



# Local Government Act 1888

## 1888 CHAPTER 41

### PART VI

#### TRANSITORY PROVISIONS.

##### *First Election of County Councillors.*

#### **103 First election of county councillors.**

- (1) The first election of county councillors under this Act shall be held in the month of January next after the passing of this Act on such day in each county not earlier than the fourteenth day of January as the returning officer for that county may fix, and the returning officer shall publish notice of such day in the preceding month of December, and the day so fixed shall be deemed for the purposes of the first election to be the ordinary day of election of county councillors.
- (2) The sheriff of each county shall be the returning officer for such first election, but if the sheriff desires to be a candidate at such election the county quarter sessions on his application may appoint another person to be the returning officer, and the person so appointed shall, for the purpose of such election, have the powers and duties of the sheriff.
- (3) At the first election, the returning officer may, if it appears to him necessary, divide an electoral division into polling districts, so however that every polling district shall be an area or a combination of areas for which separate parts of the register of electors are made out, and he shall settle and give proper notice of the places at which the poll for each electoral division, or district of a division, shall be taken.
- (4) The clerk of the peace who will by virtue of this Act become the clerk of the county council when elected, shall make up the county register and division registers of the county electors for the purposes of the first election, and shall deliver the same to the returning officer, and every clerk of the peace who has in his custody any revised lists of electors required for making up such registers, shall supply to the above-mentioned clerk of the peace Such number of copies of those lists as he may require for the purpose of making up the said registers.

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- (5) The returning officer shall send to the clerk of the peace, who will by virtue of this Act become the clerk of the county council, the names of the persons elected, and shall send to each person elected a county councillor notice of his election, accompanied by a summons to attend the first meeting of the provisional council fixed by this Act at such time and place as the returning officer may fix.
- (6) The costs properly incurred by the returning officer in reference to the first election, and in reference to such first meeting of the provisional council, shall be defrayed as expenses of the county council, and may be taxed on an application made by or by direction of the provisional council.
- (7) In the administrative county of London, the returning officer for the first election shall be such fit person as the Local-Government Board may appoint, and such returning officer shall, for the purposes of such election, have the powers and duties of the sheriff, and any sheriff, under-sheriff, officer of the London School Board, or other public officer having authority in the Metropolis, and being in possession of any ballot boxes or other fittings or arrangements for an election shall permit such returning officer to use the same for the purposes of such first election.
- (8) Such returning officer shall make up the county register and division registers of the county electors for the purposes of the first elections, and shall make them up out of the lists of voters made out in the year one thousand eight hundred and eighty-eight for the City of London, and for such portions of the counties of Middlesex, Surrey, and Kent, as are comprised in the Metropolis, and shall make the necessary alteration in the forms of those lists, and the secondary of the City of London, and the town clerks within the meaning of the Registration Acts for the parliamentary boroughs in the administrative county of London, and the clerks of the peace of Middlesex, Surrey, and Kent, shall deliver to the said returning officer such number of copies of the revised lists of electors as he may require. The returning officer for the administrative county of London shall send the names of the persons elected to the clerk of the Metropolitan Board of Works.
- (9) The court of quarter sessions in any county, and the Metropolitan Board of Works in the Metropolis, shall advance to the returning officer such sum as is authorised by this Act to be advanced by county councils to returning officers for the purposes of an election.
- (10) The sheriff having authority in any administrative county, or the largest part thereof, shall for the purposes of this Act be deemed to be the sheriff of that county.