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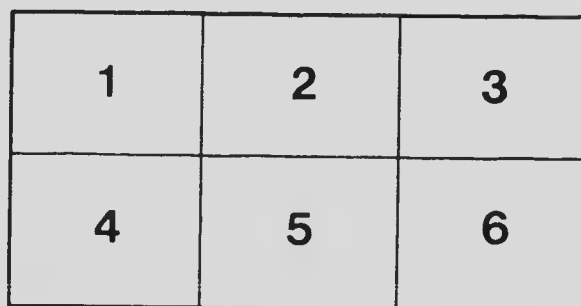
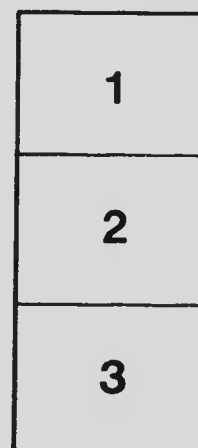
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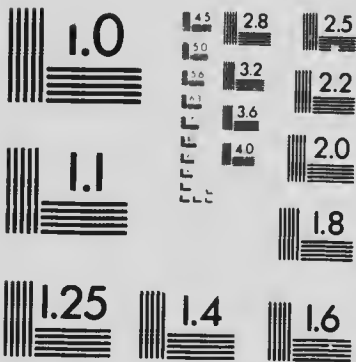
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Liberal-Conservative

HAND - BOOK

ON

ELECTION LAWS

FOR

The Provincial Election,

1901.

Issued for circulation among the Workers and
Agents of the Liberal-Conservative
Party of Nova Scotia.

Printed by PHILIP HODGE, J. BUNCEBROOK, HALIFAX.

HINTS

TO

LIBERAL-CONSERVATIVE AGENTS AND ORGANIZERS, PROVINCIAL ELECTIONS, 1901.

NOMINATION DAY WEDNESDAY SEPTEMBER 25TH.

ELECTION DAY WEDNESDAY, OCTOBER 2ND.

GENERAL.

A general election is now pending, and the time has arrived when the members and friends of the Liberal-Conservative Party should prepare for the campaign in which they will shortly be engaged. The importance of organization cannot be over-estimated, and it should be the aim of all to make that organization as thorough and effective as possible.

In every polling district in each County the Liberal-Conservative electors should immediately meet and form a committee for the purpose of managing the work in the particular district. A chairman and a secretary should be appointed, and the names of the committee-men and of the chairman and secretary should at once be sent to the secretary of the Central County Organization.

The chairman of the district committee should at once obtain from the secretary of the central organization, copies of the voters' list for his district, and should place them in the hands of thoroughly reliable persons so that the district may be carefully canvassed.

As soon as possible after the receipt of the lists they should carefully gone over for the purpose of classifying the names of the voters thereon as nearly as possible, as follows:

- a. Persons certain to vote for Liberal-Conservative candidates.

- b. Persons certain to vote against our candidates.
- c. Doubtful.
- d. Voters absent from the district.

Be careful *not* to mark any voter for us without good reason. **DO NOT TAKE ANYTHING FOR GRANTED.**

Ascertain the present residence and political leanings of all absent voters.

Be most careful that no information regarding your marking or classification of voters be given to friends of the other side. Secrecy is essential to success; and, that secrecy may be ensured, it is advisable that no more than two lists be marked as suggested—that one of these be kept by the secretary for the district and the other sent as soon as possible by registered letter to the secretary of the Central County organization.

The District Committee should have regular meetings for the purpose of comparing notes and seeing that the canvass is being properly and thoroughly conducted.

Committee men should watch very carefully the proceedings of the persons working against our Candidates, and should report to the Central County organization. *Any difficulties met with in the canvass or any influences found interfering with the canvass should also be carefully reported.*

Chairmen of Committees should make up returns showing the result of their work up to Nomination Day, and should immediately send them to the Secretary of the Central County Organization.

Applications for special agents, or for the transfer of voters should be made to the Secretary of the Central County Organization not later than Nomination Day.

After Nomination Day Committees should make arrangements for getting out every available voter. Nothing should be left to chance. Each committee man should have allotted to him a certain number of voters, and he should be charged with the duty of having such voters brought to the polls.

Arrange for the manning of the polling booths. Two inside and two outside Agents for *each* candidate should be appointed. Inside Agents must have written authority from the candidates whom they represent. The inside agents should be furnished with a *marked* voters' list, which should show what voters are to be sworn or objected to.

See that arrangements are made for polling the non-resident vote.

Arrange to have on election day, outside the polling booth, an agent with a voters' list, instructed to mark off the names of the voters who have come up, and have also a strong force of active workers to meet electors and instruct them how to mark their ballots.

ELECTION DAY.

(References are to Nova Scotia Election Act.)

INSTRUCTIONS FOR AGENTS.

The poll opens at 8 A. M. and closes at 5 P. M. Every Agent should be present at the booth at least 15 minutes before 8 o'clock, and see that his name as Agent is entered in the poll book by the Presiding officer. (Sec. 42.)

The Agent, if he is to act in a polling section other than that in which he is registered, should, before election day, obtain from the returning officer a certificate of transfer. (Sec. 51.)

If agents have not written authority, two electors may act. (Sec. 43.) But agents with written authority have prior right. (Sec. 44.)

No person is entitled or permitted to be present in any booth other than the officers, candidates or agents authorized to attend at the polling place, except two agents to represent each candidate who has no agent. (Sec. 43.)

Presiding officers, poll clerks and agents shall, before the opening of the poll, take and subscribe the oath of secrecy required, which oath may be administered by the returning officer, presiding officer, a Justice of the Peace, notary public or commissioner. Insist on this; make note of agent's name and that he took oath. If the oath is not taken make formal protest and note it. (Secs. 36, 45.)

It is advisable for agents to take the oath of secrecy before polling day, and, when this is done, the oath signed by the agent, should be handed to the Presiding Officer, by the agent upon entering the booth.

The Presiding officer, must, immediately before the voting commences, exhibit the ballot box to those present in the booth, so that they may see that it is empty. He must then lock the box and keep it locked until the close of the poll. (Sec. 46.)

Agents are entitled to have the packets of ballots intended for use carefully counted in their presence before opening the poll, and they have the right to inspect these and all other papers and documents if agents are in attendance 15 minutes before the opening of poll. Inspect with utmost care.

Examine the compartment where voters are to mark ballots; see that there is no chance of exhibiting the **X** or of communication by window or otherwise with the outside. Examine the lead pencil, see that it is a **black lead pencil**.

If it is a very soft lead pencil, object that in folding or pressing, the ballot may be spoiled by duplicating the cross. Demand proper lead pencil. Require the Presiding Officer to make the change; tell outside scrutineer to caution our voters to use only a black lead pencil; if another color is found in compartment, voter should demand black lead pencil and a new ballot if he has spoiled one.

Have a Voters' List, carefully prepared with notes for your guidance, showing each voter you are to object to and to swear; also be prepared to sustain any of your own voters who may be objected to by the opposing Agent.

Check off on your list each voter as he votes, and specially note those sworn. If any voter is objected to or sworn, or refuses to be sworn, the poll clerk must enter that fact in the poll book opposite his name, recording at the same time by or on behalf of which candidate the objection has been made. (Sec. 58, §§ 2, 3.)

Agents should remain on duty until all proceedings are closed. Do not go to dinner. Take lunch to poll. Do not consent to any adjournment. Object to it and remain at poll. Insist that the ballot box be on the table and kept there all the time in sight of all entitled to be present.

Do not allow yourself to be placed at a distance. Insist firmly on your right to be where you, on behalf of the Candidate you represent, can see that the law is carried out in every particular. Do not allow anything to be neglected. Have everything done strictly according to the statute even though you think it unimportant. Scrutinize every act and every per-

son, including every official. You are entrusted with a very important duty. Be vigilant first, last and always.

Remain in polling place until you have seen sections 63, 64, 65, 66 and sub-sections, strictly complied with, and until you have received Presiding Officer's signed certificate of number of votes given for each Candidate and of number of ballots rejected. *Very important.*

See that the Presiding Officer and clerk both sign and swear to the affidavits "W" and "X" of the Nova Scotia Election Act, which are also attached to the poll book. *This is important.*

PERSONS ENTITLED TO VOTE.

Sec. 48. Subject to the provisions hereinafter contained, all male persons whose names are registered on the lists of voters for polling districts in any county, in force under the provisions of the "Nova Scotia Franchise Act," on the day of the polling at any election for any county, shall be entitled to vote at any such election for such county, and no other persons shall be entitled to vote thereat.

PERSONS NOT ENTITLED TO VOTE.

Sec 49. The following persons shall be disqualified and incompetent to vote at any election for a member for the House of Assembly :

- (a) The judges of the Supreme Court ;
- (b) Returning officers, except that the returning officer at any election may, as hereinafter provided, vote in the case of an equality of votes between candidates ;
- (c) Any person who at any time within fifteen days before the day of election was an employee, or in the receipt of wages or emolument of any kind as such employee, in the post office, the custom house, the inland revenue department, the lighthouse service, on the Government railways, in the crown land office, or in the office of the Commissioner of Public Works and Mines, provided that nothing in this section contained

shall disqualify any person who has contracted to furnish materials of any kind for the Government railways or to perform any other specific contract in respect to the same, or any person who has been employed by the day temporarily to repair the railways, or any post master, post office keeper, way office keeper, or mail courier.

Sec. 59. No voter who has refused to take the oath contained in the said form T, or in any paragraph thereof, when requested to do so, shall receive a ballot paper, or be admitted to vote.

Sec. 60. No person shall vote in more than one polling district in the province on the same day, and no person shall vote more than once in any polling district; but each voter may vote for as many candidates as are to be elected to represent the county for which the election is held.

OATHS OF QUALIFICATION.

Such voter shall, before receiving the ballot, as aforesaid, if required by the presiding officer, the poll clerk, one of the candidates, or one of their agents, or by any voter present, take the oath contained in such of the paragraphs in the form T in the first schedule to this chapter as any of the persons aforesaid indicates, which oath the presiding officer is hereby authorized to administer.

Sec. 52, S. S. 3.

Form T.

I, A. B., solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*):—

1. That I am the person named, or purporting to be named, by the name of.....(*and if there are more persons than one of the same name on the said list, inserting also his addition or some other circumstance by which such persons are distinguished on the list*), on the list of voters for polling district No., in the county of.....

2. That I am a British subject by birth (*or naturalization, as the case may be*), and that I am of the full age of twenty-one years

3. That I have not this day voted before at this or any election of a member of the House of Assembly, either at this or any other polling place in the Province of Nova Scotia.

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

5. That I am not an employee in the post office, the custom house, the inland revenue department, the lighthouse service, on the Government railways, in the Crown Land office, or in the office of the Commissioner of Public Works and Mines, except as having contracted to furnish materials for the Government railways, or as having been employed to perform any other specific contract in respect to the same, or as having been employed by the day to repair such railways, or except as postmaster, post office keeper, way office keeper, or mail courier.

6. That I have not within twelve calendar months next before this day received aid as a pauper under any poor law of this province, or aid as a poor person from any public grant of Government money.

VOTING.

The presiding officer *on application* of any voter, who is unable to read, or is incapacitated by blindness or other physical cause, from voting in the manner prescribed by the Act, shall permit him to vote only upon his taking the oath in the form "U." (Sec. 57.)

Form U.

I solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I am unable to read and to understand the ballot paper so as to mark the same (*or that I am incapacitated by physical cause, or as the case may be, from voting without the assistance of the presiding officer.*)

The agent should insist on this oath being administered before a voter's ballot is marked for him. The presiding officer and one agent of each candidate should retire with the voter, after he has taken the above oath, to the voting compartment.

The presiding officer should then ask the voter for whom he votes, and mark the ballot accordingly in the presence of the agents, and should then forthwith deposit the ballot in the ballot box, and also cause to be marked opposite the voter's name, the reason why his ballot was marked for him. (Sec. 57.)

When a voter applies for a ballot in the name of a person who has already voted he shall be entitled to vote upon taking the oath in the first paragraph of form "T," but the presiding officer is to put the ballot in a sealed envelope marked "tendered," and the ballot shall not be counted. (Sec. 61.)

Each elector (if entitled to vote) shall receive from the presiding officer a ballot paper stamped with the official seal. (Sec. 70.)

The presiding officer upon request of the voter shall instruct such voter how and where to affix his mark, and how to fold his ballot paper, but without inquiring or seeing for whom he intends to vote, except in case of illiterates, etc. (Sec. 71.)

Be watchful that voter is not directed so as to vote for a particular candidate.

The voter upon receiving the ballot paper shall go into the compartment of the polling station and mark his ballot paper by making a cross thus:—X with a pencil opposite the name or names of the candidate or candidates for whom he votes, as shewn on page 18.

The voter shall then fold the ballot paper so as to conceal the names of the candidates and so as to show a portion of the back only, and then deliver it to the presiding officer, who will place it in the ballot box. (Sec. 53.)

The presiding officer shall without unfolding the ballot, ascertain that there is only one ballot paper and then IN FULL VIEW of those present, including the elector, place the ballot paper in ballot box, which box shall be placed on table in full view of those present. (Sec. 53.)

Voter who has spoiled ballot paper given him may return it to the presiding officer, who shall write the word "cancelled" upon it, and the voter shall obtain another ballot paper in its place. (Sec. 62.) (See that the spoiled paper is properly preserved and returned, so that the count may be right).

Sec. 81.—(1.) Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting at the polling station.

(2.) No officer, clerk or agent, or other person shall interfere with or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling station information as to the candidate for whom any voter at such polling station is about to vote or has voted.

(3.) No officer, clerk, agent, or other person shall communicate, at any time, to any person any information obtained at a polling station as to the candidate for whom any voter at such polling station is about to vote or has voted.

(4.) Every officer, clerk and agent in attendance at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting; and no such officer, clerk or agent shall attempt to obtain at such counting any information, or communicate any information obtained at such counting, as to the candidate for whom any vote is given in any particular ballot paper.

(5.) No voter shall, except in the case in this Chapter previously provided for, show his ballot paper, when marked, to any person so as to allow the name of the candidate, for whom he votes to be known; and no person shall, directly or indirectly, induce or endeavour to induce, any voter to show his ballot paper after he has marked the same so as to make known to any person the name of the candidate for whom he has marked the same.

(6.) Every person who violates any of the provisions of this section shall be liable to a penalty not exceeding twenty dollars, and in default of payment to imprisonment for any term not exceeding three months.

Sec. 32. No person who has voted at an election shall in any legal proceeding questioning the election or return be required to state for whom he voted.

PROCEEDINGS AT CLOSE OF POLL.

Sec. 63.—(1.) Immediately after the close of the poll, the presiding officer, with the assistance of the poll clerk, and in the presence of the candidates and their agents, or such of them as are then present, and if the candidates and their agents, or any of them, are absent, then in the presence of such, if any, of them

as are present, and of at least three voters, shall open the ballot box, and proceed to count the number of votes given for each candidate.

(2.) In so doing he shall reject every ballot paper,—

- (a) which is not stamped with the official seal,
- (b) by which votes have been given for more candidates than are to be elected,
- (c) upon which there is any writing or mark by which the voter can be identified; and
- (d) which is unmarked, or so marked as to render it uncertain for which candidate or candidates the voter votes.

(3.) The Presiding Officer shall indorse "rejected" on every ballot paper which he rejects.

Sec. 64. At the conclusion of the counting, the Presiding Officer shall,—

- (a) declare the state of the poll in his polling district,
- (b) put into separate envelopes or parcels the ballot papers indicating the votes given for each candidate respectively, and also put into separate envelopes or parcels the ballot papers rejected, those spoiled and those unused respectively, and indorse all such envelopes or parcels so as to indicate their contents, and
- (c) return all such envelopes or parcels with their contents to the ballot box.

Sec. 65.—1. After the ballot papers are counted, the Presiding Officer shall make up a written statement of the votes given for each candidate, of the rejected ballot papers, of the spoiled ballot papers, and returned ballot papers, which shall be made under the following heads :

- (a) Number of votes for each candidate ;
- (b) Number of ballot papers rejected for want of official seal ;
- (c) Number of ballot papers rejected as voting for more candidates than are to be elected ;
- (d) Number of ballot papers rejected for having a writing or mark by which the voter may be identified ;

- (e) Number of ballot papers rejected as unmarked, or for uncertainty ;
- (f) Number of tendered ballot papers deposited ;
- (g) Number of spoiled ballot papers returned by him ;
- (h) Number of unused ballot papers returned by him.

(2.) The Presiding Officer shall make and keep a copy of such statement and enclose in the ballot box the poll book with such statement, together with the list of voters used by him, and such other lists and documents as were used at such election.

(3.) The ballot box, with the envelopes or parcels and other contents, shall then be locked and sealed, and shall be delivered to the returning officer or to the election clerk, who shall receive or collect the same, and if both of these are unable so to do, then to one or more persons specially appointed for that purpose by the returning officer.

BALLOTS NOT TO BE COUNTED ARE:

1. Those which have not been supplied by the Presiding Officer.
2. Those by which votes have been given for more candidates than are to be elected.
3. Those upon which there is any writing or mark by which the voter can be identified.
4. Those marked "cancelled," "tendered" or "declined."

FOLLOWING IRREGULARITIES HELD FATAL TO VOTE:

1. A single stroke instead of a cross.
2. A mark which in itself is a means of identification, such as initial or some other mark known as used by the voter.
3. Two single strokes not crossing.

FOLLOWING HELD NOT FATAL TO VOTE:

1. Irregular mark in the figure of a cross, so long as it does not lose the form of a cross. (You will observe that allowance is made for inexpert people, who intend to make a cross and do so roughly.)
2. A cross with a line before it. (The line may have been made by an inexpert in the attempt to make a cross)
3. Inadvertent marks in addition to the cross.
4. Ballot paper inadvertently torn.
5. A cross made with double lines.

PENALTIES.

Every one who,—

- (a) forges, counterfeits, fraudulently alters, defaces or fraudulently destroys any ballot paper, or
- (b) without authority supplies any ballot paper to any person, or
- (c) fraudulently puts into any ballot box any paper other than the ballot paper which he is by law authorized to put in, or
- (d) fraudulently takes out of the polling place any ballot paper, or
- (e) without authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election, or
- (f) attempts to commit any offence specified in this section,

shall, if he is a returning officer, presiding officer, or poll clerk, be liable to imprisonment for any term not exceeding two years, with or without hard labor; and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labor.

Sec. 105.

BEWARE OF PERSONATION.

Every one who, at an election for the House of Assembly,—

- (a) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person ; or
- (b) having voted once at any such election, applies at the same election for a ballot paper in his own name, is guilty of personation, and shall be liable to a penalty not exceeding two hundred dollars and imprisonment for a term not exceeding six months. Sec. 96.

Every one who aids, abets, counsels or procures the commission by any person of the offence of personation shall be liable to a penalty not exceeding two hundred dollars, and to imprisonment for a term not exceeding six months. Sec. 108.

BEWARE OF THE MACHINE.

No doubt an attempt will be made by the Grits to introduce the Ontario Election Machine or its methods into Nova Scotia. This machine is worked by skilled and unscrupulous workers especially instructed and sometimes imported into a district for the purpose. All strangers, therefore, who, during the contest or on election day appear in the district should be closely watched and their movements noted. Dangerous men belonging to the polling district should also be watched.

THEIR DEVICES.

They place in the hands of voters ballots marked for the Grit Candidates, induce the voter to conceal the ballot given by the Presiding Officer and then hand to the Presiding Officer the bogus ballot already marked.

Another device is for an unscrupulous Presiding Officer, when a Liberal-Conservative voter hands him a ballot to be deposited in the box, instead of so depositing it, to substitute one marked for the Grit Candidate in its place. *This is called Switching Ballots.*

In the event of the appointment of a Presiding Officer in whom the agents have not the utmost confidence a constant watch should be kept to prevent the operation of these devices.

This is to be care, filled in by Scrutineer, in addition to getting Certificate from Deputy Returning Officer.

Polling Division No.

Electoral District of

Counting ballot papers before 8 a.m.	}	1st package, —No. of Ballots in
		2nd package, —No. of Ballots in
		3rd package, —No. of Ballots in
		4th package, —No. of Ballots in
		5th package, —No. of Ballots in
		6th package, —No. of Ballots in

Total.....

Total number of electors who have voted, as entered after name of last vote

Number of Ballot Papers in hands of Deputy Returning Officer at 8 a.m.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers cast for Mr.

Number of Ballot Papers placed in envelopes marked "tendered."

Number of Ballot Papers spoiled - - - - -

Number of Ballots rejected - - - - -

Number of Ballot Papers not used and returned - - -

Totals - - - - -

Date.....

Signatures of
Conservative
Agents. {

FORM OF BALLOT

to be used at Election for County of Halifax, 1901.

CAMPBELL.

- I. George M. Campbell, of Halifax,
in the County of Halifax,
Physician.

X

CROSBY.

- II. Adam B. Crosby, of Halifax, in
the County of Halifax,
Commission Merchant.

X

KEEFE.

- III. Michael E. Keefe, of Halifax, in
the County of Halifax,
Contractor.

McPHERSON.

- IV. David McPherson, of Halifax, in
the County of Halifax,
Shipbuilder.

MITCHELL.

- V. George Mitchell, of Halifax, in
the County of Halifax,
Merchant.

STEWART.

- VI. John J. Stewart, of Halifax, in
the County of Halifax,
Journalist.

X

N. B.—Mark ballot as marked above.

