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## SCHEDULES.

### THIRD SCHEDULE

#### ELECTIONS.

##### PART I

###### PREPARATION AND REVISION OF PARISH BURGESS LISTS IN BOROUGHS NOT PARLIAMENTARY.

- 1 On or before each first of September, the overseers of each parish shall make, sign, and deliver to the town clerk a list, called the parish burgess list, of all persons entitled to be enrolled in the burgess roll for the year in respect of property in that parish.
- 2 The overseers shall keep a printed copy of the parish burgess list made by them open to public inspection on the first fifteen days of September.
- 3 The town clerk shall cause a printed copy of all the parish burgess lists to be fixed on the town hall, and to be kept so fixed during the last seven of those fifteen days.
- 4 Every person whose name is not in a parish burgess list, and who claims to have it inserted therein (in this Act referred to as a claimant), shall, on or before the fifteenth of September, give notice in writing of his claim to the town clerk.
- 5 Every person whose name is in a parish burgess list may object to any other person as not being entitled to have his name retained in that or any other parish burgess list.
- 6 Every person so objecting (in this Act referred to as an objector) shall on or before the fifteenth of September, give to the town clerk, and also give to the person objected to, or leave at or on the property for which he appears in the parish burgess list to be rated, notice in writing of the objection.
- 7 The town clerk shall make two separate lists of the claimants and the persons objected to (in this Act referred to as respondents), and shall cause printed copies thereof to be fixed on the town hall, and to be kept So fixed during the last seven days of September.
- 8 He shall also keep a printed copy of each of these lists, open to public inspection on any day during the same seven days.
- 9 The mayor and the two revising assessors shall in each year revise the parish burgess lists.
- 10 They shall for this purpose hold an open court in the borough on some or one of the first fifteen days of October.
- 11 They shall give three clear days notice of the holding of the court, by notice fixed on the town hall.
- 12 The town clerk shall at the opening of the court produce the parish burgess lists, and a copy of the lists of claimants and respondents.

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- 13 The court shall insert in the parish burgess lists the name of every, person who has duly claimed to have his name inserted therein, and is. proved to the satisfaction of the court to be so entitled.
- 14 The court shall expunge from the parish burgess lists the name of every person proved to the court to be dead.
- 15 Subject as aforesaid, the court shall retain in the parish burgess lists the name of every person to whom objection has not been duly made.
- 16 The court shall also retain therein the name of every respondent, unless the objector appears by himself, or by some person on his behalf, in support of the objection.
- 17 Where the objector so appears, the court shall require proof of the respondent's qualification, and, if it is not proved to the satisfaction of the court, shall expunge his name from the parish burgess list.
- 18 If the name of any person is entered in respect of property situate in more than one ward, the court may call upon him to choose, and if he does not choose, may determine in which of those wards he shall be entitled to vote.
- 19 The court shall correct any mistake and supply any omission proved to the court to have been made in any of the lists with respect to the name or abode of any person, or the description of any property.
- 20 The overseers, vestry clerks, and collectors of poor rates of every parish shall attend the court.
- 21 The court may require any overseer or person having the custody of any book containing any poor rate made in any year in any parish to produce the same at the court for inspection.
- 22 The court may examine on oath the town clerk, overseers, vestry clerks, and collectors, and any claimant, objector, respondent, or witness.
- 23 The court shall, on the hearing in open court, determine on the validity of all claims and objections.
- 24 The mayor shall, in open court, write his initials against each name inserted or expunged, and against any part of the lists in which a mistake has been corrected or omission supplied, and shall sign his name to every page of the lists so revised.
- 25 The mayor may adjourn the court from time to time, so that no adjourned court be held after the fifteenth of October.

## PART II

### RULES AS TO NOMINATION IN ELECTIONS OF COUNCILLORS.

- 1 Every candidate for the office of councillor must be nominated in writing.
- 2 The writing must be subscribed by two burgesses of the borough or, in the case of a ward election, of the ward, as proposer and seconder, and by eight other burgesses of the borough or ward, as assenting to the nomination.
- 3 Each candidate must be nominated by a separate nomination paper, but the same burgesses, or any of them, may subscribe as many nomination papers as there are vacancies to be filled, but no more.

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- 4 Each person nominated must be enrolled in the burgess roll or entered in the separate non-resident list required by this Act to be made.
- 5 The nomination paper must state the surname and other names of the candidate, with his abode and description.
- 6 The town clerk shall provide nomination papers, and shall supply any burgess with as many nomination papers as may be required, and shall, at the request of any burgess, fill up a nomination paper.
- 7 Every nomination paper subscribed as aforesaid must be delivered by the candidate, or his proposer or seconder, at the town clerk's office, seven days at least before the day of election, and before five o'clock in the afternoon of the last day for delivery of nomination papers.
- 8 The town clerk shall forthwith send notice of every such nomination to each candidate.
- 9 The mayor shall attend at the town hall on the day next after the last day for delivery of nomination papers for a sufficient time, between the hours of two and four in the afternoon, and shall decide on the validity of every objection made in writing to a nomination paper.
- 10 Where a person subscribes more nomination papers than one, his subscription shall be inoperative in all but the one which is first delivered.
- 11 Each candidate may, by writing signed by him, or, if he is absent from the United Kingdom, then his proposer or seconder may, by writing signed by him, appoint a person (in this schedule referred to as the candidate's representative) to attend the proceedings before the mayor on behalf of the candidate, and this appointment must be delivered to the town clerk before five o'clock in the afternoon of the last day for delivery of nomination papers.
- 12 Each candidate and his representative, but no other person, except for the purpose of assisting the mayor, shall be entitled to attend the proceedings before the mayor.
- 13 Each candidate and his representative may, during the time appointed for the attendance of the mayor for the purposes of this schedule, object to the nomination paper of any other candidate for the borough or ward.
- 14 The decision of the mayor shall be given in writing, and shall, if disallowing an objection, be final, but, if allowing an objection, shall be subject to reversal on petition questioning the election or return.
- 15 The town clerk shall at least four days before the day of election cause the surnames and other names of all persons validly nominated, with their respective abodes and descriptions, and the names of the persons subscribing their nomination papers as proposers and seconders, to be printed and fixed on the town hall, and in the case of a ward election, in some conspicuous place in the ward.
- 16 The nomination of a person absent from the United Kingdom shall be void, unless his written consent given within one month before the day of his nomination in the presence of two witnesses is produced at the time of his nomination.
- 17 Where the number of valid nominations exceeds that of the vacancies, any candidate may withdraw from his candidature by notice signed by him, and delivered at the town clerk's office not later than two o'clock in the afternoon of the day next after the last day for delivery of nomination papers : Provided that such notices shall take effect in the order in which they are delivered, and that no such notice shall

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have effect so as to reduce the number of candidates ultimately standing nominated below the number of vacancies;

- 18 In and for the purposes of the provisions of this Act relating to proceedings preliminary to election, the burgess roll or ward roll which will be in force on the day of election shall be deemed to be the burgess roll or ward roll and a person whose name is inserted in one of the lists from which the burgess roll or ward roll will be made up, shall be deemed to be enrolled in that roll although that roll is not yet completed.

### PART III

#### MODIFICATIONS OF THE BALLOT ACT IN ITS APPLICATION TO MUNICIPAL ELECTIONS.

- 1 The provisions of the Ballot Act, 1872, with respect to the voting of a returning officer, the use of a room for taking a poll, and the right to vote of persons whose names are on the register of voters, and Rules 16 and 19 in the schedule to that Act, shall not apply in the case of a municipal election.
- 2 The mayor shall at least four days before the day of election give public notice of the situation, division, and allotment of polling places for taking the poll at the election, and of the description of the persons entitled to vote thereat, and at the several polling stations.
- 3 The mayor shall provide everything which in the case of a parliamentary election is required to be provided by the returning officer for the purpose of a poll, and shall appoint officers for taking the poll and counting the votes.
- 4 The mayor shall furnish every polling station with such number of compartments in which the voters can mark their votes screened from observation and furnish each presiding officer with such number of ballot papers, as in the judgment of the mayor may be necessary for effectually taking the poll at the election.
- 5 All expenses of the election shall be defrayed in manner by this Act provided.
- 6 No return shall be made to the clerk of the Crown in Chancery.

### PART IV

#### ENACTMENTS WHICH ARE TO REVIVE ON THE EXPIRATION OF THE BALLOT ACT.

With respect to a contested election of councillors, elective auditors, or revising assessors, the following rules shall be observed :

- 1 The returning officer shall cause the requisite polling booths to be erected, or the requisite rooms to be hired and used as polling booths.
- 2 The returning officer shall, at least two days before the day of election, give public notice of the situation, division, and allotment of the different booths.
- 3 Each booth shall be divided into compartments, and the returning officer shall appoint a clerk to take the poll at each compartment.
- 4 There shall be affixed on each booth a notice specifying the part of the borough for which it is allotted.

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- 5 No person shall be admitted to vote at any booth except that allotted for the part in which his qualifying property is situate, unless no booth is allotted for that part, in which case he may vote at any booth.
- 6 If there is more than one booth, the returning officer may appoint a deputy to preside at each booth.
- 7 A burgess may vote by delivering to the returning officer or his deputy a voting paper containing the surnames and other names of the persons for whom he votes, with their abodes and descriptions. The voting paper must be signed by the burgess, and must state the qualifying property in respect of which he votes.
- 8 The returning officer or his deputy shall, if so required by two burgesses, put to any person offering to vote at the time of his delivering in his voting paper, but not afterwards, the following question :  
"Are you the person whose name is signed as [A.B.] to the voting paper now delivered in by you?" The vote of a person required to answer this question shall not, be received until he has answered it. If any person wilfully makes a false answer thereto he shall be guilty of a misdemeanour.
- 9 The returning officer shall, at the close of the poll, examine the voting papers, and shall publish a list of the persons elected not later than two o'clock in the afternoon of the day next but one after the day of election.
- 10 The town clerk shall, for a period of six months from the day of election, keep at his office the voting papers used at the election, and shall permit any burgess to inspect the same on payment of one shilling for each search.