

County Council Elections.

From correspondence we have received there seems to be, in some quarters, an imperfect understanding of the law relating to the election of county councillors. In an endeavor to remove all existing doubts, and to make the procedure laid down in the statute as clear as possible, we give the following synopsis of its provisions:

The persons qualified to be elected a county councillor, are those who are residents of the county council division in which they seek election, and are possessed of the same property qualification as the mayor of a town is required to possess. A person who is a member of a local municipal council for the year in which county council nominations are held, is eligible for nomination and election as a member of the county council, but no member of the council of a local municipality, and no clerk or treasurer of a county, shall sit or vote as a county councillor. Section 77 of the Municipal Act. (As to the qualification a mayor of a town is required to possess, see sec. 76.) As to the qualification required in a new township, having no assessment roll, see sec. 78, and in case, in any municipality, there are not at least two persons qualified to be elected for each seat in the council, the qualification of an elector is all that is required. (Section 79.)

In every year before that in which a county council election is to be held, the county council shall appoint for each county council division a "nominating officer," to act as such until his successor is appointed, who is to perform the duties mentioned in section 132.

The day for nominating candidates for the office of county councillor shall be Monday in the week which precedes the week before polling day (section 133). (This year Nomination Day is the 24th December.)

The place for holding such nomination meeting will be that fixed by the nominating officer, pursuant to the provisions of clause (a) of sub sec. 2 of sec. 132, as amended by section 7 of the Municipal Amendment Act, 1898. The election of county councillors shall be held in alternate years, on the days and at the time fixed by law for the annual elections for members of the councils of the local municipalities. Secs. 94 and 95.

Notice of such nomination and election shall be given by the nominating officer in each county council division by advertisement in two weekly newspapers in the county, to be published for at least two successive weeks prior to nomination day; or by giving sufficient public notice thereof by printed posters. When posters are used, the Act is not clear as to the time for which they should be posted up prior to nomination day. To do away with all possible doubt, we would suggest that the posting up be completed at least, two weeks before the day fixed by the statute for receiving nominations.

As to proceedings at the nomination meeting, and the formalities to be observed by candidates desiring to resign, see sections 134 and 135, and the article on "Nominations," in this issue.

The nominating officer shall, immediately after the expiration of the time within which candidates may withdraw from nomination, certify to the county clerk the facts with the names and addresses of those remaining in nomination. (Section 134.)

If only the number required to be elected is nominated, the nominating officer shall, at the nomination meeting, declare such candidates duly elected. If, by reason of resignations, the number of candidates remaining does not exceed the number to be elected, the nominating officer shall certify such candidates as duly elected. Sub sec. 2 sec. 135.

When an election of members of the county council is to be held, it is the duty of the clerk of the county to cause ballots to be printed therefor, after the receipt of the certificate from the nominating officer, and a reasonable time before polling day the county clerk shall forward a sufficient number of ballots and other necessary election papers to the clerk of each of the municipalities in each county council division in which elections for county councillors are to be held. Such local clerks shall cause them to be supplied to the persons appointed to act as deputy-returning officers at the election. (Section 142, sub section 1.) In the event of the election by acclamation of all the members of the local municipal council, the clerk shall, nevertheless, (when an election of a member or members of the county councils is to be held,) take all proceedings necessary for such election, in the same manner as is provided by the Act for the election of members of the council of the local municipality. Section 111, and sub-section 2, of sub section 142.

The county clerk shall be returning-officer, and shall perform the duties required of him by the Act, and on receipt of the certificates from the clerks of the municipalities comprising a county council division, shall cast up from such certificates the number of votes for each candidate, and at the hour of one o'clock in the afternoon of the *second Monday* in the month of January, in the County Council Chambers, shall publicly declare elected two candidates having the highest number of votes in each division. He shall also post up in his office a statement under his hand, showing the number of votes polled for each candidate. (Section 182.) Where an equal number of votes has been cast for two or more candidates in any division, and it is necessary to determine which one or two of such candidates shall be declared elected, the nominating officer for the division shall, upon the request of the county clerk, declare in writing, for which such candidate he votes, and in such case the candidate or candidates for whom he votes shall be elected. Except when so required to give a casting vote no nomi-

nating officer shall vote at an election held for the county council division for which he has been appointed. (Section 183.)

Instructions to Deputy-Returning Officers.

The following instructions to deputy-returning officers compiled by Mr. W. A. Clark, clerk and returning officer for the township of York, will be found useful and instructive.

1. Poll opens at nine o'clock a. m., and closes at five o'clock p. m. (For secrecy of proceedings and declarations, see sections 198 and 200, of the Act.)

2. The names of the electors entitled to vote in your division for the election of reeve and deputy-reeves, and county councillors, will be found in parts one and two of the certified voters' list given you; in part one if resident, in part two if non-resident. The names of widows and spinsters will be found in part two only.

3. Except as provided by section 163, of the Act, a copy which is furnished you, *no person can vote in your sub-division unless his, or her, name appears in either Part 1 or Part 2 of said certified list.*

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4. The persons qualified to vote for county councillors are the persons qualified to vote at the election of members of the council of the local municipality, and all municipal clerks, and no others; and each person so qualified shall be entitled to as many votes as there are members of the county council to be elected in his county council division, and he may, at his option, when there are two county councillors to be elected, give both of his votes to one candidate, in which case he shall place two crosses within the division of the ballot wherein is the name of such candidate. But where any person being a resident voter is on the voters' list for two or more municipalities within any county council division, he shall vote for county councillors in that municipality only in which he resides, and only at the polling-place of the polling sub-division in which he resides if he is entitled to vote at such polling-place. In case a voter is not resident within the division, he shall vote only once within the division, whether his name is on the voters' list of said division in more than one polling sub-division or not.

5. No person shall vote more than once for reeve at any election for reeve. See section 159. Before handing a ballot (or ballots) to an elector who is not a resident of your polling sub-division, ask the following question: "*Have you voted before at this election for reeve or for councillors within this county council division?*"

6. Place your initials on the back of each ballot given a voter, and see that the voter's name is entered by your poll-clerk in the poll-book, and that he places a mark in the proper column to indicate what ballots such voter has received. This must be strictly observed, especially when a vote