

# BILL

No. 29 of 1925

An Act to amend The Alberta Election Act.

(Assented to \_\_\_\_\_, 1925.)

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

*The Alberta Election Act*, being chapter 34 of the Statutes of Alberta, 1924, is hereby amended as follows:

**1.** Section 3, subsection (3): By inserting the word "Assembly" after the word "Legislative" in the first line thereof.

**2.** Section 12, clause (f): By striking out the words "add up the number of votes given to the several candidates," and substituting therefor the words "attend and announce the result of the count of the votes and declare the candidate or candidates to the number required by law, having the highest number of votes duly elected."

**3.** Section 14, subsection (5): By striking out the said subsection, and substituting therefor the following:

"(5) Each enumerator shall immediately upon his having taken the oath of office complete a list in triplicate in form 9, of the persons qualified as voters to vote at the election then pending for the polling subdivision, with the names of the voters alphabetically arranged according to the first letter of their surnames, giving the occupation and residence of each voter. Where a voter resides in an apartment block or an hotel the number of the suite or room shall also be given."

**4.** Section 15: By striking out the words "by the enumerator" in the second line thereof.

**5.** Section 16, clause (c): By inserting after the word "enumerator" in the eighth line thereof the words "or in a city constituency by the returning officer."

**6.** Section 20: By striking out the said section, and substituting the following:

*"Posting and Correction of Lists in an Electoral Division other than a City Constituency."*

**"20.** Each enumerator shall complete, date at his place of residence and sign the three copies of the voters' list as aforesaid, on the last week day before nomination day; two

of the said copies for each polling subdivision he shall forthwith post up in two of the most public places within the polling subdivision and the third he shall retain for revision.

- “(a) One of the places where a copy of the list is to be so posted up shall be the post office nearest to the place appointed as polling place for the polling subdivision, if available for the purpose, otherwise it shall be a conspicuous place outside and adjoining the main entrance to such polling place.
- “(b) The enumerator shall attach to each of the copies posted up by him, a notice in form 10, signed by him, designating a place within the polling subdivision where voters may find him between the hours of ten o'clock in the forenoon and four in the afternoon during the last two consecutive week days next before the polling day:  
 “Provided, however, that where for the greater convenience of voters the polling place for a polling subdivision not included within the limits of a city or town but adjacent thereto has been fixed in the city or town which it adjoins, the enumerator may designate a place at or near the polling place as the place where he may be found during said two days.
- (c) After the posting up of the two copies of said list and before delivery of the certified copy to the deputy returning officer as herein provided, the enumerator of any polling subdivision not included wholly or partially within the boundaries of any city shall allow any candidate or his agent between the hours of 9 a.m. and 10 p.m. daily, except Sunday, to inspect or make a copy of the list prepared by him for the said polling subdivision.
- “(d) Any enumerator who refuses or neglects to allow any candidate or his agent to inspect or make a copy of the list prepared by him as herein provided, shall be guilty of an offence against this Act and liable upon summary conviction to a penalty not exceeding twenty-five dollars.”

**7.** By inserting after section 20 the following:

*Posting and Correction of Lists for Polling Subdivisions,  
 situated wholly or partially within the Boundaries  
 of a City Constituency.*

“**20a.** Each enumerator of a polling subdivision situated wholly or partially within the boundaries of a city constituency shall complete, date at his place of residence and sign the three copies of the voters' lists as aforesaid on the last week day before nomination day; one of the said copies he shall forthwith post up in a conspicuous place outside and adjoining the main entrance of the polling place, and two of the said copies he shall forthwith deliver to the returning officer, who shall place one of such copies on file in his office

and shall give the public access thereto for the purpose of inspecting same or making copies thereof, between the hours of 9 a.m. and 10 p.m. daily except Sunday, up to 10 p.m. of the day before polling day. The other he shall retain for revision.

"He shall furnish any candidate for the electoral division or his agent, within twenty-four hours after two o'clock in the afternoon of the day fixed for nomination with one copy of the said list filed with him, free of charge.

"(a) The enumerator shall attach to the copy posted up by him, a notice in form 10A, signed by him, designating the place where voters may find the returning officer between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon during the last two consecutive week days next before the polling day.

"(b) Any returning officer who refuses or neglects to furnish one copy of said lists upon request as herein provided, or who refuses or neglects to allow any candidate or his agent to inspect or make a copy of the list as herein provided, shall be guilty of an offence against this Act and liable upon summary conviction to a penalty not exceeding twenty-five dollars.

"(c) Upon the posting of the said copy of list with said notice attached and the delivery of the two copies to the returning officer, the enumerator shall furnish the returning officer with a certified voucher of his fees as enumerator on the form provided, according to the schedule of fees adopted by order in council. His duties shall thereupon terminate."

**8.** Section 21: By inserting after the word "enumerator" in the first line thereof the words "or in a city constituency the returning officer."

By placing after the word "and" in the second line thereof the word "before"; and

By placing after the word "signature" in the eighth line thereof the words "or that of the enumerator."

Clause (a): By striking out the words "the enumerator" in the first line thereof, and substituting the word "he."

Clause (b): By striking out the words "the enumerator" in the first line thereof, and substituting the word "he."

Subsection 2: By adding after the word "enumerator" in the second line thereof "or a returning officer."

**9.** Section 22: By striking out the words "him the enumerator" in lines two and three thereof, and substituting therefor the words "the enumerator he, or in city constituencies the returning officer."

By inserting after the word "by" in the seventh line thereof "or supplied to."

**10.** Section 23: By inserting after the word "enumerator" in the first line thereof the words "or in a city constituency the returning officer."

**11.** Section 24: By inserting after the word "enumerator" in the fourth line thereof "or in a city constituency to the returning officer," and by striking out the words "the enumerator" after the word "subdivision" in the sixth line thereof and substituting therefor the word "he."

**12.** Section 25: By striking out section 25, and substituting the following:

*"Poll Officials and Agents' Certificates."*

**"25.** Any deputy returning officer, poll clerk, candidate or agent of a candidate whose name appears on the list of voters of a polling subdivision, as that of a qualified voter, and who is to be employed on polling day in some other polling subdivision, and desires to vote at the poll in which he is so employed, may apply for a certificate that he is a qualified voter in his home polling subdivision. If such home polling subdivision is within the limits of an electoral division other than a city constituency, the application shall be made to the enumerator of such polling subdivision.

"If the home polling subdivision of the applicant is within the limits of a city constituency, the application shall be made to the returning officer of the electoral division.

"The enumerator or in a city constituency the returning officer, if satisfied that the applicant is a qualified voter and that his name appears on the voters' list for the voter's home poll, shall grant such certificate in form 13 subject to the following provisions:

- "(a) He shall not issue any such certificate until after two o'clock of the day of nomination, and shall not issue any certificate in blank.
- "(b) He shall number each certificate in consecutive order of issue, set out in writing the name of the person to whom it is issued, certify that such person is a qualified voter giving the number of the poll to which he belongs and the electoral division, and if he is a deputy returning officer, poll clerk or agent, state the position and number of the poll to which he is appointed, which poll shall be in the same electoral division as the poll to which he belongs.
- "(c) He shall correctly date and sign each certificate and if an enumerator, shall give the number of the poll of which he is enumerator.
- "(d) He shall not issue a certificate to more than each of three agents of any candidate for use in any one polling subdivision and to such three only on the production by each of a written appointment as agent signed by the candidate.

“(2) Upon the issue of any certificate as herein provided the enumerator, or in a city constituency the returning officer, shall mark on the list opposite the name of a voter to whom a certificate has been granted the words ‘certificate issued.’”

**13.** Section 26: By inserting after the word “enumerator” in the first line thereof the words “or the returning officer as the case may be.”

**14.** Section 27: By inserting after the word “subdivision” in the first line thereof the words “in an Electoral Division other than a city constituency.”

**15.** Section 28, subsection (3): By inserting after the word “each” in the third line thereof the words “or each returning officer as the case may be.”

By inserting after the word “enumerator” in the sixth line thereof the words “or returning officer.”

**16.** Section 29: By inserting after the word “enumerator” in the first line thereof the words “or returning officer as the case may be.”

By inserting after the word “enumerator” in the twelfth line thereof the words “or the returning officer as the case may be.”

By inserting after the word “enumerator” in the last line thereof, the words “or the returning officer as the case may be.”

**17.** Section 31: By striking out the word “papers” in the seventh line thereof, and substituting therefor the word “paper.”

**18.** Section 56, subsection (3): By striking out the word “as” in the second line thereof.

Subsection (7): By striking out the whole subsection, and substituting therefor the following:

“Each ballot paper shall bear on the back of the ballot itself and not on the stub or counterfoil the name of the printer who prints it.”

**19.** Section 59, subsection (5): By inserting after the word “elector” in the first line thereof the words “whose name appears on the list and.”

By inserting after the word “vote” in the fifth line thereof the words “or in a city constituency to the returning officer.”

By inserting after the word “enumerator” in the first line after the form of advance poll certificate the words “or in a city constituency by the returning officer.”

By inserting after the word "enumerator" in the third line thereafter the words "or the returning officer as the case may be."

Subsection (7), clause (a) : By inserting after the word "enumerator" in the first line thereof the words "or a returning officer as the case may be."

**20.** Section 67: By striking out the word "or" in the eleventh line thereof, and substituting therefor the word "and."

**21.** Section 68: By inserting after the word "belongs" in the sixth line thereof the words "or in a city constituency from the returning officer."

Subsection (2) : By inserting after the word "vote" in the second line thereof the words "at his home poll."

**22.** Section 87: By inserting after the word "in" in the third line thereof the word "a."

By striking out the word "envelopes" in the third line thereof, and substituting therefor the word "envelope"; and

By striking out the words "and seal them up" in the third line thereof, and substituting therefor the words "ready to seal up."

Subsection (10) : By inserting after the word "and" in the seventh line thereof the words "handed to the returning officer, or."

Subsection (11) : By inserting after the word "shall" in the fifth line thereof the words "seal same and."

By striking out the word "same" in the last line thereof and substituting therefor the word "it."

By adding after the word "contents" in the last line thereof the words "and any agent present may write his signature across the flap of the envelope or parcel and may affix his seal."

Subsection (12) : By inserting after the word "rejected" in the first line thereof the words "ballots in the envelope with the cancelled and declined ballots."

By inserting after the word "into" in the second line thereof the word "a"; and

By striking out the word "envelopes" in the second line thereof and substituting therefor the word "envelope."

Subsection (13) : By striking out the words "placed in a large envelope supplied for the purpose, sealed with the seal of the deputy returning officer and the seals of such of the agents of the candidates as desire to affix their seals, and" in the third, fourth, fifth and sixth lines thereof.

By adding after the word "seal" in the last line thereof the words "with his seal and with the seals of such of the agents of the candidates as desire to affix their seals."

**23.** Section 88: By inserting after the word "officer" in the fourth line thereof the words "or his agent appointed to call for it."

**24.** Section 89: By striking out the words "at the place, day and hour appointed by the proclamation and after having received all the ballot boxes" in the third and fourth lines thereof, and substituting therefor the words "as the ballot boxes are delivered to him."

By inserting after the word "present" in the eighth line thereof the words "after notice given."

Subsection (2): By striking out the word "once" in the fourth line thereof, and substituting therefor the words "the place, day and hour appointed in the proclamation."

Subsection (3): By striking out the word "thereupon" in the last line thereof, and substituting therefor the words "at the place, day and hour appointed in the proclamation."

**25.** Section 91: By striking out the words "at the place, day and hour appointed by the proclamation and after having received all the ballot boxes" in the third and fourth lines thereof, and substituting therefor the words "as the ballot boxes are delivered to him."

Subsection (2): By inserting after the word "shall" in the fourth line thereof the words "at the place, day and hour appointed by the proclamation."

Subsection (4): By striking out the word "he" in the last line thereof; and

By striking out the words "then be declared duly elected" in the last line thereof, and substituting therefor the words "at the place, day and hour appointed by the proclamation, declare such candidate duly elected."

Subsection (8): By striking out the words "thereupon be declared elected" in the last line thereof, and substituting therefor the words "at the place, day and hour appointed by the proclamation declare such candidate duly elected."

**26.** Section 92: Regulation 5, subsection (3): By striking out the word "sub-parcel" in the first line thereof, and substituting therefor the word "sub-parcels."

Subsection (4), clause (d): By inserting after the word "time" in the second line thereof the words "without examination."

Subsection (5), clause (c): By striking out the words "they will" in the last line thereof, and substituting therefor the words "he shall."

Subsection (5), clause (d) : By inserting after the words “surplus” in the third line thereof the words “or surpluses.”

Regulation 6, subsection (2) : By striking out the word “highest” in the third line thereof, and substituting therefor the word “higher.”

By adding after the word “subregulation” in the last line thereof the words “provided the number of continuing candidates is not thereby reduced below the number still required to be elected.”

Regulation 7, subsection (2) : By striking out the figure “8” and substituting therefor the figure “5.”

Regulation 8, subsection (2) : By inserting after the word “surplus” in the fourth line thereof the words “or surpluses.”

**27.** Section 96, subsection (9), clause (a) : By adding after the word “ballots” in the last line thereof the word “or.”

Subsection (15) : By inserting after the word “candidate” in the fifth line thereof the words “or candidates.”

**28.** Section 97 : By inserting after the word “party” in the fourth line thereof the words “or parties.”

**29.** Section 101 : By striking out the seventh line thereof.

**30.** Schedule of Forms :

*Form 1* : By striking out “(Section 3a),” and substituting therefor “(Section 3, paragraph (a)).”

By inserting after the word “member” in the third line of paragraph four the words “or members.”

*Form 2* : By striking out the first line “*The Alberta Election Act*” in the description of forms and material to be sent to the returning officer, and substituting therefor “Instructions to Enumerators.”

By striking out the figure and words “2 for each poll” in the number or quantity of enumerator’s certificates, form 13, and substituting therefor “sufficient supply.”

By inserting after the figure “1” in the number or quantity of form 16 Election Notice, the words “for each poll.”

By striking out the word “extra” in the description, form 41, and by inserting after the word “member” the word “is.”

*Form 3* : By eliminating the dotted line after the word “at” in the ninth line thereof.



By striking out the words "etc. (*or, as the case may be*)" in the last line thereof and substituting therefor the words "J.P. or N.P."

**Form 4:** By striking out the figure "8" in the sixteenth line thereof, and substituting therefor the figure "7"; and by striking out the word "five" in the nineteenth line thereof, and substituting therefor the word "six."

By striking out the words "eight and" in the fifth line of the paragraph in italics, and substituting therefor the word "seven"; and by striking out the letter "g" in the word "give" in the same line, and substituting therefor the capital letter "G."

By adding after the word "Act" in the last line thereof the words "or by order in council as follows."

**Form 6:** By striking out the words "etc., (*or, as the case may be*)" in the last line thereof, and substituting therefor the words "J.P., N.P., or R.O."

**Form 8:** By striking out the words "(*or, as the case may be*)" in the last line thereof.

**Form 9:** By striking out the column for "Post Office Address."

**Form 10:** By striking out the words "first two of the three" in the tenth line thereof, and substituting therefor the words "last two"; and by striking out the last two lines in italics.

By inserting after form 10, form 10A.

"FORM 10A.

(*Section 20a, subsection (a).*)

"ENUMERATOR'S CERTIFICATE OF TRUE COPY OF LIST.

"I certify that the foregoing is a true copy of the voters' list in Polling Subdivision No..... (*or, as the case may be*) of the Electoral Division of.....as prepared by me for use in the election of a member (*or, members, as the case may be*) of the Legislative Assembly of Alberta for the said Electoral Division now pending, and I hereby designate.....

(*The place designated must be the office of the Returning Officer*)

as the place where and when voters may conveniently find the Returning Officer between ten o'clock in the forenoon and four o'clock in the afternoon during the last two consecutive week days next before polling day.

.....  
*Enumerator."*

**Form 11:** By adding after the last line thereof the words "(or in a city constituency) Returning Officer."

**Form 12:** By adding after the last line in the Certificate to Vote at Advance Poll, thereof, the words “(or in a city constituency) Returning Officer.”

*Form 13:* By adding after the last line thereof the words  
“(or in a city constituency) Returning Officer.”

*Form 14:* By inserting after the word “member” in the seventh line thereof the words “or members.”

By inserting as a marginal note opposite the words "My address for service is . . . . . ." in the third last line thereof the words "Insert an address within Alberta at which all documents in connection with the election may be served on candidate."

By inserting in the last marginal note after the word "name" the words "address and occupation."

*Form 15:* By striking out the said form, and substituting therefor the following:

**“FORM 15.**

“(Section 33.)

“RETURN WHERE THERE ARE NO MORE CANDIDATES THAN MEMBERS TO BE ELECTED.

"I hereby certify that the member (or members) elected for the Electoral Division of..... in pursuance of the within written Writ, is (or, are)

NAME.	RÉSIDENTE.	OCCUPATION.
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

no other candidate having been nominated, or  
the other candidate having withdrawn, or  
all other candidates having withdrawn (*as the case may be*).

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

*Returning Officer.'*

**Form 16:** By adding after the last line thereof: “(Insert here section 139, *The Alberta Election Act.*)”

**Form 17:** By inserting after the words “*The Alberta Election Act*” in the nineteenth line thereof the words “the Statement of the Poll.”

**Form 18:** By striking out the letters "P.C." in the last line thereof, and substituting therefor the letters "E.C."

**Form 19:** By changing “(section 42)” to read “(sections 42 and 46).”

**Form 20:** By inserting after the letters "D.R.O." in the last line thereof the word "commissioner."

*Form 21:* By striking out the column "Post Office Address."

*Form 22:* By striking out the words "or, as the case may be)" in the last line thereof.

*Form 23:* By striking out the word "three" in the fourth paragraph, eighth line thereof, and substituting therefor the word "two."

*Form 24:* By striking out the words "Blank," "Stamp and Pad" in the description column, form 25.

By adding after the last word in the description column, form 29, the words "the list on election day."

By inserting after form 29 the following:

"1" "46" "67" "Oath of person vouching."

By striking out the words "other than his home poll on an enumerator's certificate" in the description, form 30, and substituting therefor the words "a poll at which he is employed other than the poll in which he resides."

By striking out the words "Envelope for spoiled, declined and cancelled ballots" in the description column, and causing same to read "Envelope for spoiled, declined, cancelled and rejected ballots."

*Form 25:* By inserting on the back of the Form of Ballot in the bottom right hand corner thereof the words "(Here insert name of Printer)."

*Form 27:* By striking out the first six lines thereof, and substituting therefor the following:

"The voter MUST NOT use the X mark.

"The voter MUST NOT place more than one choice in the white space containing the name of any candidate.

"The voter MUST NOT make the same choice for more than one candidate.

"The voter MUST NOT make any mark on the ballot not authorized by these directions."

By striking out the figures "4" and "5" in the second illustration, and the words "Smith fourth and Young fifth" in the same illustration, and substituting therefor the words "The voter has given his first preference to Brown, his second to Johnson, his third to Wilson and has gone no farther."

By striking out the figures "4," "2," "3," and "5" in the third illustration, and the words "Smith, first; Johnson, second; Wilson, third; Brown, fourth, and Young, fifth," and substituting therefor the words "The voter has plumped for Smith."

By striking out the figures "5," "3," "4" in the fourth illustration and the words "Young, first;

Wilson, second; Johnson, third; Smith, fourth, and Brown, fifth," in the same illustration, and substituting therefor the words "The voter has given his first choice to Young, his second to Wilson and has given no further choices."

*Form 28:* By adding thereto the following:  
"The Divisional point of McLennan in the Electoral Division of Grouard."

*Form 29:* By striking out the words "(section 65, subsection D)," and substituting therefor the words "(Section 65, subsection 1, Clause (d).)"

By inserting after the word "year" in section 1, fourth line thereof, the words "immediately preceding and including the day of polling at this election"; and by striking out the words "the day of polling at this election" in the second last line thereof, and substituting therefor the words "said day."

By striking out the last word "hereof" in paragraph in italics in the said section 1, and substituting therefor the words "of *The Alberta Election Act*, substitute the following."

By inserting after the word "him" in section 6, second line thereof, the words "or her."

*Form 30:* By striking out the last five lines of section 2 thereof, and substituting therefor the following:  
"year immediately preceding and including the day of polling at this election, and in this electoral division for at least two months immediately preceding and including said day, and that you are now resident in the polling subdivision set out in the certificate now produced and filed."

By inserting after the word "him" in section 7, second line thereof, the words "or her."

*Form 32:* By striking out the words "*as the case may be*" in the last line thereof.

*Form 34:* By inserting after the word "member" in the fifth line thereof the words "or members."

*Form 36:* Where the words "polling division" occur, by causing same to read "polling subdivision."

*Form 37:* By striking out the words "or sent" in the sixth line thereof and substituting therefor the words "mailed or expressed"; and by striking out the words "or sent" in the seventh line thereof and substituting therefor the words "mailed or expressed."

*Form 40:* By inserting after the word "member" in the fourth line thereof the words "or members."

- Form 41:* By striking out the word “Extra” in the subheading thereof, and by inserting the word “is” after the word “Member.”
- Form 44:* By substituting for the word and figure “subsection 3” the word and figure “subsection 4.”
- Form 45:* By inserting after the word “place” in section 3, third line thereof, the words “and of this election.”  
By striking out the words “(or, as the case may be)” in the last line thereof.
- Form 46:* By striking out the last four lines of section 3 thereof, and substituting therefor the following:  
“immediately preceding and including the day of polling at this election and in this electoral division for at least two months immediately preceding and including said day, and that the said applicant now resides in this polling subdivision.”  
By striking out the word “hereof” in the paragraph in italics in the said section 3, and substituting therefor the words “of *The Alberta Election Act.*”  
By striking out the word “for” in the second line section 4 thereof, and substituting therefor the word “from.”

No. 29.

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FIFTH SESSION  
FIFTH LEGISLATURE  
15 GEORGE V  
1925

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**BILL**  
An Act to amend The Alberta  
Election Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. ROSS.

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EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A.D. 1925