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BILL.

An Act to extend the provisions of the *Two hundred and seventy-fifth* section of the Act "*respecting the Municipal Institutions of Upper Canada,*" and to provide for the election of Councillors in the several townships of Upper Canada, whenever the same may be divided into *Electoral Divisions* under the authority of the said section.

Received and read 1st time, Wednesday
26th August, 1863.

Second reading, Wednesday, 2nd September,
1863.

Hon. Mr. McCREA.

BILL.

An Act to extend the provisions of the *Two hundred and seventy-fifth* Section of the Act "*respecting the Municipal Institutions of Upper Canada*" and to provide for the Election of Councillors in the several townships of Upper Canada, whenever the same may be divided into ELECTORAL DIVISIONS under the authority of the said Section.

HER MAJESTY, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

- 1.** Whenever a township in Upper Canada is divided into Electoral Divisions, and Polling places established therein, and Returning Officers appointed therefor, under and by the provisions of the *Two hundred and Seventy-fifth* Section of Chapter *Fifty-four* of the Consolidated Statutes for Upper Canada, a meeting of the Electors for such township shall take place for the nomination of candidates, for the Councillors to be elected for the said township, at the Township Hall if there be one in the said township, but if there be no Township Hall, then at the place where the first meeting of the Council of the said township was held for the then current year, on the last Monday but one in the month of December, before the Annual Election as provided by the said Act, at ten of the clock in the forenoon.
- 2.** The Township Clerk shall preside at such meeting, or, in case of his absence, through sickness or otherwise, the Council shall appoint a person to preside in his place; and if the Clerk or the person so appointed does not attend, the electors present shall choose a chairman, being an elector, to officiate from among themselves.
- 3.** Such clerk or person so appointed or chairman so chosen, shall have all the powers of a Returning Officer.
- 4.** If only five candidates have been within one hour proposed by any of the electors present at such meeting, the clerk or person so appointed to preside, or chairman so chosen as the case may be, shall declare such candidates duly elected Councillors to serve for the then next following year.
- 5.** If more than five candidates shall be proposed at such meeting, and any candidate proposed after the first five, or any elector on his behalf, shall demand a Poll, the said clerk or person so appointed or chairman so chosen shall, on the following day, post up in the office of the clerk the names of the candidates so proposed, and give notice of the names to the Returning Officer appointed for each and all the said Electoral Divisions.
- 6.** In case of the nomination of more than five candidates, and no candidate nominated after the first five, or no elector on his or their behalf then demanding a Poll as aforesaid, the Clerk or person so appointed, or Chairman so chosen, shall declare such five candidates first nominated duly elected Councillors to serve as aforesaid.
- Meeting of Electors at Township Hall for nomination of candidates.
- Who to preside at such meeting.
- Powers of such chairman.
- If only five candidates.
- If more than five candidates and poll demanded.
- If more than five candidates but no poll demanded.

7. In case of a Poll being so demanded, the Returning Officer for each Electoral Division, in such township, shall cause a Poll to be opened at the Polling place appointed in such Division, on the first Monday in January following, and shall take the votes in the same way and keep the Poll open for the full time required by law for taking the votes, in cases where no Electoral Division shall be established. 5

8. Every Returning Officer shall, on the day after the close of the Poll, return the Poll-Book to the township clerk, verified under oath before the said clerk, or any Justice of the Peace for the county or union of counties in which the said township may lie, as to the due and correct taking of the votes for the said Electoral Division. 10

9. The Township Clerk shall add up the number of votes set down for each candidate in the respective Poll-Books, and ascertain the aggregate number of votes, and shall at the Township Hall, or such other place at which the nomination was held, at noon of the day following the return of the Poll-Books, publicly declare the same, beginning with the candidate having the greatest number, and so on with the others, and shall thereupon publicly declare elected, the five candidates respectively standing the highest on the Poll. 15

10. In case two or more candidates have an equal number of votes, the said clerk, whether otherwise qualified or not, shall give a vote for one or more of such candidates so as to decide the election; and except in such case, no Township Clerk shall vote at any such election. 20

11. This Act shall be taken and read as part of the Act intituled; "An Act respecting the Municipal Institutions of Upper Canada." 25

Act to be part
of C. S. U. C.,
c. 54.

Township
Clerk to add
up votes and
declare result
of election.

Poll-books to
be returned to
the Township
Clerk.

Poll to be
opened and
votes taken
in each
Division.