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No. 19.

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2nd Session, 6th Parliament, 22 Victoria, 1859.

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**BILL.**

An Act for the polling of Vote by Tallies of  
Fives.

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Received and read, first time, Wednesday, 16th  
Feb., 1859.

Second reading, Monday, 21st Feb., 1859.

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MR. GOWAN.

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TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

## An Act for the polling of Votes by Tallies of Fives.

**W**HEREAS at many of the Parliamentary Elections held in various Electoral Divisions, Counties, Ridings, Cities, Towns, Townships, and Villages, in this Province, much strife and crowding have taken place between the electors, and in some instances much rioting also; and whereas it is desirable as much as possible to prevent such strife and crowding, and to secure full, free, and peaceable access to and from all booths or polling places, without giving an unfair advantage to any one candidate or elector over any other candidate or elector at any such election; Therefore Her Majesty, &c. enacts as follows:

Preamble.

10 I. At all elections hereafter to be held in any Electoral Division, County, Riding, City, Town, Township, or Village in this Province, for the election or return of any Legislative Councillor, or of any Member or Representative to the Legislative Assembly of this Province, the polling of votes for every such Councillor or Representative shall be by tallies of Fives.

Polling to be  
by tallies of  
fives.

II. The names for each tally shall be fairly and legibly written out on every such tally, and the written list or tally delivered to the Returning Officer presiding at every such election, who shall call over the names written thereon by alternate tallies, and in the order of seniority in which the names may be so written on such lists or tallies, and so continue to poll the votes for each candidate in regular succession in the order in which the candidates were proposed at the nomination, so long as any candidate, or his agent, or any duly qualified elector of the Division, County, Riding, City, Town, Township, or Village (*as the case may be*), shall tender a tally.

Names to be  
fairly written  
on such tallies,  
which shall be  
taken alter-  
nately.

III. No tally shall be tendered to any Returning Officer, or if tendered it shall not be received by him, before the hour by law appointed for opening the poll, nor after the hour by law appointed for closing the same.

To be tendered  
only duly  
polling hours.

IV. If any candidate, or his agent, or any elector acting for the candidate, shall refuse or neglect to deliver to the Returning Officer his tally of names within five minutes after the last named elector on the next preceding tally shall have been polled, rejected, or allowed to stand over by the Returning Officer presiding at such election, then the poll shall not cease or be delayed on account of such refusal or neglect, but the Returning Officer shall proceed to poll the tally presented for the next candidate, and so on in regular succession, by alternate tallies for each candidate, so long as a tally may be presented and the law permits the poll to continue open.

If either party  
is not ready  
with his tally  
the other may  
go on.

Election laws  
to continue in  
force except  
as hereby  
altered.

V. All the laws now in force to regulate the government and conduct of Elections and Electors, of Candidates and their Agents, of Returning Officers and Deputy Returning Officers, of Poll Clerks and Constables, and of all other Officers, matters and things appertaining to the holding of elections, and to the polling of votes thereat, shall remain in full force and effect, and are not altered, varied or repealed by this Act, except in so far as the same is herein expressly ordained and enacted.