

## Municipal Elections.

The electors in every municipality, except counties, are required to elect annually on the first Monday in January the members of the council of the municipality, except such as have been elected at the nomination by acclamation. The municipal council should, at its December session, pass a by-law, appointing a returning officer, deputy-returning officers, and fix the places at which the nominations and polls will be held. Section 88 and the following sections of the Municipal Act refer to the powers of councils in regard to this matter. In the case of corporations which have been newly erected, and the first election under the proclamation or by-law, by which the change was effected, shall take place on first Monday in January, next after the date of the proclamation or of the passing of the by-law by which the change was made, the nomination shall be proceeded with at the same time and in same manner as if such change had gone into effect on the last Monday in December, the date fixed for the nomination, and any returning officer, appointed to hold the first election, is required to perform the same duties as the returning officer of any other municipality.

Where the council of a county has passed a by-law before the 31st October, in accordance with the provisions of section 91 of the Consolidated Municipal Act, making provision for a first election in the junior township of a union, the returning officer appointed is also required to act in accordance with the provisions of the section referring to the duties of that office. In the case of separation of union townships, the first election of councillors is required to be by general vote. In townships and incorporated villages, not divided into wards, the election shall be by general vote; when divided into wards the election is required to be held at the place or places where the last meeting of the council was held, or in such other place as may be from time to time fixed by by-law. No election of township councillors can be held in any city, town or incorporated village, nor can the election for any municipality be held in a tavern or house licensed to sell spirituous liquors.

In a municipality where the election is to be made by wards or polling sub-divisions, the council is required by by-law to appoint places for holding nominations for each ward, and returning officers who shall hold the same, the places at which the polls shall be opened if required, and the deputy returning officers who shall preside thereat. The clerk of the municipality is always the returning officer for the whole municipality. Where the election is not by wards or polling sub-divisions the clerk is required to act as returning officer and also to perform the duties of deputy-returning officer at the polls.

On or before the 20th December, the

clerk or other returning officer is required to give notice of the meeting for the nomination of candidates. In cities the nomination of candidates for the office of mayor is required to be held at the hall of the municipality at 10 o'clock in the forenoon, and for the nomination of aldermen at noon of the same day. This may be changed to half past seven in the evening, if the council pass a by-law to that effect. In towns nominations for mayor, reeve and deputy reeves are required to be held in the hall of the municipality at 10 o'clock in the forenoon, and the council of any incorporated town divided into wards may pass a by-law providing that the nomination of councillors for the several wards may be held at the same time. Where no such by-law has been passed, the meeting for the nomination of councillors in towns shall be held at noon. The council of a town also has the authority to decide that the nomination of mayor, reeve, deputy reeve or reeves and councillors may be held at half past seven in the evening instead of the above hour mentioned. The councils of villages also have this power. In villages and in townships not divided into wards, the meeting for the nomination of reeves, deputy reeves and councillors is required to be held at noon. In townships divided into wards the nomination of candidates for the office of reeve shall be held at 10 o'clock in the forenoon, and the nomination of candidates for the office of councillor to be elected for each ward shall take place at noon at the township hall or at such place in each ward as may be fixed by by-law. When a township adjoins the limits of any city, town or incorporated village the nomination meeting may be held at such place therein as may be designated by by-law of the council. As we said before, the nomination is to be held on the 26th of December, but in counties where the county council has passed a by-law to that effect on or before the first day of July, and of which the clerks of the local municipalities have received notice, the nomination will be held on the 19th December. The returning officer appointed for each ward, or the clerk as the case may be, is required to preside at the nomination meeting. When he is absent, the meeting may choose a chairman. Nominations may be received for one hour from the time fixed for holding the meeting. Where there has been a delay in opening the meeting, it is sometimes advisable to extend the time, and allow a full hour to expire before closing the meeting. A nomination is required to be moved and seconded. After the nominations have been received, and there is more than one candidate for the same office, the candidates themselves or any elector should demand a poll on behalf of the candidates. The returning officer or chairman should then adjourn the meeting until the first Monday in January, and state when and where the polls will be opened.

Any person proposed for one or more offices may resign at the nomination meeting or the following day or elect for which office he is to remain nominated, and failing to do this, he is to be taken to be nominated for the office in respect of which he was first proposed and seconded. Any person who wishes to resign after the nomination meeting, is required to do so in writing signed by him and attested by a witness. This is required to be delivered to the clerk not later than the day following the nomination. It is distinctly stated in section 117 of this Act, that if a resignation is not received at latest on the day following the nomination, the clerk or the returning officer has no alternative but to go on and hold the election.

After the nomination meeting the clerk's duty is to see that the ballots are prepared, and that the ballot boxes and other supplies required are furnished to the deputy returning officers, the list of defaulters who have not paid their income tax, required under the provisions of section 119, must not be forgotten. Sections 120 to 141 states very fully the clerk's and returning officer's duties in regard to the preparation necessary for the election. In performing these duties he is not to take instruction from members of the council if they interfere in any way with these provisions, as he alone is liable if they are not carried out. The poll will be held on Monday the 2nd January, from 9 a. m. to 5 p. m. Sections 142 to 160 refer to the duties of the deputy returning officers and others, in regard to the taking of the votes, and casting up the number given for each candidate. The deputy returning officers should be furnished with a copy of the Municipal Ballot Act for their information and reference in the performance of their duties.

The attention of clerks is directed to the fact that it is only now necessary to furnish deputy returning officers with a certified copy of the printed voters' list for the ward or polling sub-division, a blank poll book must be supplied, to be used in accordance with sub-section 2 of section 143. This sub-section seems to direct the work to be done by the poll clerk. The members of the council must not forget that when fixing the amount to be paid deputy returning officers, as it should also include the amount to be paid the poll clerk.

After all the returns of the votes have been received, the clerk is required at noon on the day following, to publicly declare the names of the candidate or candidates having the highest number of votes.

This should be done at the town hall or at some other public place or places where the nomination meeting was held, or where the council usually hold their meeting, would be considered sufficient. In case of a tie, the clerk or other person appointed to discharge the duties of returning officer is required to give the casting vote. This is a duty which places them in an unpleasant position, so much so that we think the Act