CHAPTER iv.

An Act to confirm a Provisional Order for forming a Compensation District and establishing a Compensation Board under the Brine Pumping (Compensation for Subsidence) Act 1891. [21st May 1896.]

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WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto under the provisions of the Brine Pumping (Compensation for Subsidence) Act 1891:

54 & 55 Vict. c. 40.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Order in schedule confirmed.

1. The Order as altered and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force.

Costs of Order and confirming Act.

2. The costs charges and expenses preliminary to and of and incidental to the obtaining and confirmation of the said Order as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Compensation Board constituted by the said Order.

Landowners costs under Act of 1891 to be paid by Board.

3. The sum of seven hundred and fifty pounds part of the sum of one thousand pounds mentioned in section fifty-one of the Brine Pumping (Compensation for Subsidence) Act 1891 shall be paid by the Compensation Board constituted by the said Order to the treasurer of the Northwich fund for promotion of the said Act to be by him divided rateably amongst the persons who contributed to the said fund according to the sums respectively subscribed by such persons.

Short title.

4. This Act may be cited as the Brine Pumping (Compensation for Subsidence) Provisional Order Confirmation Act 1896.

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SCHEDULE.

Northwich Salt Compensation District Order.

NORTHWICH SALT COMPENSATION DISTRICT.

Provisional Order for forming a Compensation District and establishing a Compensation Board under the Brine Pumping (Compensation for Subsidence) Act 1891.

To the County Council of Chester; —

To the Urban District Council of Northwich; —

To the Rural District Council of Northwich; —

To the Brine Pumpers pumping or raising brine from shafts wells springs or mines within the Compensation District herein-after mentioned; —

And to all others whom it may concern.

WHEREAS by Section 3 of the Brine Pumping (Compensation for Subsidence) Act 1891 (herein-after referred to as "the Act") it is enacted that any owner or owners of land in any county of a rateable value in the aggregate of not less than two thousand pounds may apply to the Local Government Board by memorial alleging that subsidence of land belonging to such owner or owners is caused by brine pumping operations whereby loss or damage is occasioned and praying that a Compensation District may be formed under the Act with such boundaries as shall be described in the memorial or such other boundaries as the Local Government Board shall fix;

54 & 55 Vict. c. 40.

And whereas by sub-section (1) of Section 6 of the Act it is enacted that if the Local Government Board after receiving the report of their inspector upon the local inquiry held under the Act determine to form a compensation district as prayed by the memorial or with addition of any lands or exclusive of any of the lands proposed by the memorial to be included in the district the Local Government Board shall frame a draft provisional order forming a compensation district and establishing a compensation board under the Act in such manner as they think expedient having regard to all the circumstances of the case;

And whereas by Section 9 of the Act it is enacted that for every district formed under the Act there shall be a compensation board constituted of a number of members (not exceeding nine);

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And whereas by Section 11 of the Act it is enacted as follows :—

(1.) Of the members of every compensation board—

One-third not being brine pumpers or persons employed by them for the purposes of their business shall be appointed by the county council or councils of the county or counties in which the district is situated;

One-third shall be elected by the brine pumpers within the district;

One-third not being brine pumpers or persons employed by them for the purposes of their business shall be appointed by the sanitary authority or authorities other than the council of a county borough having jurisdiction within the district.

(2.) An Order of the Local Government Board under the Act shall contain all such provisions subject to the provisions of the Act for the number of members of the compensation board to be established for the district and for their election appointment and retirement and for the formation and revision of a register of persons entitled to vote at elections the number of votes to which each brine pumper shall be entitled and for any other matters as may seem to the Local Government Board expedient;

And whereas certain owners of land in the County of Chester of a rateable value in the aggregate exceeding two thousand pounds have applied to the Local Government Board by memorial in pursuance of Section 3 of the Act praying that a Compensation District may be formed with the boundaries described in the memorial;

And whereas the Local Government Board directed local inquiry to be held as to the expediency of forming the proposed District and as to the boundaries to be assigned to such District and as to any further incidental matters in relation thereto which local inquiry has been held in accordance with the provisions of Section 5 of the Act;

And whereas the Local Government Board after receiving the report of their inspector have determined to form a Compensation District as herein-after provided;

And whereas each of the above-mentioned District Councils is a Sanitary Authority within the meaning of the Act;

And whereas the area of the said Compensation District which comprises the Urban District of Northwich and part of the Rural District of Northwich is coloured pink on two maps (hereinafter referred to as "the Compensation District Maps") each marked "Map of the Northwich Salt Compensation District" and signed by William George Mount Esquire the Chairman of the Committee of the House of Commons to whom the Bill for the Act to confirm this Order was referred:

Now therefore We the Local Government Board in pursuance of the powers given to Us by the Act and by any other Statutes in that behalf do hereby

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Order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect viz.:—

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the First day of November One thousand eight hundred and ninety-six:

Provided that for the purposes of the formation and revision of the register of the persons entitled to vote at the first election of the members of the Compensation Board to be elected by the Brine Pumpers and of all proceedings preliminary or relating to the election and appointment of members and to the first meeting of the Compensation Board this Order shall operate from the date of the Act of Parliament confirming the same.

Art. II.—(1.) The area colored pink on the Compensation District Maps shall be formed into a Compensation District under the Act to be termed the Cheshire Salt Compensation District (herein-after referred to as "the Compensation District").

(2.) One of the Compensation District maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the clerk of the Urban District Council of Northwich at his office within fourteen days after the confirmation of this Order. Copies of the Compensation District map deposited with the clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council of Cheshire.

(3.) Copies of or extracts from the Compensation District map deposited with the clerk of the Urban District Council certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map so far as relates to the boundaries of the Compensation District and such map shall at all reasonable times be open to inspection by any land owner or brine pumper within the Compensation District and any such person shall be entitled to a copy of or extract from such map certified by the said clerk to be true on payment of a reasonable fee to be determined by the Compensation Board for every such copy or extract.

Art. III. The Compensation Board to be established for the Compensation District (herein-after referred to as "the Compensation Board") shall be called the Northwich Salt Compensation Board and shall consist of nine members of whom three shall be appointed by the County Council of Chester two shall be appointed by the Urban District Council of Northwich one shall be appointed by the Rural District Council of Northwich and three shall be elected by the Brine Pumpers in accordance with the rules contained in the Schedule hereto.

Art. IV. A person shall not be qualified to be appointed or to be a member of the Compensation Board to represent the County Council or either of the District Councils unless he is or is qualified to be and is not disqualified from

being a member of the County Council or the District Council as the case may be.

Art. V.—(1.) A person shall be disqualified for being elected or being an elected member of the Compensation Board if he—

(*a*) is an infant or an alien; or

(*b*) has within twelve months before his election or since his election received union or parochial relief; or

(*c*) has within five years before his election or since his election been convicted either on indictment or summarily of any crime and sentenced to imprisonment with hard labour without the option of a fine or to any greater punishment and has not received a free pardon or has within or during the time aforesaid been adjudged bankrupt or made a composition or arrangement with his creditors.

(2.) A person shall be disqualified for being appointed or elected or being a member of the Compensation Board if he—

(*a*) holds any paid office under the Compensation Board; or

(*b*) is concerned in any bargain or contract entered into with the Compensation Board or participates in the profit of any such bargain or contract or of any work done under the authority of the Compensation Board:

Provided that a person shall not be disqualified for being elected or appointed or being a member of the Compensation Board by reason of his being interested—

(*c*) in the sale or lease of any lands to the Compensation Board; or

(*d*) in any newspaper in which any advertisement relating to the affairs of the Compensation Board is inserted; or

(*e*) in a contract with the Compensation Board as a shareholder in any joint stock company but he shall not vote at any meeting of the Compensation Board on any question in which such company are interested in respect of such contract.

(3.) Where a person is disqualified for being elected or being an elected member of the Compensation Board by being adjudged bankrupt or making a composition or arrangement with his creditors the disqualification shall cease in case of bankruptcy when the adjudication is annulled or when he obtains his discharge with a certificate that his bankruptcy was caused by misfortune without any misconduct on his part and in case of composition or arrangement on payment of his debts in full.

(4.) If a member of the Compensation Board is absent from the meetings of that Board for more than six months consecutively except in case of illness or for some reason approved by the Compensation Board his office shall be vacated.

(5.) Where a member of the Compensation Board becomes disqualified for holding office or his seat is vacated by absence resignation or death the Compensation Board shall forthwith declare the office to be vacant and signify the same by notice signed by two members and countersigned by the clerk of the Compensation Board and notified to the Council affected or to the Brine

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Pumpers as the case may be within seven days of such declaration of vacancy being made in such manner as the Compensation Board may direct and the office shall upon such declaration being made become vacant.

(6.) If any person acts when disqualified or votes when prohibited under this Article he shall for each offence be liable on summary conviction to a fine not exceeding twenty pounds.

(7.) The proceedings of the Compensation Board shall not be invalidated by any vacancy or vacancies among their members or by any defect in the election appointment or qualification of any member of the Board.

Art. VI. The first appointments by the County Council and the District Councils of members of the Compensation Board shall be made at the meeting of the County Council or the District Council as the case may be held next after the First day of October One thousand eight hundred and ninety-six or if for any reason no appointment is then made at a meeting to be held within such further time as the Local Government Board may allow.

Art. VII. The clerk of the County Council of the Urban District Council of Northwich and of the rural District Council of Northwich shall notify in writing to the Local Government Board within seven days after the appointment shall have been made the names address and occupation of each of the persons appointed as members of the Compensation Board.

Art. VIII. The persons who shall be entitled to vote at the first election by Brine Pumpers of any member of the Compensation Board and all other matters relating to such election shall be determined and governed by the rules contained in the Schedule hereto:

Provided that the returning officer shall make all his arrangements for the conduct of the first election so as to ensure its completion and the ascertainment of the result on or before the First day of November One thousand eight hundred and ninety-six and he shall notify in writing to the Local Government Board immediately after the result has been ascertained the names address and occupation of each of the persons elected.

Art. IX. The first meeting of the Compensation Board shall be held on the fourth Thursday in the month of November One thousand eight hundred and ninety-six at a time and place to be fixed by the Local Government Board and the annual meeting of the Compensation Board shall be held on the same day in November in every subsequent year.

Art. X.—(1.) The members of the Compensation Board shall go out of office on the fourth Thursday in the month of November in every third year subsequent to the year One thousand eight hundred and ninety-six on which day their successors shall come into office.

(2.) A person ceasing to be a member of the Compensation Board shall if qualified and not disqualified be re-eligible for re-appointment or re-election as the case may be.

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Art. XI.—(1.) The members of the Compensation Board to be appointed by the County Council and each of the District Councils to supply the places of the persons who will go out of office in pursuance of Article X. of this Order shall be appointed at a meeting of the County Council or District Councils as the case may be to be held before the Fifteenth day of November in every third year subsequent to the year One thousand eight hundred and ninety-six.

(2.) The clerk to the County or District Councils as the case may be so appointing shall within three days after the appointment has been made notify in writing to the clerk to the Compensation Board the names address and occupation of each of the persons so appointed.

(3.) The members of the Compensation Board to be elected by the Brine Pumpers to supply the places of the members who will go out of office in pursuance of Article X. of this Order shall be elected in accordance with the Rules contained in the Schedule to this Order.

Art. XII. Any casual vacancy in the Compensation Board shall be filled up—

(*a*) in the case of a member appointed by the County Council or by either of the District Councils at a meeting of the County Council or District Council as the case may be to be held as soon as practicable after the notification of such vacancy in accordance with subdivision (5) of Article V. of this Order.

(*b*) in the case of a member elected by the Brine Pumpers by election by the persons qualified in accordance with and in the manner provided by the Schedule to this Order Provided that the returning officer shall fix the dates at which the several proceedings in connexion with such election are to take place so that the result may be ascertained as soon as practicable after the notification of such vacancy as aforesaid.

Art. XIII. The Local Government Board may from time to time by Order prescribe forms of notices claims objections voting papers or other documents required for the purposes of the election of members of the Compensation Board by the Brine Pumpers.

Art. XIV. If at any time any new District is formed including the whole or any part of the Rural District included in the Compensation District or the boundaries of the Urban District or of the part of the Rural District included in the Compensation District are altered or the whole of the Urban District is created or included in a Municipal Borough then and in every such case the Local Government Board may by Order to be published as they shall direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XV. If any difficulty arises in making out revising and otherwise dealing with the register of persons entitled to vote at any election of members of the Compensation Board by the Brine Pumpers or if any difficulty arises as regards the establishment of the Compensation Board or as regards the appointment or election of members of the Compensation Board or as regards

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any other matter or thing affecting the Compensation Board or the due and effectual carrying out of the provisions of this Order or the Schedule thereto the Local Government Board may make such Order as may appear to them to be necessary to remove any such difficulty and may vary so far as shall be necessary any provision of this Order and the Schedule thereto.

The SCHEDULE above referred to.

Qualification of Electors and Scale of Voting at Elections by Brine Pumpers.

1. No person partnership firm or company (herein-after called a "Brine Pumper") shall be entitled to vote or to have a voting paper delivered to him or them or his or their nominee at any election unless the name of such person partnership firm or company is on the register of Brine Pumpers entitled to vote at such election.

2. Every Brine Pumper whose name is on the register shall be entitled to votes in accordance with the following scale (that is to say) :—

If the quantity of brine pumped or raised by the Brine Pumper during the year ending on the Thirtieth day of June before the formation of the register is not more than ten million gallons one vote ;

If the quantity of brine pumped or raised during such year exceeds ten million gallons and is not more than twenty million gallons two votes ;

If the quantity of brine pumped or raised during such year exceeds twenty million gallons and is not more than thirty million gallons three votes ;

For every additional ten million or part of ten million gallons of brine pumped or raised during such year an additional vote :

Provided that in no case shall any Brine Pumper be entitled to vote for more than two persons.

Returning Officer.

3. The returning officer for the purposes of the election shall be the chairman of the Compensation Board or in the case of the first election the chairman of the County Council or if he be unable or unwilling to act such person as he shall by writing under his hand appoint and all powers and duties by this Order vested in or imposed on the returning officer and all other powers and duties requisite to be exercised or performed by him in relation to such election shall be exercised and performed by such chairman or such other person as aforesaid as the case may be.

4. If the office of chairman of the Compensation Board is vacant at the time when any such power or duty must be exercised or performed or if such chairman or the chairman or such other person as aforesaid (in the case of the first election) or any person appointed as herein-after provided as the case may be dies or is from illness or other sufficient cause unable to exercise or perform such powers or duties or is absent or refuses to act some other person shall be appointed in case of the first election by the Local Government Board and in any other case by the Compensation Board to exercise or perform such powers and duties.

5. The Compensation Board or (in case of the first election) the returning officer shall before or during the election appoint a sufficient number of persons to assist the returning officer in conducting and completing the same.

Formation and Revision of Register of Persons entitled to vote at first election.

6. The returning officer shall not later than the First day of August One thousand eight hundred and ninety-six publish by advertisement in two consecutive weeks in the same local newspaper or newspapers circulated in the Compensation District a notice—

(1.) Fixing the days on which and the place where the claims of brine pumpers to be inserted on the register of persons entitled to vote are to be sent in.

(2.) Requiring every claim so sent in to be signed by the brine pumper or in the case of a partnership firm or company to be signed or sealed in accordance with Rule 9 of this Schedule and to state—

(*a.*) The precise situation of each pumping station or other place within the district where the brine pumper pumps or raises brine from shafts wells springs or mines.

(*b.*) The quantity of brine in gallons pumped or raised at each such pumping station or other place during the year ended the Thirtieth day of June One thousand eight hundred and ninety-six.

(*c.*) The number of votes claimed.

(*d.*) An address where any voting paper may be served or delivered.

(*e.*) In case the claim is made in respect of a partnership firm the name and address of each partner and the full style or description of the firm.

(*f.*) In case the claim is made in respect of a company the registered title and office of the company.

(3.) Appointing a place where forms of claim can be obtained.

(4.) Fixing the days on and the hours during which and the place where the register of claims will be open to inspection by any brine pumper or any duly authorised agent of a brine pumper.

(5.) Fixing the days on or before which and the place where objections by brine pumpers to any of the particulars entered upon the register must be sent in and requiring every person objecting to send at the same time a copy of his objection to the brine pumper affected thereby.

(6.) Fixing the day or days for hearing objections and for final revision of the register.

7. The returning officer shall as soon as possible after the last day for sending in claims cause a register of the claims to be prepared in which shall be entered the particulars of every claim sent to him in accordance with the terms of the notice and he shall cause the register to be open for inspection by any brine pumper or any duly authorised agent of a brine pumper during such hours on each of six consecutive days (the first of such days to be not more than seven days after the last day for sending in claims) as he may appoint.

8.—(1.) Any Brine Pumper claiming to be entitled to vote at the election may send to the returning officer on or before the day specified in the notice an objection to the retention of any name on the register or to any of the particulars entered on the register.

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(2.) A Brine Pumper making an objection shall at the same time send a copy of his objection to the Brine Pumper affected thereby.

9. Every claim or objection sent in on behalf of a partnership firm or of a company shall in the case of a firm be signed by a majority of the persons constituting the firm and in the case of a company be under the common seal of the company.

10. The returning officer shall appoint a day or days the first of such days not being earlier than the third day after the last day on which objections are to be sent in for hearing objections and for final revision of the register.

11. The returning officer shall determine the validity of any claim to which objection has been made and for that purpose may examine such persons and call for such evidence from the persons making the claim or objection as he may think fit No objection shall be heard or entertained by the returning officer which shall not have been made and of which notice shall not have been given as required by Rule 8 of this Schedule.

12. The returning officer shall expunge from the register the name of any brine pumper objected to who shall be proved to his satisfaction not to be entitled to vote at the election and shall revise the register in accordance with the facts that may be proved to his satisfaction and his decision shall be final and conclusive on all parties.

13. The returning officer shall sign the register so revised by him and the register so revised and signed shall be the register of brine pumpers entitled to vote at the first election or at any election held before the completion of the revision of the register in the succeeding year.

Revision of Register of Brine Pumpers.

14. The returning officer shall in each year cause a new register to be prepared in whicb shall be entered the several particulars contained in the last preceding register but revised in all necessary particulars according to the information disclosed by the returns made under Section 41 of the Act the quantity of brine pumped or raised during the year ended at the Thirtieth day of June then next preceding being entered as the qualifying quantity of brine and the votes being calculated in accordance with Rule 2 of this Schedule upon such quantity.

15. The returning officer shall in each year publish by advertisement in two consecutive weeks in the same local newspaper or newspapers circulated in the Compensation District the second of such notices to appear not later than the First day of October a notice—

(1.) Stating the days on and the hours during which and the place where the register so prepared will be open to inspection by any brine pumper or any duly authorised agent of a brine pumper ;

(2.) Stating the days on which and the place where any brine pumper whose name is not entered upon such register may send in his claim and requiring every claim so sent in to be signed by the person claiming or in the case of a claim on behalf of a partnership firm or company to be signed or sealed in accordance with Rule 9 of this Schedule and to state the particulars mentioned in sub-division (2) of Rule 6 of this Schedule ;

(3.) Stating the days on which and the place where the claims to be entered on the register will be open to inspection by any brine pumper or any duly authorised agent of a brine pumper;

(4.) Stating the day on or before which and the place where objections by brine pumpers to any of the particulars entered upon the register or to any claim to be entered thereon must be sent to him and requiring every person objecting to send at the same time a copy of his objection to the person affected thereby;

(5.) Stating the day or days for hearing objections and for final revision of the register.

16. The returning officer shall cause the register prepared under Rule 14 of this Schedule to be open for inspection by any brine pumper or duly authorised agent of a brine pumper during such hours in each of six consecutive days (the first of such days to be not later than the Fifteenth day of October) as he may appoint.

17. Any brine pumper whose name is not entered on such register may not less than three clear days before the first day to be fixed for making objections send in a claim to be inserted in the register but every such claim shall be made in the manner and contain the particulars required by the notice The returning officer shall cause such claims to be open for inspection by any brine pumper or duly authorised agent of a brine pumper for three consecutive days prior to the last day fixed for making objections.

18.—(1.) Any Brine Pumper himself claiming to be entitled to vote at the election may send to the returning officer on or before the day specified in the notice an objection to the retention of any name on the register or to any of the particulars entered on the register or to any claim made under Rule 17 of this Schedule.

(2.) A Brine Pumper making an objection shall at the same time send a copy of his objection to the Brine Pumper affected thereby.

19. The returning officer shall appoint a day or days the first of such days not being earlier than the third day after the last day on which objections are to be sent in for hearing objections and for final revision of the register.

20. The returning officer shall determine the validity of any entry on the register to which objection has been made or of any claim made pursuant to Rule 17 of this Schedule and for that purpose may examine such persons and call for such evidence from the persons making the claim or objection as he may think fit No objection shall be heard or entertained by the returning officer which shall not have been made and of which notice shall not have been given as required by Rule 18 of this Schedule.

21. The returning officer shall expunge from the register the name of any Brine Pumper objected to who shall be proved to his satisfaction not to be entitled to vote and shall revise the register in accordance with the facts that may be proved to his satisfaction and shall enter therein every claim made under Rule 17 of this Schedule which shall be proved to his satisfaction to be properly made and well founded and his decision shall be final and conclusive on all parties.

22. The returning officer shall sign the register so revised by him and the register so revised and signed shall be the register of Brine Pumpers entitled to vote at any election held before the completion of the revision of the register in the succeeding year.

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NOMINATION AND ELECTION OF MEMBERS BY BRINE PUMPERS.

23. The returning officer shall not less than fourteen days before the day appointed by him for delivery to him of nominations publish by advertisement in two consecutive weeks in the same local newspaper or newspapers circulated in the Compensation District a notice signed by him and specifying—

The number of the persons to be elected;

The day on or before which every partnership firm or company entitled to vote must appoint a person to vote on their behalf as herein-after mentioned;

The place where forms of nomination may be obtained;

The place where and the day upon and the hours during which the nominations are to be delivered or sent to him;

The day on which the voting papers in case of a contest will be sent out and the day on or before which and the place where they are to be returned; and

The place for the examination and casting up of the votes;

and shall also cause a copy of such notice to be delivered or sent to every person entitled to vote at the address entered in the register.

24. Every partnership firm or company who may desire to vote shall appoint some person to vote on their behalf and such appointment shall contain the full name and address of the person appointed and shall in the case of a partnership firm be signed by a majority of the persons constituting the firm and shall in the case of a company be under the common seal of the company and shall be notified to the returning officer not later than the last day specified in the notice for the delivery or sending in of nominations.

25. Any Brine Pumper entitled to vote (including any person appointed by a partnership firm or company to vote on their behalf) may nominate for the office of elected member of the Compensation Board himself or any other person or persons not exceeding the number of persons to be elected.

26. Every such nomination shall be in writing and shall state the name residence and calling or quality of each person nominated and shall be signed by the nominator.

27. Any person nominated may withdraw from his candidature by giving notice to that effect signed by him to the returning officer not later than two clear days before the day for sending out the voting papers in the case of a contest.

28. If the number of persons nominated and not withdrawn is the same as or less than the number of persons to be elected such persons (if duly qualified) shall be deemed and shall be certified by the returning officer under his hand to be elected.

29. If the number nominated and not withdrawn exceeds the number to be elected the returning officer shall cause voting papers to be prepared and shall insert therein the full names and addresses of the persons nominated and not withdrawn in the alphabetical order of the surnames of such persons but it shall not be necessary to insert more than once the name of any person nominated and he shall also insert on one of such voting papers the name and address of the person entitled to vote and the number of votes to which such person is entitled.

30. The returning officer shall not less than seven days before the last day on which the voting papers are to be returned to him cause the proper voting paper to be delivered by a person appointed by him for that purpose or by post by registered letter at the address stated in the register of each person entitled to vote at the election or

in the case of a partnership firm or company at the address of the person appointed to vote for such firm or company.

31. Every voter may give all the votes to which he is entitled to one candidate or may distribute them among the candidates as he thinks fit.

32. Each voter shall place in the proper column of the voting paper against the name of any candidate for whom he votes the number of votes he gives to such candidate and shall sign such voting paper and in case the voter acts on behalf of a firm or company he shall state the name of the firm or company for whom he acts.

33. If any person entitled to receive a voting paper has not received a voting paper as aforesaid he shall on personal application to the returning officer on or before the last day for returning the voting papers be entitled to receive a voting paper from him and to fill up the same in his presence and then and there to deliver the same to him.

34. The voter shall send the voting paper to the returning officer so as to reach him on or before the day fixed by him in the notice of the election either by leaving or causing the same to be left at the place named in the notice or by posting the same as a registered letter so as to reach the returning officer not later than noon of the day fixed by the notice.

35. In case of the voting at any election of any partnership firm or company such person only as shall have been appointed and whose appointment shall have been notified as required by Rule 24 of this Schedule shall be entitled to vote.

Counting of Votes.

36.—(1.) The returning officer shall on the day immediately following the day of collection of the voting papers attend at the place appointed for the examination and casting up of the votes and he shall cast up such of the votes as he finds to be valid and to have been duly given and shall ascertain the number of such votes for each candidate.

(2.) Any candidate may himself attend or may appoint any agent to attend the examination and casting up of the votes any candidate or agent so attending who obstructs or in any way interferes with the examination and casting up of the votes may by order of the returning officer be forthwith removed from the place appointed for that purpose and if so removed shall not be permitted to return.

37. The candidates to the number to be elected who have obtained the greatest number of votes shall be deemed and shall be certified by the returning officer under his hand to be elected and to each person so elected the returning officer shall forthwith send or deliver notice of his election.

38. The returning officer shall also cause to be made a list containing the names of the candidates together with (in case of a contest) the number of votes given for each and the names of the persons elected and shall sign and certify such list and shall deliver the same together with the nomination and voting papers which he has received to the Compensation Board at their first or next meeting (as the case may be) who shall cause the same to be deposited in their office.

GENERAL PROVISIONS.

39. The returning officer shall make all his arrangements for the conduct of every triennial election subsequent to the first so as to ensure its completion before the third

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Thursday in the month of November and in the case of an election to fill a casual vacancy so as to ensure its completion in accordance with paragraph (*b*) of Article XII. of this Order.

40. Whenever the day appointed for the performance of any act in relation to any election is a Sunday Christmas Day or Good Friday a Bank Holiday or any day appointed for public fast or thanksgiving such act shall be performed on the day next following unless it is one of the days excluded as aforesaid and in that case on the day following such excluded day.

41. The reasonable expenses attendant upon the preparation and revision of the register of persons entitled to vote or on any election and such reasonable remuneration to the persons appointed by the Compensation Board or (in the case of the first election) by the returning officer to assist the returning officer for services performed or expenses incurred by them in relation thereto as may be allowed by the returning officer and such reasonable remuneration to the returning officer and other persons for services performed or expenses incurred by them in relation thereto as may be allowed by the Compensation Board shall be paid out of the compensation fund of the district to be provided under the Act.

Given under the Seal of Office of the Local Government Board this Eighth day of April One thousand eight hundred and ninety-five.

(L.S.) G. Shaw-Lefevre President.
S. B. Provis Assistant Secretary.

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