

# Provincial Election, Ontario,

1886.

## INSTRUCTIONS FOR AGENTS AT THE POLLS.

The principle is for the first time incorporated in our Election Law of **ONE MAN, ONE VOTE**. And the voter must vote in the Electoral District in which he resides. The Electoral District does not mean Polling District, but the County or Riding. No man need therefore leave his own home to vote. Every canvasser should make a note of every voter who has removed from the place of residence marked in the Voters' List, and if the voter has removed out of the Electoral District and Riding, he cannot vote, and should be sworn if he presents himself to vote.

In Townships where there is no Voters' List the voter must vote in one of the Polling places in the Township; and where there is no Polling place in the Township, he must vote at the Polling place nearest to the property in respect to which he votes, and not elsewhere.

*47 Vict., Chap. 4, Sec. 18.*

*The Sections quoted are those of the Ontario Election Act. The Deputy Returning Officer is provided with a copy for the use of the Election; if necessary refer him to the section indicated.*

1. The poll opens at 9 A.M., and closes at 5 P.M. Section 58. Poll.
2. Make a declaration of secrecy before a Justice of the Peace, Agents' before polling day, and present it with your authority as Agent to appointment. the Deputy Returning Officer. If required the Deputy Returning Officer must take the declaration. Section 147.
3. Have with you a Voters' List, carefully prepared for your Prepared guidance, showing each voter you are to object to, and to swear also Voters' List. those of your own voters who may be objected to by the party, so that you may be prepared to sustain them.
4. The Returning Officer shall obtain from the Clerk of the Date of Municipality, and shall furnish to each Deputy Returning Officer, Return and a certificate of the date upon which the Assessment Roll was returned, Final Revi- sion of Roll. by the Assessor, and also the date upon which it was finally revised. Section 71.

Who may Vote. 5. Every voter whose name is on the Voters' List of the polling subdivision may vote; provided, if required, he takes the oath or affirmation prescribed to be taken by voters. Section 90 and 91.

Oath. 6. A voter may select the form of oath he will take, either 18 or 20 Schedule A., except income voters or wage earners who take the oath form 19. Amendment, 1885.

Refusing the Oath. 7. A voter refusing to take the oath cannot subsequently be admitted to vote; and if the Deputy Returning Officer afterwards gives such person a ballot, he is liable to a fine of two hundred dollars. Sub-section 6, section 90.

Residence of Voters. 8. The voter must at the date of the final revision of the Assessment Roll, and also at the date of the election, be a resident of and domiciled in the Electoral District.

Income voters and wage earners must have resided in the Electoral District *continuously* since the final revision of the Assessment Roll up to and including the day of the election.

Landholders' sons must have resided at home on the property for twelve months previous to the Election. Temporary absence in all not exceeding six months does not disqualify.

When you swear a voter see that the proper date is inserted in the oath. [See the oaths.]

Qualification. 9. No question of qualification can be raised at any Election, except to ascertain whether the person tendering his vote is the same person intended to be designated in the Voters' List.

Sections 73 & 91.

Penalty for attempting to vote more than once. 10. No person shall attempt to vote at more than one polling place under a penalty of two hundred dollars. Section 86.

Initialling Ballot. 11. The Deputy Returning Officer shall place his name or initials on the back of each ballot, but no other mark or figure of any kind before handing it to the voter. Sub-section 7, section 90.

Voter Marking Ballot. 12. The voter shall then in the compartment provided, place a cross, thus X, on the right hand side opposite the name of the Reform Candidate, and shall hold the ballot paper so as to conceal the names of the Candidates, but showing the initials of the Deputy Returning Officer and the printed number on the back of the ballot, and then hand it to the Deputy Returning Officer, who will put it into the ballot box. Section 97.

Inability to Mark Ballot. 13. A person unable to mark his ballot, on making a declaration that he is unable to read, shall have it marked for him, as he may indicate, by the Deputy Returning Officer in presence of the Agents. Section 100.

14. Section  
15. not on  
16. on deliv  
17. ing Offi  
candida  
and in c  
that tha  
18. Deputy  
dates th  
printed  
on the b  
But no  
made by  
the sam  
18. objection  
back, bu  
as to co  
The  
rejects,  
19. ment of  
figures,  
Returni  
desire to  
20. List, un  
persons  
appointe  
21. being rec  
certificat  
number  
The  
serve it  
22. the coun  
documen  
and shal

14. A voter who has been personated can render a ballot. **Voter Personated.**  
Section 101.

15. A person claiming to be entitled to vote, but whose name is not on the Voters' List, may tender a ballot. **Tendering a Ballot.** Section 102.

16. A voter who has spoiled his ballot paper can have another **Spoiling Ballot.** on delivering up the one spoiled. Section 103.

17. Immediately after the close of the poll the Deputy Returning Officer, in presence of the Poll Clerk and the two Agents for each candidate, shall open the ballot box and proceed to count the votes, and in doing so shall open them with their printed faces upwards, so that that they can be seen by the Agents present. **Counting the Ballots.** Section 105.

18. Those ballots are void which have not been supplied by the **Void Ballots.** Deputy Returning Officer, or on which votes are given to more candidates than are to be elected, or on which anything in addition to the printed number, or name or initials of the Deputy Returning Officer on the back is written or marked by which the voter can be identified. But no word or mark written or made, or omitted to be written or **Exception.** made by the Deputy Returning Officer on a ballot paper shall avoid the same. Sub-section 2, section 105.

18. The Deputy Returning officer shall take a note of any **Objection to any Ballot.** objection made to a ballot, and shall number and initial it on the back, but the decision of the Deputy Returning Officer shall be final as to counting such ballot. Sub-section 3 and 4, section 105.

The Deputy Returning Officer shall endorse *rejected* on ballots he **Rejected Ballots.** rejects, and if rejected shall endorse it *rejection objected to*.

19. The Deputy Returning Officer shall then make up a state- **Ballot Statement.** ment of the votes given for each candidate, in words as well as in figures, under the proper heads, which shall be signed by the Deputy Returning Officer, the Poll Clerk, and such of the agents as may desire to sign such statement. Sub-section 687, section 105.

20. The Deputy Returning Officer shall certify on the Voters' **Certifying Voters' List.** List, under his own signature in full words, the total number of persons who have voted at the polling place at which he has been appointed to preside. Section 107.

21. At the close of the poll the Deputy Returning Officer, on **Certificate to Agents.** being required so to do, shall deliver to each of the agents present a certificate of the number of votes given to each candidate, and of the number of rejected ballot papers. Section 108.

The agent must be sure to ask for the above certificate, and preserve it carefully.

22. The Deputy Returning Officer shall, at the completion of **Making up and Sealing Paper.** the counting of the votes, make up into packages the ballots and documents used in the election in the manner directed in section 109, and shall seal them.

The agents may also affix their seals to the same. Section 109.

23. Any Deputy Returning Officer or Poll Clerk who refuses or neglects to perform any of the obligations or formalities required of him by the Election Act, shall for each such refusal or neglect incur a penalty of two hundred dollars. Section 180.

24. The Agent must remain to see the ballots counted, and sealed up in the envelopes, and on no account be absent for a moment until that is done; nor leave the Polling booth until he receives the certificate of the number of votes polled for each candidate from the Deputy Returning Officer.

## FORMS OF OATH.

### FORM 18.

(Referred to in Section 91.)

FORM OF OATH OF PERSON VOTING AS OWNER, TENANT OR OCCUPANT OF REAL ESTATE, OR AS A HOUSEHOLDER.

You *swear* (1) that you are the person named or purporting to be named by the name of \_\_\_\_\_ on the list of voters now shewn to you; (2) That on the (3) \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, you were actually, truly and in good faith possessed to your own use and benefit, as either owner, tenant or occupant, in your own right or in the right of your wife, of the real estate in respect of which your name is as aforesaid entered on the said list of voters, and are as such entitled to vote at this election;

That you were at the time of the final revision and correction of the assessment roll on which said list of voters is based and are now actually and in good faith a resident of and domiciled within this electoral district;

That you are of the full age of twenty-one years;

That you are a subject of Her Majesty either by birth or by naturalization;

That you have not voted before at this election, either at this or any other polling place;

That you have not received anything, nor has anything been promised you either directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team, or any other service connected therewith;

And that you have not directly, or indirectly, paid or promised anything to any person, either to induce him to vote, or to refrain from voting, at this election.

So help you God.

(1) If the voter is a person who may by law affirm, then for "*swear*" substitute "*solemnly affirm*."

(2) The Deputy Returning Officer should hereupon shew the voters' list to the voter.

(3) The date to be here inserted in administering the oath is AT THE CHOICE OF THE VOTER, to be EITHER the day certified by the Clerk of the Municipality to be the date of the RETURNS by the Assessor of the assessment roll upon which the voters' list used at the election is based or the day so certified to be the date when by law the said roll was to be considered and taken as FINALLY REVISED.

NOTE.—In the oath administered to the Deputy Returning Officer, poll clerk or agent VOTING UPON A CERTIFICATE issued under Sec. 87, for "*on the list of voters now shewn to you*," substitute "*on the list of voters for the Municipality of \_\_\_\_\_*," naming the municipality mentioned in the certificate.

## FORM 19.

( Referred to in Section 91. )

ORDINARY FORM OF OATH OF PERSON VOTING IN RESPECT OF INCOME, OR  
AS A WAGE-EARNER.

You *swear* (1) that you are the person named or purporting to be named by the name of \_\_\_\_\_ on the list of voters now shewn to you ; (2) That on

the (3) \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, you were and thenceforward have been continuously and still are a resident of this electoral district and are entitled to vote at this election.

That at the said date, and for twelve months previously, you were from your trade, occupation, office, calling or profession, in receipt of an income or wages amounting to a sum not less than \$250 ; (4).

[Add to this oath all the paragraphs in Form 18 commencing with "That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "*swear*" substitute "*solemnly affirm*."

(2) The Deputy Returning Officer should hereupon shew the voters' list to the voter.

(3) The date to be here inserted in administering the oath, is the day certified by the clerk of the municipality to be the DATE OF THE FINAL REVISION and correction of the assessment roll upon which the voters' list used at the election is based for the municipality.

(4) If the municipality in which the voter is voting is a Township, there must be added at the end of this clause of the oath the words following: —  
"Estimating as part of said income or wages the fair value of any board or lodging had, given to, or received by me during the said twelve months as or in lieu of wages."

NOTE.—In the oath administered to a Deputy Returning Officer, poll clerk or agent VOTING UPON A CERTIFICATE issued under sec. 87, for "*on the list of voters now sworn to you*" substitute "*on the list of voters for the Municipality of \_\_\_\_\_*," naming the municipality mentioned in the certificate.

49 V. c. 3, s. 4.

## FORM 20.

( Referred to in Section 91. )

## FORM OF OATH FOR A LANDHOLDER'S SON.

You *swear* (1) that you are the person named or purporting to be named by the name of \_\_\_\_\_ on the list of voters now shewn to you ; (2) That on the (3) \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, A. B. (4) was, as you verily believe actually, truly, and in good faith possessed (5) to his own use as owner, tenant or occupant of the property in respect of which your name is so as aforesaid entered on the said voters' list, and was then actually and in good faith residing and domiciled upon said property ;

That you are a *son* (6) of the said A. B. ; (4)

That you resided within this municipality with the said A. B., for and during the whole of the twelve months next before the return by the assessor of the assessment roll on which the voters' list used at this election is based, not having been absent during that period, except temporarily and not more than six months in all, and except and save for and during such further time (if any) as was spent by you either in the occupation of a mariner or fisherman, or as a student of some institution of learning situate within this Province ;

That you are still a resident of this Electoral District, and are entitled to vote at this election ;

[Add to this oath all the paragraphs in Form 18 commencing with "That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "*swear*" substitute "*solemnly affirm*."

(2) The Deputy Returning Officer should hereupon show the voters' list to the voter.

(3) The date to be here inserted in administering the oath is the day certified by the clerk of the municipality to be the date of the RETURN by the assessor of the assessment roll upon which the voters' list used at the election is based ;

(4) The name of the voter's father, or step-father, or mother, or step-mother should be inserted here.

(5) If the name of the voter's mother is inserted, then for "his" substitute "her."

(6) If the voter is voting as a "stepson," or "grandson," or "son-in-law," then for the word "son" substitute the word "stepson," or "grandson," or "son-in-law," as the case may be.

NOTE.—In the oath administered to a Deputy Returning Officer, poll-clerk, or agent VOTING UPON A CERTIFICATE issued under Sec. 87, for "on the list of voters now shewn to you," substitute "on the list of voters for the Municipality of \_\_\_\_\_," naming the municipality mentioned in the certificate.

49 V. c. 3, s. 4.

### FORM 21

(Referred to in Section 91.)

FORM OF OATH TO BE TAKEN BY VOTER ON A SUPPLEMENTARY LIST OF VOTERS MADE WHERE ADDITIONS HAVE BEEN MADE TO A CITY, TOWN OR VILLAGE, OR A NEW VILLAGE HAS BEEN FORMED COMPOSED OF TERRITORY SITUATED IN TWO OR MORE ELECTORAL DISTRICTS.

You swear (1) that you are the person named or purporting to be named by the name of \_\_\_\_\_ on the supplementary list of voters now shewn to you ; (2) That on the (3) \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, you were actually, truly and in good faith possessed to your own use and benefit as owner, tenant or occupant, in your own right or in the right of your wife, of the real estate in respect of which your name is entered on the said supplementary list of voters, and are as such entitled to vote at this election ;

That you are actually and in good faith a resident of and domiciled within this Electoral District :

[Add to this oath all the paragraphs in Form 18 commencing with "That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "swear" substitute "solemnly affirm."

(2) The Deputy Returning Officer should hereupon shew the voters' list to the voter.

(3) The date to be here inserted in administering the oath is AT THE CHOICE OF THE VOTER to be EITHER the day certified by the clerk of the Municipality to be the date of the RETURN by the Assessor of the assessment roll upon which the voters' list used at the election is based ; or the day so certified to be the date when by law the said roll was to be considered and taken as FINALLY REVISED.

NOTE.—In the oath administered to a Deputy Returning Officer, poll clerk or agent, VOTING UPON A CERTIFICATE issued under Sec. 87, for "on the list of voters now shewn to you" substitute "on the list of voters for the Municipality of \_\_\_\_\_," naming the municipality mentioned in the certificate.

48 V. c. 2, Sched., Form 21.

### FORM 22.

(Referred to in Section 78.)

FORM OF OATH TO BE TAKEN IN MUNICIPALITIES IN ALGOMA, MUSKOKA AND PARRY SOUND, WHERE THERE IS A VOTERS' LIST.

By persons who vote as resident householders, but are entered in the list as owners or freeholders.

You swear (1) that you are the person named, or purporting to be named by the name of \_\_\_\_\_ on the list of voters now shewn to you. (2) That

you are actually, truly and in good faith a resident householder of this electoral district, in respect of the property for which you are assessed in this municipality as owner (or freeholder), and for which you are entered as such in the list of voters now shewn to you.

That you are now, and have been continuously for the six months immediately preceding this date, actually truly, and in good faith, a resident of this electoral district ;

[Add to this oath all the paragraphs in Form 18 commencing with "That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "swear" substitute "solemnly affirm."

(2) The Deputy Returning Officer should hereupon shew the voters' list to the voter.

47 V. c. 4, First Sched.

FORM 22 A.

( Referred to in Section 92. )

FORM OF RESIDENT OWNER'S OATH TO BE TAKEN BY VOTERS IN ALGOMA, MUSKOKA AND PARRY SOUND, WHERE THERE IS NO ASSESSMENT ROLL OR VOTERS' LIST.

Resident Owner's Oath.

You swear (1) that you are A. B. (2) and that you have not voted before at this election, either at this or any other polling place ;

That you are actually, truly, and in good faith, possessed to your own use, as owner, of the land in respect of which your name has now on your information been entered on the Deputy Returning Officer's list ; that you have been such owner of the said property for the six months next preceding this election ; that the said land has been patented, and is of the value of at least \$200 ;

That you are now, and have been continuously for six months immediately preceding this date, actually, truly, and in good faith a resident of this Electoral District ;

That you are entitled to vote at this election in respect of the said property ;

That this, to the best of your belief, is the polling place nearest the said property ;

[Add to this oath all the paragraphs in Form 18 commencing with "That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "swear" substitute "solemnly affirm."

(2) Insert here the name of the voter.

47 V. c. 4, Second Sched.

FORM 22 B.

( Referred to in Section 92. )

FORM OF RESIDENT HOUSEHOLDER'S OATH TO BE TAKEN BY VOTERS IN ALGOMA, MUSKOKA AND PARRY SOUND WHERE THERE IS NO ASSESSMENT ROLL OR VOTERS' LISTS.

Resident Householder's Oath.

You swear (1) That you are A. B. (2), and that you have not voted before at this election, either at this or any other polling place ;

That you are actually, truly, and in good faith, a resident householder in the said district, in respect of the property which has now on your information been entered on the Deputy Returning Officer's list as the property on which you vote.

That you are now and have been continuously for the six months immediately preceding this date, actually, truly and in good faith, a resident householder of this Electoral District ;

That you are entitled to vote at this election in respect of the said property ;  
That this, to the best of your belief, is the polling place nearest to the said  
property ;

[Add to this oath all the paragraphs in Form 18 commencing with  
"That you are of the full age of twenty-one years."]

(1) If the voter is a person who may by law affirm, then for "*swear*" substitute "*solemnly affirm*."

(2) Insert here the name of the voter.

47 V. c. 4, Second Sched.

FORM 22 C.

( Referred to in Section 7 sixthly. )

INDIAN'S OATH.

Where there is an assessment Roll, if a candidate or his agent alleges that the voter is an Indian, one or other of the following oaths is to be administered to such voter, the voter having the right to select which.

" You *swear* that you do not participate in the annuities, interests, moneys, or rents of any tribe, band or body of Indians, and do not reside among Indians."

or

" You *swear* that you are not an Indian, nor a person with part Indian blood."

The oaths required of other Voters are to be taken as in other cases, if required.

47 V. c. 4, Third Sched.