

DIARY FOR NOVEMBER.

1. Thurs.. *All Saints.*
8. Satur... Articles, &c. to be left with Secretary Law Soc.
4. SUN.... *23rd Sunday after Trinity.*
11. SUN.... *24th Sunday after Trinity.*
14. Wed.... Last day for service for County Court.
18. SUN.... *25th Sunday after Trinity.*
19. Mon.... Michaelmas Term begins.
23. Friday. Paper Day Queen's Bench. New Trial Day Common Pleas.
24. Satur... Paper Day Common Pleas. New Trial Day Queen's Bench. Declare for County Court.
25. SUN.... *26th Sunday after Trinity.*
26. Mon.... Paper Day Queen's Bench. New Trial Day Common Pleas.
27. Tues.... Paper Day Common Pleas. New Trial Day Queen's Bench.
28. Wed.... Paper Day Queen's Bench. New Trial Day Common Pleas.
29. Thurs.. Paper Day Common Pleas.
30. Friday, *St. Andrews.* New Trial Day Queen's Bench.

The Local Courts'

AND

MUNICIPAL GAZETTE.

NOVEMBER, 1866.

MUNICIPAL ELECTIONS.

All concerned in Municipal matters are now brushing up their stock of Municipal lore under the old Act, and comparing the provisions of that Act with the present one.

It is to be remembered in the first place, that so much of the present Act as relates to the nominating of candidates, and the passing of by-laws for dividing municipalities or wards into electoral divisions, became law on the first day of this month. In cities and other populous localities this is of great importance, as only one day (except in case of a riot, &c.) is hereafter to be allowed for polling votes, and unless more than one polling place should be provided, it might be impossible to poll all the votes, and in any case there would be much greater fear of voters being crowded out and of riots or disturbances occurring than if there were two days.

Section 278 gives the necessary power to the Council of any city or town to pass by-laws for dividing the wards of such city or town into two or more convenient divisions for establishing polling places; and in like manner the Councils of townships and incorporated villages may divide them for the same purpose. The by-law which effects this, or a distinct by-law for such purpose, must also appoint a Returning Officer for each division, and the exact locality where the nominations and the pollings are to take place, must also

be stated. The meeting for nominating candidates [is to be held both in cities, towns, townships, incorporated villages, and police villages, on the last Monday but one in December; and the Clerks of township and village municipalities shall preside at the meetings.

This is sufficiently plain, so far as the last mentioned municipalities are concerned, as the *Clerk* of the municipality has to preside, whether it is divided into electoral divisions or not. But how is it in cities and towns in which the wards are divided into electoral divisions?

Section 101, sub-sections 1 and 2, which refer to this, are as follows:—

1. A meeting of the Electors shall take place for the nomination of candidates for the offices of Aldermen in cities and of Councillors in towns, at noon on the last Monday but one in December, annually, in each ward or electoral division thereof, at such places therein as shall from time to time be fixed by By-laws of the said City or Town Councils.

2. The Returning Officer for each ward or electoral division, in cities and towns, or in his absence the Chairman to be chosen by the meeting, shall preside, and the Returning Officer shall give at least six days' notice of such meeting.

The difference in these provisions will be seen at once, and the further questions naturally arise as to whether a nomination of each candidate in each electoral division is necessary, or whether a nomination in one of the divisions only is required? and if the latter be the proper course, in which of the divisions is it to be held, and which of the Returning Officers is to preside? There does not appear to be anything in the Act which helps one to arrive at a satisfactory conclusion on these points. On the one hand there does not seem to be any benefit to be derived from having two nominations in the same ward, and the reason which is very properly given for having two polling places does not apply. Such a proceeding would be quite at variance with all former practice, and in every view of it would appear to be unnecessary and absurd. But again, on the other hand, the words of the Act are very precise—"A meeting, &c., shall take place, &c., in *each ward, or electoral division*, (meaning, it is presumed, 'in electoral divisions where the ward has been so divided') at such places therein, &c., (and) the Returning Officer for *each ward, or electoral division, &c.*, shall preside," that is, we presume, preside in