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No. 24.

4th Session, 8th Parliament, 29th Victoria, 18

BILL.

An Act to amend the Act respecting
Municipal Institutions of Upper Canada
so that in townships divided into wards
each elector may have as many votes
there are councillors to be elected.

[No. 32 of 1865—1st Session.]

Mr. WRIGHT (East York)

QUEBEC:
PRINTED BY HUNTER, ROSE & CO.
ST. URSULE STREET.

An Act to amend the Act respecting the Municipal Institutions of Upper Canada in so far as it relates to Elections in townships divided into wards.

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 wards, and polling places established therein, and returning officers appointed therefor, under the provisions of chapter fifty-four of the Consolidated Statutes for Upper Canada, a meeting of the electors for such township shall take place 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, 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; and the township clerk shall give the notice required by section ninety-seven of chapter fifty-four of the Consolidated Statutes for Upper Canada. Meeting for nomination of candidates.
- 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. Who shall preside.
- 3.** Such clerk or person so appointed, or chairman so chosen, shall have all the powers of a returning officer. Powers of presiding 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. If only five candidates are proposed.
- 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 wards. If more than five. Notice to returning officer.
- 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 If no poll is demanded.

appointed, or chairman so chosen, shall declare such five candidates first nominated duly elected councillors to serve as aforesaid.

If a poll is demanded.

7. In case of a poll being so demanded, the returning officer for each ward in such township shall cause a poll to be opened at the polling place appointed in such ward, on the first Monday in January 5 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 wards shall be established.

Proceedings for holding it.

Poll-book to be returned attested on oath.

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 10 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 ward.

Counting the votes and declaring the candidates elected.

9. The township clerk, or person so appointed, or chairman so chosen as aforesaid, shall add up the number of votes set down for each 15 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 20 shall thereupon publicly declare elected the five candidates respectively standing the highest on the poll.

Casting vote in case of ties.

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 25 in such case, no township clerk shall vote at any such election.

Construing this Act.

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