior judge may, in case of the illness or absence or at the request of the judge, perform the duties assigned by this Act to the judge.

(4) A deputy-judge shall not have power to deal with any matter connected with any of the lists mentioned in this Act, unless so authorized by the Lieutenant-Governor in Council. 7 Edw. VII. c. 4, s 2.

RULES AND FORMS.

3. The Board of County Judges may, if requested so to do by the Lieutenant-Governor, frame rules and forms of pro-
ceedure for the purpose of better carrying this Act into effect, and such rules and forms shall, when approved by the Lieutenant-Governor in Council, have the same effect and force as if they formed part of this Act. 7 Edw. VII. c. 4, s. 3.

4. In carrying into effect the provisions of this Act, the forms set forth in the Schedule, or forms to the like effect, may be used. 7 Edw. VII. c. 4, s. 4.

APPLICATION OF PARTS I., II., AND III.

5.—(1) Part I. shall apply to townships and villages and except as varied by Part II. of this Act and by The Manhood Suffrage Registration Act, to cities and towns.

(2) Part II. shall apply to every city in which a by-law shall have been passed for taking the assessment at any time prior to the 30th day of September, and fixing separate dates for the return and final revision of the assessment rolls for each ward or subdivision of a ward, as defined in the by-law.

(3) Part III. shall apply to every part of Ontario not comprised in an organized municipality. 7 Edw. VII. c. 4, s. 5.

(4) Territory comprised in a newly organized municipality for which there is no assessment roll shall for the purposes of subsection 3 be deemed to be still a portion of Ontario not comprised in an organized municipality. 8 Edw. c. 33, s. 2.

PART I.

ALPHABETICAL LISTS OF VOTERS AND COPIES.

6.—(1) The clerk of each municipality shall, immediately after the final revision and correction of the assessment roll in every year, make a correct alphabetical list in three parts, Form 1, of all persons appearing by the assessment roll to be voters, prefixing to the name of each person his number upon the roll.

(2) The first of the three parts shall contain the names, in alphabetical order, of all male persons appearing by the assessment roll to be voters at both Provincial and municipal elections.

(3) The second part shall contain the names, in alphabetical order, of all other male persons, and of all widows and unmarried women appearing by the assessment roll to be voters at municipal elections, but not at Provincial elections.

(4) The third part shall contain the names, in alphabetical order, of all other male persons, appearing by the assessment roll to be voters at Provincial but not at municipal elections.
(5) The name of the same person shall not be entered more than once.

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

(7) In the case of a person qualified to vote at Provincial elections the clerk shall, opposite the name of such person, in the proper column, insert the words "Manhood Franchise," or the letters "M.F."

(8) Where the qualification of a person to be a voter at a municipal election is in respect of real property, the clerk shall, opposite the name of such person, insert, in the proper column, 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."

(9) In the case of a person being a farmer's son, the clerk shall insert opposite his name, in the proper column, the words "Farmer's Son," or the letters "F.S."

(10) In a township, town or village the clerk shall, opposite the name of each person, state his occupation in a column for that purpose.

(11) 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 in 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.

(12) 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, with the following words added: "Partly qualified in subdivision No. ."

(13) If the qualification to be a voter at a municipal election is in respect of income, the clerk shall, in the proper column, state that fact and the place at which the voter resides in the municipality.

(14) Where the word "Freeholder" or the letter "F," 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.
(15) No person shall be entered on a voters' list for a city by virtue of a qualification under The Ontario Election Act unless he is entitled to vote also at municipal elections and no list of persons entitled to vote at Provincial elections only shall be prepared for a city or town to which The Manhood Suffrage Registration Act applies.

(16) Where no appeal is made from the court of revision of the municipality to the Judge as provided by The Assessment Act, the assessment roll shall be deemed to be finally revised and corrected when the time within which an appeal may be made has elapsed, and where an appeal is made, when the assessment roll has been revised and corrected by the Judge. 7 Edw. VII. c. 4, s. 6.

7.—(1) In the case of a city or town in which the assessment roll is not returnable before the 30th day of September, the clerk, immediately after the return of the roll, and without waiting for the revision and correction thereof by the court of revision or the Judge, shall make out an alphabetical list of all persons appearing by the roll to be voters; and shall within thirty days after the return of the roll, cause two hundred copies of the list in the case of a city and one hundred copies in the case of a town to be printed in pamphlet form, and shall post up and deliver copies of the list, as provided by section 9.

(2) A larger number of copies may be printed if the council shall so direct.

(3) The alphabetical list so made shall be deemed the list of voters which is subject to revision by the Judge, under section 14, and the provisions of this Act which have reference to the alphabetical list mentioned in the said section shall apply to the list provided for by this section.

(4) The time for giving notice of any complaint to be made to the Judge under section 14 with respect to a list prepared under this section shall be thirty days after the clerk has posted up the list.

(5) The list prepared under this section shall be finally revised, corrected and certified by the Judge within one month after the last day for making complaints.

(6) In case the assessment roll of a city or town to which this section applies is not finally revised before the time limited for the final revision, correction and certifying of the list by the Judge, and upon appeal from the court of revision alterations are made by the Judge in the assessment roll affecting the right of any person to be entered on the list, the Judge shall forthwith, after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the Judge shall initial the same.
(7) A copy of the list of alterations shall be posted up by the clerk in his office. 7 Edw. VII. c. 4, s. 7.

8.—(1) The clerk of every township municipality, 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 entered on the list, and in making out the list 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 by this section directed to be inserted therein, shall be made or allowed by or under this Act. 7 Edw. VII. c. 4, s. 8.

(2) The clerk in making out the voters’ list shall in a separate column provided for the purpose, write or mark the letter ‘‘J’’ upon the voters’ list opposite the names of every male person over twenty-one and under sixty years of age, who by the roll appears to possess the property qualifications required to qualify him to serve as a juror, and such voters’ list shall show at or near the end thereof the aggregate number of names of persons upon such lists qualified to serve on juries, and in the case of cities and towns such list shall give the same information for each ward. 9 Edw. VII. c. 26, s. 6 (3).

9.—(1) Immediately after the clerk has made the alphabetical list, and within forty days in a city and in other municipalities within thirty days, after the final revision and correction of the assessment roll, the clerk shall cause at least two hundred copies of the list to be printed in pamphlet form, and forthwith shall cause one of the printed copies to be posted up, and to be kept posted up in some conspicuous place in his office, and deliver or transmit by post, by registered letter, or by parcel post, registered, three copies to each judge of the county or district court of the county or district to which for judicial purposes the municipality belongs; and two copies to each of the following persons:—

(a) every member of the municipal council of the municipality except the head thereof;

(b) the treasurer thereof;

(c) the sheriff;

(d) the clerk of the peace;

(e) every postmaster in the municipality;

(f) every head teacher of a public or separate school in the municipality;

(g) the clerk of the council of the county in which the municipality is situate,
The copies required to be sent to every head teacher of a public or separate school may be sent by the clerk to the secretary or secretary-treasurer of the school board by which such teacher is employed;

the registrar of deeds. 7 Edw. VII. c. 4, s. 9 (1); 2 Geo. V. c. 4, s. 1 (1-2).

The clerk shall forthwith also deliver or transmit by post, by registered letter; or by parcel post, registered, ten copies of the list to each of the following persons:

(a) the Member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
(b) the Member of the Assembly for the electoral district in which the municipality or any part thereof lies;
(c) every candidate for whom votes were given at the then last election of a member for the House of Commons and for the Assembly respectively for the electoral district in which the municipality or any part thereof lies, and
(d) the head of the municipality. 7 Edw. VII. c. 4, s. 9 (2); 9 Edw. VII. c. 26, s. 6 (4); 2 Geo. V. c. 4, s. 1 (3).

The clerk shall keep a book in which he shall enter particulars showing the day on which the copies of the alphabetical list were posted up by him and were transmitted to each of the persons mentioned in section 9, and also whether such copies were delivered personally or transmitted by post and shall verify such particulars by an affidavit or statutory declaration entered in such book.

A clerk who fails to comply with the provisions of this section or of section 9 shall, for each omission, incur a penalty of $200, and in default of payment thereof shall further be liable to imprisonment for a period not exceeding three months. 7 Edw. VII. c. 4, s. 10.

Upon each of the copies so sent there shall be a Certificate by the clerk, Form 2, over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised assessment roll to be voters at Provincial elections, and at municipal elections; and, calling upon all voters to examine the list, and to make immediate proceedings to have omissions or errors corrected according to law.

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.

7 Edw. VII. c. 4, s. 11.
12.—(1) The sheriff shall immediately upon the receipt of his copies cause one of them to be posted up in a conspicuous place in the court house; the clerk of the peace, upon receipt of his copies, shall cause one of them to be posted up in a conspicuous place in his office; every head teacher of a public or separate school shall post up one copy on the door of the school-house; and every postmaster shall post up one copy in his post-office. 7 Edw. VII. c. 4, s. 12.

(2) Where copies of the list have been sent to the secretary or secretary-treasurer of a school board instead of to the head teacher of a public or separate school, such secretary or secretary-treasurer shall act in place of the head teacher, and shall post up one copy of the list on the door of every school house under the control of the board. 2 Geo. V. c. 4, s. 2.

13. The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality, or in case none is published therein, then in a newspaper published either in the nearest municipality in which one is published, or in the county or district town, 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. 7 Edw. VII. c. 4, s. 13.

REVISION OF LISTS.

14.—(1) The list shall be 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 on the list.

(2) Upon such revision the finally revised assessment roll shall not be conclusive evidence in regard to any matter.

(3) Upon such revision no person shall be 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, in regard 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, shall be final. 7 Edw. VII. c. 4, s. 14 (1-4); 8 Edw. VII. c. 33, s. 3 (1).

(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. 8 Edw. VII. c. 33, s. 3 (2); 1 Geo. V. c. 2, s. 4.

15.—(1) Any voter whose name is entered on or who is entitled to have his name entered on the list for any municipality in the electoral district shall have the right for all purposes of this Act, upon giving notice in writing, Form 5, within thirty 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 other person corrected in, entered on or removed from the list for any municipality in the electoral district. 7 Edw. VII. c. 4, s. 15 (1); 8 Edw. VII. c. 33, s. 4 (1).

(2) A person who has acquired the qualification entitling him to vote at a provincial or 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 in the case of a municipal voter, if entered thereon, he shall be entered also on the assessment roll, and shall be assessed for his property or income, if not already assessed therefor, without any request on his part, and the Judge and clerk shall for the purposes of such assessment have the powers and perform the duties mentioned in section 41. 7 Edw. VII. c. 4, s. 15 (2).

(3) A person whose name is entered on any part of 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 17, shall be deemed to be wrongfully entered on the list, and, subject to the provisions of section 19, his name shall be removed therefrom. 1 Geo. V. c. 2, s. 1.

16. The Judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of any person entered on the list, correct any mistake which shall appear to have been made in compiling the list in respect of the name, place of abode, qualification, or of 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. 7 Edw. VII. c. 4, s. 16.

17.—(1) A voter making a complaint in respect of the list shall, within thirty 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. 7 Edw. VII. c. 4, s. 17 (1); 1 Geo. V. c. 2, s. 2.
VOTERS' LISTS. See. 17 (2).

Vacancy in office of clerk.

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

Procedure as in appeal from court of revision.

Revised Statutes, 1905.

Notice of holding court for complaints.

(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 court of revision under The Assessment Act; but no deposits shall be required. (See Forms 5-11.)

(4) The Judge shall not proceed with the holding of any court for hearing complaints until notice, Form 9, of the time and place of holding the court shall have been published by the clerk at least ten days before the sittings of the court, in some newspaper published in the municipality, or, if there be no such paper, then in a newspaper published in the nearest municipality in which one is published, or in the county town. 7 Edw. VII. c. 4, s. 17 (2-4).

Distribution of list of appeals.

(5) The clerk shall forthwith after posting up the list of appeals in his office, deliver or transmit by post, by registered letter, or by parcel post registered, one copy of the list to each of the persons described in subsection 2 of section 9. 1 Geo. V. c. 2, s. 3.

Compelling attendance of witnesses.

18.—(1) Any person may obtain from the county or district court of the county or district a subpoena, Form 12, or from the Judge an order, requiring the attendance at the court for hearing complaints, at the time mentioned in the subpoena or order, 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, provided his expenses, according to the scale allowed in division 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 grown-up person, at such residence or place of business; or

(c) where he has no known residence or place of business within the municipality, if a copy of the sub-
pœna or order, at least six days before the sitting of the court, is mailed to him, by registered letter, 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 nearest to the polling subdivision in which he is entered, unless such last-mentioned post-office is his last known post-office address; or

(d) where he is a farmer's son, if a copy of the order or subœna 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 enquiry, does not attend in obedience to the subœna 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 or impose on him a fine not exceeding $20, or may do both.

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district shall be 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 subœna or order. 7 Edw. VII. c. 4, s. 18.

19. If on complaint or appeal to strike off the name of any person on the list it appears that the qualification of such 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 such person, but shall make such alterations in the list as are necessary to set forth the proper qualification of such person, and in so doing may, if the name has not been entered on the proper part of the list, enter the same thereon. 7 Edw. VII. c. 4, s. 19.

20. 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 two months from the last day for making complaints. 7 Edw. VII. c. 4, s. 20.

21.—(1) If no complaint is made within thirty days after the clerk has posted up the list in his office, he shall forthwith deliver either in person or by letter to the Judge his report, Form 13, and the Judge shall thereupon certify, Form 14, a sufficient number of copies of the list as being the last revised list of voters for the municipality to furnish
one copy of such list to each of the following persons, namely:

(a) the Judge;
(b) the clerk of the peace;
(c) the clerk of the municipality;
(d) the Member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
(e) the Member of the Assembly for the electoral district in which the municipality or any part thereof lies; and
(f) 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 lies.

(2) The judge shall certify each of such copies and shall retain one and shall deliver or transmit by registered post, one copy to each of the persons mentioned in clauses (b), (c), (d), (e) and (f) of subsection 1. 1 Geo. V. c. 2, s. 5, part.

22.—(1) If any complaint is made and allowed by the Judge, he shall immediately after the list has been finally revised, furnish 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 list as revised by the Judge to furnish one copy for each of the persons mentioned in clauses (b), (c), (d), (e) and (f) of subsection 1 of section 21, and shall within one week after the revision has been made transmit or deliver such copies to the Judge.

(3) The Judge shall thereupon sign and certify, Form 15, such copies and deal therewith in the manner provided by subsection 2 of section 21. 1 Geo. V. c. 2, s. 5, part.

23.—(1) After the list has been certified and before the nomination day at any election, the Judge may, upon the application of a voter, strike from the list the name of any person who has died since the list was certified; and for that purpose the certificate of the Registrar-General or of the division registrar shall be 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 which are prescribed for the revision of the list.
except that it shall not be necessary to publish notice of the sittings of the court, and the Judge and the officers named in this Act shall have the same jurisdiction as in the case of proceedings to revise the list under this Act. 7 Edw. VII. c. 4, s. 23.

24. The certified list shall, under The Ontario Election Act, or The Municipal Act, be final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any election at which such list was, or was the proper list to be used; except

1. Persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the Judge;

2. Persons who, subsequently to the list being certified, are not or have not been resident within the municipality to which the list relates, or within the electoral district for which the election is held, and who by reason thereof are, under the provisions of The Ontario Election Act, or The Municipal Act, disentitled to vote;

3. Persons who, under sections 12 to 15 of The Ontario Election Act are disqualified and incompetent to vote. 7 Edw. VII. c. 4, s. 24; 2 Geo. V. c. 4, s. 3.

25.—(1) The corporation of 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 may deem 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 corporation the sum of $5 for each day on which the building was used for the purposes 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 may deem proper. 7 Edw. VII. c. 4, s. 25.

26. In all proceedings before the Judge he shall have all the powers which belong to or might be exercised by him in the county court. 7 Edw. VII. c. 4, s. 26.

27. The clerk of every municipality shall be 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. 7 Edw. VII. c. 4, s. 27.

28. The clerk shall be entitled to the actual and reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him by this Act, and shall also be entitled to the following compensation:
1. Two cents for the name of every person entered in the list of complaints;

2. Two cents for every name entered in any necessary copy of the list of complaints;

3. Two cents for every name entered or other correction made by the Judge in the voters’ list, and in every copy of the list as revised.

4. Two cents for every name in the statement of changes made by the Judge in the list;

5. Eight cents for every necessary notice to any party complaining or complained against;

6. Five cents for every mile necessarily and actually travelled by him in effecting service of a notice of appeal or complaint;

7. Three dollars for every day’s attendance at the sittings of the court. 2 Geo. V. c. 4, s. 4.

29.—(1) The Judge shall have 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 division court.

(2) The person acting as constable shall be entitled to the following compensation; that is to say:—

1. For every day’s attendance, two dollars.

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 ten cents per mile one way for each mile actually and necessarily travelled to effect such service. 7 Edw. VII, c. 4, s. 29.

30. 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. 7 Edw. VII, c. 4, s. 30.

31. If the Judge who holds the court is of opinion that any person has contravened section 46 or section 47 of this Act, or that frauds in respect to the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Attorney-General, with particulars as to names and facts. 7 Edw. VII, c. 4, s. 31.

32. The Judge may amend any notice or other proceeding upon such terms as he may think proper. 7 Edw. VII, c. 4, s. 32.
33. 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 just. 7 Edw. VII. c. 4, s. 33; 8 Edw. VII. c. 33, s. 6.

34.—(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 assessor or clerk was blamable for any of the errors, the Judge may order, Form 16, the assessor or clerk respectively, to pay all costs occasioned by such errors.

(2) In case of errors for which the court of revision is blamable, the Judge may order the municipality to pay the costs occasioned by such errors.

(3) In all cases not herein provided for, the costs shall be in the discretion of the Judge. 7 Edw. VII. c. 4, s. 34.

35. 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 division court. 7 Edw. VII. c. 4, s. 35.

36. An unsuccessful appellant or complainant shall be 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, when the Judge may order the appellant or complainant to pay in addition any other costs allowed by section 35. 7 Edw. VII. c. 4, s. 36.

37. Payment of costs may be enforced by an execution, Form 17, against goods and chattels, to be issued from the division 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. 7 Edw. VII. c. 4, s. 37.

38. No affidavit or declaration which is sworn or acknowledged before a candidate for the Assembly, shall be used upon the revision of a voters’ list. 7 Edw. VII. c. 4, s. 38.

REFERENCE TO DIVISIONAL COURT.

39.—(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 the same to the Lieutenant-Governor in Council, who may im-
mediately refer the case to a Divisional Court for the opinion of the Court; or

(b) The Lieutenant-Governor in Council may state a case on any such question to a Divisional Court for a like opinion. 7 Edw. VII. c. 4, s. 39 (1); 8 Edw. VII. c. 33, s. 7.

(2) Immediately upon the receipt of the case it shall be the duty of the Court to appoint a time and place for hearing argument, of which written notice shall be given by the Registrar of the Appellate Division posting up a copy of the notice in the Central Office at Osgoode Hall, in Toronto, at least ten clear days before the time appointed.

(3) At the time appointed the Court shall hear argument by such of the counsel present as the Court may think fit to hear and shall certify to the Lieutenant-Governor in Council the opinion of the Court thereon, and the opinion shall forthwith be published in the *Ontario Gazette*, and a copy of the opinion shall forthwith be sent to the Judge of every county and district court. 7 Edw. VII. c. 4, s. 39 (2), (3).

40. A Divisional Court may also give an opinion on any question at the instance of any 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. 7 Edw. VII. c. 4, s. 40.

LIABILITY FOR TAXES OF PERSONS WHOSE NAMES ARE ADDED.

41. If any 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 or income 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. 7 Edw. VII. c. 4, s. 41.

FAILURE OF CLERK TO PERFORM HIS DUTIES.

42. 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. 7 Edw. VII. c. 4, s. 42.

43.—(1) In case the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily, Form 18, to the Judge to enforce the performance of the same.
Sec. 47 (1). VOTERS' LISTS. Chap. 6. 89

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

(3) The Judge shall require, Form 19, 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 may deem proper.

(4) The clerk shall pay the costs of the proceedings, unless on special grounds the Judge shall otherwise order, in which case the Judge may direct how and by whom the costs shall be paid.

(5) The proceedings and order of the Judge shall not relieve the clerk from the penalty hereinafter imposed. 1 Edw. VII. c. 4, s. 43.

44. If the clerk omits, neglects or refuses to perform any of the duties hereinbefore required of him, for such omission, neglect or refusal, he shall incur a penalty of $200. 1 Edw. VII. c. 4, s. 44.

45. The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof shall be an offence; and any clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits the same to be committed, shall incur a penalty of $2,000. 1 Edw. VII. c. 4, s. 45.

COLOURABLE TRANSFER OF PROPERTY.

46.—(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) Any person violating the provisions of this section, besides being liable to any other penalty prescribed in that behalf, shall incur a penalty of $100.

(3) Any person who induces or attempts to induce another to commit an offence under this section shall incur a like penalty. 1 Edw. VII. c. 4, s. 46.

CREATION OF FALSE VOTES.

47.—(1) 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, or 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 so claiming or for or in respect to whom the claim is made, ought not to be so assessed, or so entered or
named in the roll, it shall be the duty of the assessor to make reasonable inquiries before assessing, entering, or naming any such person in the assessment roll.

(2) Any 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 an 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, shall incur a penalty of $200. 7 Edw. VII. c. 4, s. 47.

RECOVERY OF PENALTIES AND FINES.

48.—(1) Any penalty mentioned in the next preceding four sections may be recovered with costs by any person suing for the same in any court of competent jurisdiction.

(2) Actions for penalties incurred under this Act shall be tried by a Judge without a jury. 7 Edw. VII. c. 4, s. 48.

INSPECTION AND COPIES OF DOCUMENTS.

49. 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 the carrying out of the provisions of The Municipal Act, The Assessment Act, or of this Act; and the clerk for the said purposes shall accord all reasonable facilities which may be consistent with the safety of the documents, and the rights and interests of all persons concerned, and shall in regard to the matters aforesaid be subject to the direction of the Judge. 7 Edw. VII. c. 4, s. 49.

50.—(1) The clerk of the peace and the clerk of a municipality having the custody of the list, shall furnish to any person who may require the same a certified copy of the list, then last revised and certified, or of any portion thereof, on being paid at the rate of four cents for every ten names on such list or portion thereof.

(2) If printed copies are furnished the fee for each copy shall be six cents, and all alterations made therein shall be verified by the initials of the officer furnishing such copies; and for every ten names in respect of which there are alterations or interlinations he shall be entitled to be paid an additional fee of four cents.
(3) For each copy of the list or of any of the parts thereof furnished to the returning officer, according to Form 6 in Schedule A to The Ontario Election Act, or according to Form 7 in the Schedule to The Municipal Act, the clerk of the peace furnishing the same shall be entitled to receive the sum of six cents for every ten voters whose names are on such list or part as the case may be.

(4) In lieu of a copy of a list, or portion thereof, the clerk of the peace or the clerk of the municipality if required shall furnish a statement of the alterations and corrections made by the Judge, and the fees payable for such statement shall be at the rate of four cents for every ten names. 7 Edw. VII. c. 4, s. 50.

PART II.

PREPARATION OF WARD LISTS.

51. Immediately after the return by the assessor of the assessment roll for any ward or subdivision of a ward, and without waiting for the revision and correction of the roll by the court of revision or by the Judge, the clerk of every city to which the provisions of this Part apply, shall prepare and print the alphabetical list of voters for such ward or subdivision in the manner prescribed by Part I. 7 Edw. VII. c. 4, s. 51.

52.—(1) Forthwith after the preparation and printing of the last of such lists the clerk shall post up and distribute each of the alphabetical lists for each ward or subdivision 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 each daily newspaper published in the city 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 or final revision of the assessment roll for any such ward or subdivision of a ward to give notice of the same, and shall name a time and place at which the Judge will hold the 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 twenty-one days after the first publication of the notice. 7 Edw. VII. c. 4, s. 52.

53. 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 shall be heard and determined and the lists finally revised and certified in manner provided by Part I. within ten days after the last day for making complaints and in any case before the twentieth day of December. 7 Edw. VII. c. 4, s. 53.
54. If no complaint respecting any of the lists is received by the clerk within twenty-one days after the first publication of the notice the clerk shall forthwith apply to the Judge to certify three copies of each of the lists as being the last revised list of voters for the ward or subdivision, and the Judge shall certify such three copies and retain one, and deliver, or transmit by post registered, 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. 7 Edw. VII. c. 4, s. 54.

55.—(1) 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 22 of this Act, and sections 23 and 24 of this Act shall apply to the list prepared under this Part.

(2) If the assessment roll is not finally revised before the final revision and certifying of the lists by the Judge, and upon appeal to the Judge from the court of revision alterations are made in the assessment roll affecting the right of any person to be entered on any of the lists, the Judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the Judge shall initial the same, and a copy of the list of alterations shall be posted up by the clerk in his office. 7 Edw. VII. c. 4, s. 55.

56. 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, The Ontario Election Act and The Municipal Act, and the date fixed by section 54 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 prescribed by any of said Acts and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part. 7 Edw. VII. c. 4, s. 56.

PART III.

LISTS IN TERRITORIES WITHOUT MUNICIPAL ORGANIZATION.

57.—(1) The Lieutenant-Governor in Council may appoint a chief enumerator for each electoral district comprising territory without municipal organization, to prepare the voters' lists for such territory.

(2) The Chief Enumerator may appoint one or more assistant enumerators to assist him in the preparation of the voters' lists.
(3) The appointment shall be by writing in duplicate under the hand of the chief enumerator and shall designate the territorial area within his electoral district in which the assistant enumerator is to prepare lists.

(4) One of such duplicates shall be furnished to the assistant enumerator and the other shall be forthwith filed in the office of the chief enumerator and shall be open to inspection at all reasonable times.

(5) A copy of the appointment certified by the chief enumerator to be a true copy shall be forthwith transmitted to the Clerk of the Crown in Chancery and shall be filed in his office.

(6) The chief enumerator may dispense with the services of an assistant enumerator at any time, and may fill any vacancy caused by death, removal or otherwise, and may enlarge, diminish or alter the limits of the territory in which the assistant is to act as the chief enumerator may see fit.

3-4 Geo. V. c. 4, s. 1, part.

58. Every chief enumerator, and every assistant enumerator shall before entering upon his duties, take the oath of office, Form 20, before a Judge of the county or district court of the county or district in which he is to act or before a magistrate having jurisdiction therein, which oath in the case of the assistant enumerator, shall be forthwith transmitted to the chief enumerator, and in the case of the chief enumerator shall be forthwith transmitted by him to the Clerk of the Crown in Chancery. 3-4 Geo. V. c. 4, s. 1, part.

59.—(1) The Lieutenant-Governor in Council may by proclamation direct the preparation of voters' lists for those parts of Ontario without municipal organization, or in any specified electoral district therein, and on such proclamation being issued, the chief enumerator upon appointment shall forthwith cause to be posted in a conspicuous manner throughout those parts of the territory for which he is appointed, at every public and separate school house, and at every statutory polling place, every post office, and at every other place which may be directed by the Lieutenant-Governor in Council, a copy of this part, and one or more printed notices, Form 21, and the chief enumerator or an assistant enumerator as the case may be, shall attend at the time and place mentioned in the notice.

(2) The chief enumerator shall also forthwith upon appointment notify the member representing the electoral district, the defeated candidate in the previous election in such district, and the known candidates before the people for election in such district, of the preparation of voters' lists, by sending by registered post a copy of this part and one printed notice, Form 21. 3-4 Geo. V. c. 4, s. 1, part.
Preparation of lists.

60. Not less than ten days after the posting of notices, inclusive of the day of posting, the chief enumerator or an assistant enumerator shall visit every part of the territory where by statute or proclamation of the Lieutenant-Governor in Council, or by the direction of the chief enumerator there is required to be a polling place, and shall ascertain the names of all persons who are entitled to have their names entered on such lists, including any who may deliver to him an affidavit according to Form 22 or Form 23. 3-4 Geo. V. c. 4, s. 1, part.

Application of general provisions as to duties of Clerk and Judge.

61.—(1) Save as otherwise provided, the Judge and assistant enumerators, so far as the same are applicable to territory without municipal organization, shall respectively perform the duties assigned to the Judge and to the clerk of a municipality and the Judge by this Act elsewhere in Ontario, and the forms and notices and other proceedings, shall be the same as nearly as may be, and be taken with the same effect as in the case of lists elsewhere in Ontario save as herein otherwise provided.

Appeals.

(2) All appeals shall be filed with the chief enumerator who shall perform all duties in respect to such appeals as nearly as may be, as is done by a clerk of a municipality.

Posting lists and appeals.

(3) All lists and all appeals therefrom required to be posted shall be posted in the office of the chief enumerator. 3-4 Geo. V. c. 4, s. 1, part.

Sub-division of lists.

62. The list shall be in several parts, one part for each polling place, and the name of each voter shall be entered in that part, the polling place for which is most convenient for him. 3-4 Geo. V. c. 4, s. 1, part.

Affidavit of assistant enumerator.

63. The assistant enumerator shall, on completion of his list, attach thereto an affidavit, Form 24, to be made before the Judge or a police magistrate. 3-4 Geo. V. c. 4, s. 1, part.

Where irregularities not to avoid list.

64. The non-performance by the assistant enumerator of any of his duties under this Act within the times appointed shall not affect the validity of any list; nor shall such list be void for any irregularity, if there has been a substantial compliance with the requirements of this Act. 3-4 Geo. V. c. 4, s. 1, part.

Appeal to Judge.

65.—(1) There shall be an appeal to the Judge in the same manner as elsewhere in Ontario, and the Judge shall without any unnecessary delay, attend to hear the appeals at such places as may be convenient for the parties concerned, and shall give due notice thereof.

(2) A voter may also appeal with respect to the polling place at which his name is entered.
(3) At least ten days' notice, Form 25, (inclusive of the first day's publication) of the hearing of such appeals shall be given, by publication in a newspaper published in the county or district, and by posting as required by section 59.

(4) The proceedings in respect to such appeals shall be as nearly as may be, the same as upon appeals under Part I., save that the time within which notice may be given of any complaint or appeal to be made to the Judge with respect to a voters' list shall be ten days after the assistant enumerator has posted up the list, inclusive of the day of such posting. 3-4 Geo. V. c. 4, s. 1, part.

66. If there is no appeal within such ten days, the enumerator shall forthwith deposit in the offices of the sheriff, and of every police magistrate in the electoral district, and in the office of the clerk of the peace, respectively, a copy of his list, certified by the Judge. 3-4 Geo. V. c. 4, s. 1, part.

67.—(1) The chief enumerator and each assistant enumerator for preparing and the Judge for revising the lists required by this Part, shall be entitled to receive the sum of $5 per day for the time during which he was engaged therein, and all reasonable personal expenses and disbursements.

(2) Whenever it appears to the Lieutenant-Governor in Council that the amount provided in subsection 1, is not sufficient remuneration for the services required to be performed, he may authorize the payment of such additional sum for such services as he may consider just and reasonable.

(3) The fees, allowances and expenses payable under subsections 1 and 2, and the other expenses of preparing lists under this Part, shall be paid out of any money appropriated by this Legislature for that purpose. 3-4 Geo. V. c. 4, s. 1, part.

68. The provisions of sections 24, 42 and 43, shall apply to this Part. 3-4 Geo. V. c. 4, s. 1, part.

69. No chief enumerator or assistant enumerator and no person in whose office the list is deposited under this Part, shall be a candidate for election to the Assembly at any election for which the list is to be used. 3-4 Geo. V. c. 4, s. 1, part.

70. If a chief or assistant enumerator omits, neglects or refuses to perform any of the duties hereinbefore required of him, for each omission, neglect or refusal, he shall incur a penalty of $200. 3-4 Geo. V. c. 4, s. 1, part.

71. The wilful alteration of, omission from, incorrect entry in or falsification of any certified list or copy thereof,
shall be an offence, and any chief or assistant enumerator, clerk of the peace, sheriff, police magistrate or other person who commits such offence or wilfully permits the same to be committed shall incur a penalty of $2,000. 3-4 Geo. V. c. 4, s. 1, part.

72.—(1) Any penalty mentioned in the next preceding two sections may be recovered by any person suing for the same.

(2) Actions for penalties incurred under the next two preceding sections shall be tried by a Judge without a jury. 3-4 Geo. V. c. 4, s. 1, part.

73. Unless and until a new voters' list therefor has been prepared and certified, the voters' list last so prepared and certified shall be the proper voters' list to be used at such polling place at any election to the Assembly. 3-4 Geo. V. c. 4, s. 1, part.

74. The chief enumerator shall have the general superintendence and direction of the assistant enumerators, and notwithstanding anything herein contained, may do and perform any of the duties assigned to an assistant enumerator. 3-4 Geo. V. c. 4, s. 1, part.
**SCHEDULE OF FORMS.**

**FORM 1.** (Sections 6, 7, 8, 14.)

**VOTERS' LIST.**

**FORM OF VOTERS' LIST.**

**SCHEDULE OF POST OFFICES.**

3. Wright's Corners.
4. Prescott.

**POLLING SUBDIVISION No. 1, COMPRISING, Etc.:—(Giving the limits.)**

**PART I.—Persons entitled to vote at both Municipal Elections and Elections to the Legislative Assembly.**

<table>
<thead>
<tr>
<th>NO. ON ROLL</th>
<th>NAME</th>
<th>OCCUPATION</th>
<th>LOT.</th>
<th>CON. OR STREET</th>
<th>POST OFFICE ADDRESS</th>
<th>JUDGES COLUMN</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Anderson, Henry</td>
<td>N W 1/2 6</td>
<td>3</td>
<td>M. F. and Owner</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Andrews, John</td>
<td>W 14 acres 8</td>
<td>1</td>
<td>M. F. and Tenant</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Archer, James</td>
<td>2</td>
<td>9</td>
<td>M. F. and Income</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Brown, Simon</td>
<td>W 1/2 9</td>
<td>2</td>
<td>M. F. and P.S.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Burton, Samuel</td>
<td>E 1/2 17</td>
<td>4</td>
<td>See Subdiv. No.</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

**PART II.—Persons entitled to vote at Municipal Elections only.**

<table>
<thead>
<tr>
<th>NO. ON ROLL</th>
<th>NAME</th>
<th>LOT.</th>
<th>CON. OR STREET</th>
<th>POST OFFICE ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Archer, Henry</td>
<td>4</td>
<td>Owner.</td>
<td>2</td>
</tr>
<tr>
<td>82</td>
<td>Burk, Edmund</td>
<td>W 1/2 17</td>
<td>Tenant.</td>
<td>3</td>
</tr>
</tbody>
</table>

**PART III.—Persons entitled to vote at Elections to the Legislative Assembly only.**

<table>
<thead>
<tr>
<th>NO. ON ROLL</th>
<th>NAME</th>
<th>LOT.</th>
<th>CON. OR STREET</th>
<th>POST OFFICE ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>43</td>
<td>Acroyd, James</td>
<td>N 1/2 3</td>
<td>4</td>
<td>M. F.</td>
</tr>
<tr>
<td>8</td>
<td>Amos, Joseph</td>
<td>3</td>
<td>7</td>
<td>M. F.</td>
</tr>
</tbody>
</table>

**POLLING SUBDIVISION No. 2, COMPRISING, Etc.:—(Giving the limits.)**

7 Edw. VII. c. 4, Form 1; 9 Edw. VII. c. 26, s. 6 (3).

7—s.
FORM 2.

(Section 11.)

CERTIFICATE TO BE ENDORSED ON VOTERS' LIST.

I, A. B., Clerk of the Municipality of , in the County of , do hereby certify that Parts 1 and 3 of the within (or above) list constitute a correct list for the year 19 of all persons appearing by the last revised Assessment Roll of the said Municipality to be entitled to vote at Elections for Members of the Legislative Assembly; and that Parts 1 and 2 constitute a correct list for the said year of all persons appearing by the said Roll to be entitled to vote at Municipal Elections in the said 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 ,

A. B.,
Clerk of

7 Edw. VII. c. 4, Form 2.

FORM 3.

(Section 13.)

CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST.

Voters' Lists, 19 .—Municipality of of County of

Notice is hereby given that I have transmitted or delivered to the persons mentioned in section 9 of The Ontario Voters' Lists Act the copies required by said sections to be so transmitted or delivered of the list, made pursuant to said Act, of all persons appearing by the last revised Assessment Roll of the said Municipality to be entitled to vote in the said Municipality at Elections for Members of the Legislative Assembly and at Municipal Elections; and that the said list was first posted up at my office at , on the day of , 19 , and remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any errors or omissions corrected according to law.

Dated, etc.

A. B.,
Clerk of

7 Edw. VII. c. 4, Form 3.

FORM 4.

(Section 14, subsec. 5.)

I, of the Township 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 I have (or that the said has) resided in the Dominion of Canada for the nine months next preceding the day of , 19 . (Fill in the day fixed for beginning
to make the assessment roll upon which the Voters' List is based) and that I was (or the said was) on the said day a resident of and domiciled in this municipality.

2. That on the day of , 19, (fill in the last day for making complaint to the County Judge), I will have (or the said will have), resided in the Dominion of Canada for the twelve months next preceding that day and that I am (or the said is) a resident of and domiciled in this municipality.

3. That I am (or the said is) entitled to be entered on the Voters' List for the Township of

4. That I am not (or that the said is not) disqualified under The Election Act or otherwise by law prohibited from voting at elections for the Legislative Assembly.

Sworn before me at the of in the County of this day of A. D. 19.

(Signature Justice of the Peace or Commissioner, etc.)

Note.—This affidavit may be made before a Justice of the Peace, a Commissioner for taking Affidavits or a Notary Public.

8 Edw. VII. c. 35, s. 15.

FORM 5.

(Sections 15, 17.)

VOTER'S NOTICE OF COMPLAINT.

To the Clerk of the Municipality of the of

I, James Smith, a voter (or a person entitled to be entered on the Voters' List) of the municipality of in the Electoral District of , complain (state the names of the persons in respect to whom complaint is made and the grounds of complaint touching each person, or set forth in lists as follows, varying according to circumstances) that the persons whose names are set forth in the subjoined list No. 1 are entitled to be voters in the Municipality of , as shown in said list, but are omitted from the Voters' List; that the persons whose names are mentioned in the first column of the subjoined list No. 2 are wrongly stated in the Voters' List; that the persons whose names are set forth in the first column of the subjoined list No. 3 ought not to have been entered on the Voters' List; and that there are errors in the description of the property in respect to which the names are entered on the Voters' List (or stating other errors), as shown in the subjoined list No. 4. And take notice, that I intend to apply to the Judge in respect thereof, pursuant to the statute in that behalf.

Dated the day of , 19.

James Smith, Residence, Township of Beby.

8 Edw. VII. c. 35, s. 16.
Lists of Complaints mentioned in the above Notice of Complaints.

List No. 1 (showing voters omitted from or not entered on the Voters' List.)

<table>
<thead>
<tr>
<th>Names of Persons</th>
<th>Grounds on Which They are Entitled to Be on the Voters' List</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Tupper</td>
<td>Tenant to John Fraser, of N. ½ lot 1, 2nd Con.</td>
</tr>
<tr>
<td>Simon Beaulclerk</td>
<td>Manhood Franchise Voter.</td>
</tr>
<tr>
<td>Angus Blair</td>
<td>Assessed too low—property worth $</td>
</tr>
</tbody>
</table>

List No. 2 (showing voters wrongly named in Voters' List.)

<table>
<thead>
<tr>
<th>Names of Persons</th>
<th>Polling Sub-Division</th>
<th>Part of List</th>
<th>The Errors in Statement Upon Voters' List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joshua Townsend</td>
<td>2</td>
<td>1</td>
<td>Should be Joseph Townsend.</td>
</tr>
<tr>
<td>John McBean</td>
<td>4</td>
<td>1</td>
<td>Should be John McBean the younger.</td>
</tr>
<tr>
<td>S. Connell</td>
<td>3</td>
<td>2</td>
<td>Should be Simon O'Connell. etc., etc.</td>
</tr>
</tbody>
</table>

List No. 3 (showing persons wrongfully inserted in the Voters' List.)

<table>
<thead>
<tr>
<th>Names of Persons</th>
<th>Polling Sub-Division</th>
<th>Part of List</th>
<th>Statement Why Wrongfully Inserted in Voters' List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter White</td>
<td>4</td>
<td>1</td>
<td>Died before final revision of roll.</td>
</tr>
<tr>
<td>John May</td>
<td>3</td>
<td>2</td>
<td>Not entitled to Manhood Franchise.</td>
</tr>
<tr>
<td>David Walters</td>
<td>2</td>
<td>2</td>
<td>Assessed too high—property worth under $ etc., etc.</td>
</tr>
</tbody>
</table>

List No. 4 (showing voters whose property or qualification is erroneously described in Voters' List, etc.)

<table>
<thead>
<tr>
<th>Names of Persons</th>
<th>Polling Sub-Division</th>
<th>Part of List</th>
<th>Errors in Respect to Property or Otherwise Stated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Washburn</td>
<td>2</td>
<td>2</td>
<td>Name should be in Sub-division No. 2.</td>
</tr>
<tr>
<td>Thomas Gordon</td>
<td>3</td>
<td>1</td>
<td>Property should be W. ½ lot 7, in 3rd Con.</td>
</tr>
<tr>
<td>Ronald Blue</td>
<td>4</td>
<td>2</td>
<td>Should be described as owner, not tenant.</td>
</tr>
</tbody>
</table>

7 Edw. VII. c. 4, Form 5, part.
FORM 6.

(Section 17.)

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

The Clerk of the Municipality 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 said Municipality for 19, on the grounds mentioned in column 2 of the said Schedule, and that such notices were received respectively at the dates set down in column 3 of the said Schedule.

Dated, etc.

A. B.,

Clerk of

Schedule.

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

Dated day of 19

Judge C. C.

FORM 7.

(Section 17.)

JUDGE'S ORDER APPOINTING COURT FOR HEARING COMPLAINTS AND APPEALS.

To , Clerk of the Municipality of the

I appoint the of 19, at the hour of in the said county, for holding a Court to hear and determine the several complaints of errors and omissions in the said Voters' List for the Municipality of for 19.

I direct that the Assessor for the Municipality shall attend the sittings of the said Court, and that the Assessment Roll and the minutes of the Court of Revision for the Municipality for 19, be produced thereat.

Dated day of 19

Judge C. C.

7 Edw. VII. c. 4, Form 7.
Chap. 6. VOTERS' LISTS.

FORM 8. (Section 17.)

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 Ontario Voters' Lists Act, at , on the day of 19 , at o'clock, for hearing all complaints made against the Voters' List for the Municipality of for 19 , particulars of which complaints are shown in the subjoined Schedule.

Dated, etc.

A. B., Clerk of

Schedule.

<table>
<thead>
<tr>
<th>NAME OF PARTY COMPLAINING</th>
<th>NAME OF PERSON IN RESPECT TO WHOM APPEAL WAS MADE</th>
<th>GROUNDS OF COMPLAINT ALLEGED</th>
</tr>
</thead>
</table>

7 Edw. VII. c. 4, Form 8.

FORM 9. (Section 17.)

Clerk's Advertisement of Court in Newspaper.

Notice is hereby given that a Court will be held, pursuant to The Ontario Voters' Lists Act, by His Honour the Judge of the County Court of the County of , at , on the day of 19 , at o'clock, to hear and determine complaints of errors and omissions in the Voters' List of the Municipality of for 19 .

Dated, etc.

A. B., Clerk of

7 Edw. VII. c. 4, Form 9.

FORM 10. (Section 17.)

Clerk's Notice to Party Complaining.

The Ontario Voters' Lists Act.

You are hereby notified that a Court of Revision of the Voters' List, 19 , for the Municipality 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 in and you are hereby required to appear at the Court; 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 day of , 19 .

To A person complaining of error in the Voters' List.

A. B.,

Clerk of the Municipality of , and of the Court.

7 Edw. VII. c. 4, Form 10.

FORM 11.

(Section 17.)

CLERK'S NOTICE TO PARTY COMPLAINED AGAINST.

The Ontario Voters' Lists Act.

You are hereby notified that a Court for the Revision of the Voters' List, 19 , for the Municipality 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 you are required to appear at the Court, for that has complained that your name is wrongly inserted in the said 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 said 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.

A. B.,

Clerk of the said Municipality, and of the Court.

7 Edw. VII. c. 4, Form 11.

FORM 12.

(Section 18, Subsec. 1.)

VERMIN.

ONTARIO: George the Fifth, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

County of To Wit.

To 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 , on the day of , 19 , 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 Municipality of the of , in the County of , and for revision of the said Voters’ List, then and there to testify to all and singular those things which you know in a certain matter (or matters) of complaint made and now depending before the said Judge, under The Ontario Voters’ Lists Act, wherein one is complainant, and which complaint is to be tried at the said Court. (And if the witness is required to produce documents) that you bring with you and produce at the said time and place (Set out the documents to be produced). Herein fail not.

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

A. B., Clerk.

7 Edw. VII. c. 4, Form 12.

FORM 13.

(Section 21.)

REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER SECTION 21.

To the Judge of the County Court of the County of 1, Clerk of the Municipality of in the County of , do hereby certify as follows:

That I did, on the day of , 19 , post up, and for a period of thirty 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 Municipality of for 19 , made in pursuance of The Ontario Voters’ Lists Act, with the certificate required by section 11 of the said Act endorsed thereon.

That I did also deliver or transmit by post, by registered letter, or by parcel post, registered, the required number of similar printed copies of the List, with my certificate endorsed, to each of the persons entitled to the same under section 9 of said 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 13 of the said Act.

That no person gave me nor did I receive, within thirty 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 to the List.

And that to the best of my knowledge and belief, I have complied with all the requirements of the said Act, so as to entitle me to apply for certified copies under section 21, and I now apply to you to certify three of the copies of the List received by you as being the Revised List of Voters for the municipality of the said of for 19 .

Witness my hand this day of , 19 .

Clerk of the Municipality of ........................................P. O.

7 Edw. VII. c. 4, Form 13.
FORM 14
(Section 21.)

Certificate where no Complaints

A. B., Clerk of the Municipality of the , having certified under his hand that no complaint respecting the List of Voters for said municipality, for the year 19 , had been received by him within thirty days after the first posting up of the same: and on application of the Clerk, , Judge of the County Court of the County of , in pursuance of the provisions of The Ontario Voters’ List Act, certify that the annexed printed List of Voters, being one of the copies received by me from the Clerk, under section 9 of the said Act, is the Revised List of Voters for the said Municipality for the year 19 .

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

Judge.

7 Edw. VII. c. 4, Form 14.

FORM 15.
(Section 22.)

Certificate of Judge when Complaints have been Made.

, Judge of the County Court of the County of, pursuant to section 22 of The Ontario 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 19 , received by me from the Clerk of the Municipality of the of , according to my revision and correction thereof, pursuant to the provisions of the said Act.

Dated at , this day of , 19 .

Judge.

7 Edw. VII. c. 4, Form 15.

FORM 16.
(Section 34, Subsec. 1.)

Order for Payment of Costs.

The Ontario Voters’ Lists Act.

In the matter of the Voters’ List for the Municipality 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 proceedings taken before me I find and adjudge that the name of the said C. D. was rightly inserted in the said list (or, was wrongly inserted in the said list), and order that the said A. B. do pay the said C. D. his costs occasioned by the said complaint (or, and order that the said C. D. shall pay the said A. B. his costs incident to the said complaint:—or, and order that E. F., the Assessor of the said Municipality, do pay the said A. B. his costs incident to the said complaint,—or, as the case may be, stating it in brief), which I fix at the sum of $ .

Dated at , this day of , 19 .

Judge.

7 Edw. VII. c. 4, Form 16.
FORM 17.

(Section 87.)

WRIT OF EXECUTION.

In the Division 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' List for the Municipality of in the said County, for 19 (or as the case may be) made and prosecuted under the provisions of The Ontario Voters' Lists Act, which said costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of the said C. D. in the said County (not exempt from execution) the said money and your lawful fees, so that you may have the same within thirty days from the date hereof and pay the same over to the Clerk of this Court for the said A. B.

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

X. Y., Clerk.

To V. W., Bailiff of said Court.

7 Edw. VII. c. 4, Form 17.

FORM 18.

(Section 43, Subsec. 1.)

APPLICATION TO JUDGE AGAINST DELINQUENT CLERK.

Pursuant to section 43 of The Ontario Voters' Lists Act, I, A. B., Clerk of the Peace for the County of , (or, a person entitled to be entered on the Voters' List for the Municipality of for 19 ,) hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the Municipality of in the said County, has failed to perform the duties required of him as such Clerk by the said Act, in this, that he has not made out the Alphabetical List of Voters for 19 , for the said Municipality, within thirty days after the final revision and correction of the Assessment Roll thereof (or, has not delivered or transmitted printed copies of the Voters' List for the said Municipality, for 19 , to and 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.

7 Edw. VII. c. 4, Form 18.
FORM 19.

(Section 43, Subsec. 3.)

SUMMONS.

The Ontario Voters' Lists Act.

In the matter of the Voters' List for the Municipality of in the County of , for 19 .

Whereas it appears by the application of A. B., the Clerk of the Peace for the said County, (or, a person entitled to be entered on the said List), made to me, in pursuance of the said Act, that you have failed to perform certain duties required of you by the said Act, in this, that you have not made out the Alphabetical List of Voters for 19 , for the said Municipality, within thirty days after the final revision and correction of the Assessment Roll thereof (or, as the case may be, following the application); and whereas the said A. B. has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at , in , on the day of , 19 , at the hour of , and produce before me the Assessment Roll for 19 , for the said 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 Municipality of

Judge.

7 Edw. VII. c. 4, Form 19.

FORM 20.

(Section 58.)

OATH OF ENUMERATOR PREPARING VOTERS' LISTS IN UNORGANIZED TERRITORY.

I, of the of , in the District of and Province of , the enumerator whose duty it is under The Ontario Voters' Lists Act to prepare the Voters' Lists in and for the electoral district (or portion of the electoral district, describing such portion) of in the Province of , do hereby solemnly swear that I will well and faithfully discharge the duties assigned to me by the said Act without favour or partiality; that I will place no name on the list of voters for the said electoral district (or portion of the said electoral district) or any of the polling districts thereof, and will omit no name from the same, unless I shall be satisfied that such name should by law be placed on or omitted from such list; and that I will in all respects, to the best of my ability, conform to the said Act and to the law. So help me God.

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

(District or County Judge, or Stipendiary Magistrate, as the case may be.)

7 Edw. VII. c. 4, Form 20.
FORM 21.

(Section 59.)

Take notice that (here insert the name of the Enumerator) will be in attendance at (here insert the place) from ten o'clock in the forenoon till four o'clock in the afternoon on the days of , 19 , to enroll the names of all persons qualified to vote for members of the Legislative Assembly.

Appeals with respect to the omission of voters or the improper enrolment of any alleged voter or as to any error made by the Enumerator as to the place at which a voter may vote may be made to (here insert the name of the County or District Judge, as the case may be).

(Signed)

Dated at , this day of , 19 .

7 Edw. VII. c. 4, Form 21.

FORM 22.

(Section 60.)

FORM OF AFFIDAVIT BY A PERSON CLAIMING TO BE PLACED ON THE VOTERS' LIST.

I, , make oath and say as follows:

I am a British subject by birth (or naturalization) and I am not a citizen or a subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding the day of , in the present year (the day to be filled in here is the date fixed by proclamation for commencing to prepare the list for the Electoral District of ).

I was at the said date in good faith a resident of and domiciled in (giving name of municipality or place for which the lists are to be prepared) and I have resided therein continuously from the said date, and I now reside therein at (here give the respondent's residence with as much particularity as is practicable).

I am of the full age of 21 years and am not disqualified under The Ontario Voters' Lists Act or otherwise by law prohibited from voting at elections for the Legislative Assembly of Ontario.

Sworn before me at the county of , this day of , 19 .

Signature of Voter.

Signature of Justice of the Peace.

(This oath may be taken before the Enumerator or before any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.)

7 Edw. VII. c. 4, Form 22a.

FORM 23.

(Section 60.)

FORM OF AFFIDAVIT FOR SAME PURPOSES AS FORM 22 WHEN THE PERSON HAS BEEN TEMPORARILY ABSENT.

I, , make oath and say as follows:

I am a British subject by birth (or naturalization), and I am not a citizen or subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding
the day of , in the present year (the date to be filled in here is the date fixed by proclamation for commencing the preparation of the lists for the Electoral District of ).

I was at the said date in good faith a resident of and domiciled in (giving the name of the municipality or place for which the lists are to be prepared) and have resided therein continuously (here give deponent's residence with as much particularity as is practicable), and I have not been absent from Ontario during the said nine months except occasionally or temporarily in the prosecution of my occupation as (mentioning the occupation, namely, a lumberman, or a mariner, or a fisherman, or a member of a permanent militia corps enlisted for continuous service, or a student in attendance in an institution of learning in the Dominion of Canada, naming the Institution.)

I am of the full age of 21 years and am not disqualified under The Ontario Election Act or otherwise by law prohibited from voting at elections for the Legislative Assembly of Ontario.

Sworn before me at , in , the county of , this , 19.

Signature of Justice of the Peace.

(This oath may be taken before the Enumerator or any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.)

7 Edw. VII. c. 4, Form 22b.

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FORM 25.

(Section 63.)

OATH OF ASSISTANT ENUMERATOR.

1. That I have set down in the Voters' List for (describe the territory for which the deponent is Enumerator) according to the best of my information and judgment the name of every person entitled to be entered thereon.

2. That I have not entered upon the said List the name of any person which I have any reason to believe ought not to be entered thereon.

3. That I have not intentionally omitted from the said List the name of any person which I had any reason to believe ought to be entered thereon.

4. That I have to the best of my knowledge and belief discharged the duties required of me by The Ontario Voters' Lists Act.

Sworn before me at , in the District of , this , 19.

County (or District) Judge.

7 Edw. VII. c. 4, Form 23.

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FORM 25.

(Section 65.)

NOTICE OF HEARING APPEALS.

ONTARIO VOTERS' LISTS ACT.

Take notice that the undersigned will be in attendance at (here insert the place) at o'clock, on the day of , to hear appeals with respect to the Voters' Lists for the Electoral District of (District or County Judge, as the case may be.)

7 Edw. VII. c. 4, Form 24.