



An Act to regulate the manner of Conducting Elections in Electoral Divisions.

(Passed the 15th day of April, A. D. 1859.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. At the election of members to serve in general assembly for the electoral divisions of the counties of Halifax, Pictou, Colchester, Hants, and Kings, the court for the nomination of candidates shall be held in each electoral division which may be required to return members, and at the places following, that is to say:

In the eastern electoral division of the county of Halifax, at or near Kauback's, in the Middle Musquodoboit, in electoral district number twenty-one.

In the eastern electoral division of the county of Pictou at the town of New Glasgow.

In the northern electoral division of the county of Colchester, at or near the public parade ground in Onslow, in polling district number six.

In the northern electoral division of the county of Kings, at the town house, Centreville, Cornwallis.

In the northern electoral division of the county of Hants, at or near John T. Campbell's, in Maitland, district number nine.

In the other electoral divisions of the above five counties, the court for the nomination of candidates shall be held at the county court house, as heretofore.

2. When there shall be an election in both divisions of the same county at the same time, the court for the nomination of candidates in one of such divisions shall be opened and held by a deputy to be appointed by the sheriff, and who shall be notified in writing by the sheriff of the day to which the court shall be adjourned, and the court for the nomination of candidates held before such deputy shall be adjourned by him to meet at the day so to be appointed by the sheriff at the county court house, at which day the adjourned court for declaring the members elect for both divisions shall be held at the county court house.

3. The deputy of the sheriff shall appoint a clerk, as the sheriff is required to do, and shall keep a faithful record of the proceedings before him at the court held by him for the nomination of candidates, which record, signed by him and his clerk, he shall, at the close of court, seal up and direct to the sheriff, and shall, within thirty-six hours thereafter, cause to be delivered to the sheriff, under a penalty, in case of failure, of fifty pounds. The sheriff, at the adjourned court for declaring the members elect, shall read aloud such record, and shall declare to be duly elected any candidate who thereby shall appear to have been elected without opposition, in conformity with the law, at the court for nomination held by the deputy sheriff.

4. When the election shall be for one electoral division only, the sheriff shall conduct the election in that division as in ordinary cases, and in such case when a poll shall be required, he shall hold his adjourned court at the place appointed for holding the court for the nomination of candidates in the same district.

5. The sheriff shall, in all respects, conduct the elections in the counties of Halifax, Pictou, Colchester, Hants, and Kings, and receive the returns of the officers presiding at the polling districts, and make the return of members elect, in the same manner as in other counties, except as regards holding courts for nomination of candidates by deputy in one of the electoral divisions when there shall be elections in both divisions at the same time.

6. The deputy of the sheriff and his clerk shall take the oath, observe the requirements, exercise the powers, and be subject to the liabilities which, by law, are or may be imposed and conferred on the sheriff and his clerk, so far as relates to the holding and conducting of the court for the nomination of candidates, and as shall be necessary or proper for carrying this act into effect.

7. The deputy of the sheriff shall receive for his services the sum of twenty shillings, and his clerk the sum of ten shillings, to be paid by the candidates of the division.

May 4. 3 ins.

An Act to alter certain Electoral Districts in the County of Cape Breton.

(Passed the 15th day of April, A. D. 1859.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Electoral district number one, in the county of Cape Breton, shall be divided into two electoral districts, to be called electoral district number one, and electoral district number eleven, to be bounded as follows, that is to say: Electoral district number one shall include all that part of the present district not embraced in the bounds of electoral district number eleven as hereinafter described; and the polling place shall be at the place now by law established for electoral district number one.

2. Electoral district number eleven shall include all that part of the present district number one situate to the eastward of a line running from McPhee's ferry along the Kilkenny lake road, until it meets the Lingan road; thence by a straight line southeastwardly until it strikes

Michael Tracey's house, on the Cow Bay road; thence running northwardly to the extreme northwardly point of Schooner Pond; thence following the windings of the sea shore to the mouth of Spanish river; thence up such river until it meets McPhee's ferry. And the polling place of the district above described shall be at some convenient place at or near the Lingan mines.

3. Electoral district number three, in the County of Cape Breton, shall be divided into two electoral districts, to be called electoral district number three, and electoral district number twelve to be bounded as follows, that is to say: Electoral district number three shall comprise all that part of the present district number three not included in the limits of electoral district number twelve, as hereinafter described; and the polling place shall be at the place now by law established for electoral district number three.

4. Electoral district number twelve shall include all that portion of the present district number three bounded as follows, that is to say: Commencing at Edward Dillon's house, near Round island; thence in a northerly direction until it strikes Michael Tracey's house, on the Cow Bay road; thence running northeasterly to the extreme northern point of Schooner Pond; thence following the windings of the sea shore southerly to the place of commencement. And the polling place shall be at some convenient place at or near William Whalen's at Cow Bay.

5. Electoral district number eight, in the County of Cape Breton, shall be divided into two electoral district number eight and electoral district number thirteen, to be bounded as follows, that is to say: Electoral district number eight shall comprise all that part of the present district number eight not included in the limits of electoral district number thirteen, as hereinafter described. And the polling place shall be at the polling place now by law established for electoral district number eight.

6. Electoral district number thirteen shall include all that portion of the former district number eight bounded as follows, that is to say: Commencing at Rory Brack's brook; thence running south thirteen degrees east until it strikes the northern boundary of district number seven; thence westerly by such northern boundary until it strikes the line dividing the counties of Richmond and Cape Breton, at Grand River Lakes; thence northwesterly by such county line to the southern shore of the Bras d'Or Lake; thence easterly by that shore to the place of beginning. And the polling place shall be at some convenient place at or near Hugh McLellan's way office at Big Pond.

7. Electoral district number nine, in the County of Cape Breton, shall be divided into two electoral districts, to be called electoral district number nine, and electoral district number fourteen, to be bounded as follows, that is to say: Electoral district number nine shall comprise all that part of the present district number nine not included in the limits of electoral district number fourteen, as hereinafter described. And the polling place shall be at the place now by law established for electoral district number nine.

8. Electoral district number fourteen shall include all that portion of the present district number nine bounded as follows, that is to say: Commencing at the mouth of Eskasoni brook; thence by the course of such brook up stream three miles; thence by a right-line until it strikes Alexander McNeil's house, on the shore of Little Bras d'Or, at or near Sunacadio harbor; thence by said shore westerly to the straits of Barra, and to continue along the shore of the Bras d'Or lake southwardly, eastwardly, and northwardly, to the place of beginning. And the polling place shall be at some convenient place at or near Rory McSweeney's, at Beaver Cove.

May 4. 3 ins.

An Act for the better equalizing the Elective Franchise in certain Counties.

(Passed the thirtieth day of March, A. D. 1859.)

WHEREAS the privilege of returning members to the General Assembly is enjoyed unequally by the inhabitants of the Counties of Halifax, Lunenburg, Kings, Hants, Annapolis, Digby, Cumberland, Pictou, Richmond, and Cape Breton, by reason of some portions of the electors being debarred the right which others exercise, of returning Township as well as County members:

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The election of the members to serve in the General Assembly of this Province for the Counties of Lunenburg, Annapolis, Digby, Cumberland, Richmond, and Cape Breton, shall, after the expiration of the present House of Assembly, be by Counties only, and not as at present by Counties and Townships; and thenceforth each of the said Counties of Lunenburg, Annapolis, Digby, and Cumberland shall be represented by three members in the General Assembly, to be chosen by all the electors of the Counties unitedly, and not as heretofore by three members chosen by different constituencies; and the said Counties of Cape Breton and Richmond shall each be represented in General Assembly by two members, to be chosen by all the electors of the County unitedly, and not as heretofore by different constituencies; and the electors of the Townships of Lunenburg, Annapolis and Clements, Granville, Digby, Amherst, Isle Madame, and Sydney, shall not thenceforth choose or return members to serve in General Assembly, except as electors for the County.

2. For the purpose of representation in General Assembly, each of the Counties of Halifax, Kings, Hants, Colchester and Pictou, after the expiration of the present House of Assembly, shall be separated into two Electoral Divisions, each of which two Electoral Divisions in place of the members now elected in those Counties, respectively, shall return two members, except the western Electoral Division of the County of Halifax, which, including the City of Halifax, shall return three members.

The two Electoral Divisions of the County of Halifax shall be called, respectively, the Western Electoral Division and Eastern Electoral Division of the County of Halifax.

The Western Electoral Division shall comprise the Township of Halifax, including the City of Halifax and shall embrace the polling districts numbers one,

two, three, four, five, and six in the City, and numbers seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, and sixteen, in the rest of the Township; and the electors of the said Western Division shall return three members to serve in the General Assembly; and the Eastern Electoral Division shall comprise the rest of the County of Halifax, including the polling districts numbers seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, and the electors of the said Eastern Division shall return two members to serve in General Assembly, and the five members to be chosen shall be in place of the four members now returned by the different constituencies in that County.

3. The two Electoral Divisions of the County of Hants shall respectively be called the Northern Electoral Division and the Southern Electoral Division of the County of Hants. The polling district in the said County of Hants number seven shall, after the passing of this Act, be bounded on the south by a straight line which, running from the point of junction of the River Hebert with the eastern line of polling district number eight in the said County, shall strike the point of junction of the western line of polling district number ten with the Nine Mile River, and all that triangular tract of land now belonging to number seven, which lies to the southward of the said line, and which is hereby separated from number seven, shall, after the passing of this Act, be annexed to and be part of polling district number eight. The Northern Division shall comprise the polling districts numbers four, six, nine, and eleven as at present defined, and number seven as hereby abridged and altered; and the Southern Division shall comprise the polling districts numbers one, two, three, five, and ten, as at present defined, and number eight, as hereby enlarged. The electors of each of the said Divisions shall elect and return two Representatives to serve in General Assembly, and the four members so chosen shall be in the place of the five members now returned by the different constituencies in that County.

4. The two Electoral Divisions of the County of Colchester shall, respectively, be called the Northern Electoral Division and the Southern Electoral Division of the County of Colchester. The Northern Division shall comprise the present polling districts numbers six, eight, nine, ten, eleven, twelve, and thirteen; and the Southern Division shall comprise the present polling districts numbers one, two, three, four, five, and seven. The electors of each of the said Divisions shall elect and return two Representatives to serve in General Assembly, and the four members so chosen shall be in place of the four members now returned by the different constituencies in that County.

5. The two Electoral Divisions of the County of Pictou shall, respectively, be called the Western Electoral Division and the Eastern Electoral Division of the County of Pictou. The Western Electoral Division shall comprise the Township of Pictou, and shall embrace the following polling districts: numbers one, two, three, four, five, six, seven, eight, nine, ten, and eleven; and the Eastern Electoral Division shall comprise the Townships of Egerton and Maxwellton, and the rest of the County of Pictou, and shall embrace the polling districts numbers twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, and twenty-two. The electors of each of the said Electoral Divisions shall elect and return two Representatives to serve in General Assembly, and the four members to be chosen shall be in the place of the three members now returned by the different constituencies in the County of Pictou.

6. The two Electoral Divisions in the County of Kings shall, respectively, be called the Northern Electoral Division and the Southern Electoral Division of the County of Kings, which two Divisions shall comprise the whole County, and be divided by a line described as follows, that is to say: by the line separating the Townships of Horton and Cornwallis from the Basin of Minas up the Corwallis River as far as the River is the division of these Townships near Kentville, and thence continuing along the centre of the River to its source in the Carriboog bog, thence west to the line dividing Cornwallis and Aylesford, thence southerly by that line to the centre of the Main Post road, thence by the centre of the said road westwardly to the line separating the Counties of Kings and Annapolis. All that portion of the County of Kings which lies to the northward of the said line, shall be the Northern Electoral Division; and all that portion which lies to the southward of said line, shall be the Southern Electoral Division. The electors of each of the said Electoral Divisions shall elect and return two Representatives to serve in General Assembly, and the four members so to be chosen shall be in place of the four members now returned by the different constituencies in the County of Kings.

The polling districts in the County of Kings shall be as follows:

Such of the polling districts as shall be wholly within the Northern Electoral Division, as hereby established, shall be polling districts of the said Northern Division.

Those parts of the polling districts numbers three, four, and five, which lie within the said Northern Electoral Division, as hereby established, shall be, respectively, polling districts of the said Northern Division, and be distinguished by the same numbers, three, four and five, respectively, and the polling place of number five shall be at or near Edward Parker's.

And that part of Aylesford which lies within the said Northern Electoral Division, as hereby established, shall be taken from number ten, and shall form a polling district of the said Northern Division, to be called number twelve, whereof the polling place shall be near the Episcopal Church.

Such polling districts as shall be wholly within the Southern Electoral Division, as hereby established, shall be polling districts of the said Southern Division.

That part of polling district number three which lies within the Southern Electoral Division, as hereby established, shall be added to polling district number six, the polling place of which is at Kentville, and those parts of polling districts numbers four and five which lie within the Southern Electoral Division, as hereby established, shall unitedly form one polling district of the said Southern Electoral Division, to be called number thirteen, whereof the polling place shall be at or near William Osborn's on the Old Post road.

And that part of polling district number ten in the Township of Aylesford which lies within the said Electoral Division, as hereby established, (not to include the polling district lately established at Dalhousie) shall be a polling district of the said Southern Division, to be called number ten, whereof the polling place shall be at or near Benjamin L. Palmers.

And the said polling district at Dalhousie shall be a polling district of the said Southern Division, to be called number eleven, whereof the polling place shall be at or near the dwelling house of William Sanders.

8. After the expiration of the present House of Assembly the electors in the whole of each of the said Counties of Halifax, Hants, Colchester, Pictou, and Kings, shall not unitedly choose or return Representatives to serve in General Assembly, nor shall the electors of the Townships of Halifax, Falmouth, Windsor, Newport, Pictou, Cornwallis, or Horton, nor of the present Northern or Southern Districts of Colchester choose or return Representatives, except as electors within some one of the said Electoral Divisions hereinafter established and described.

9. The electors of the County of Inverness, in consideration of the large population of that County, shall elect and return three members instead of two to represent them in General Assembly.

10. At any election of a member to serve in General Assembly, no person entitled to vote by reason of

residence in one of the Electoral Divisions established by this Act, shall be entitled or permitted to vote in any other Electoral Division by reason of real estate or of property qualification, or other cause whatsoever.

11. The House of Assembly shall comprise fifty five members. The qualification of the members and of the electors, the polling districts, and the mode of conducting elections, and taking the poll, and the nature and extent of the constituencies, and the number of their Representatives, as far as they are not altered by this Act, continue unchanged.

12. Writs for the election of members to serve in General Assembly after the expiration of the present House, shall be issued in conformity with this Act so far as this Act extends, and in conformity with the law now in force, as far as the same is not altered or affected by this Act.

April 13

1 m.

MISS MILLER

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April 13.

4 ms.

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JAMES DEMILL, HAZEN S. FILLMORE, St. John, N. B., March 26th, 1859.

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