

in writing signed by him, and shall also, on or before the 15th day of October in such year insert a notice of the passing of the resolution by a majority of the councils of the local municipalities of the county, in some newspaper published in the county town and in one other newspaper published in the county. After the publication of such notice it shall not be necessary to hold an election of county councillors in such county or to appoint nominating officers therefor, but the county council for the following year and thereafter shall be composed of the reeves of all townships and villages in the county and the mayors of all towns not separated from the county for municipal purposes, and the following subsections of this section shall apply to such county:—

(3) No reeve or mayor shall take his seat in the county council until he has filed with the clerk of the county council a certificate of the township, village or town clerk under his hand and the seal of the Municipal Corporation that such reeve or mayor was duly elected, and has made and subscribed the declarations of office and qualification as such reeve or mayor.

(4) The certificate in subsection 3 mentioned may be in the following form:—

I, (A.B.) of _____, Clerk of the Corporation of the Township (Town or Village, as the case may be) of _____ in the county of _____ do hereby, under my hand and the seal of the said Corporation, certify that (C.D.) of _____ Esquire, was duly elected Reeve (or Mayor, as the case be) of the said Township of (Town or Village as the case may be) and has made and subscribed the declaration of office and qualification as such Reeve (or Mayor, as the case may be.)

ELECTION OF WARDEN.

(5) The members elect of every county council, being at least a majority of the whole number of the council shall at their first meeting after the yearly elections, and after making the declarations of office and qualification when required to be taken, organize themselves as a council by electing one of themselves to be warden.

(6) At every such election the clerk of the council shall preside, and if there is no clerk the members present shall select one of themselves to preside, and the person so selected may vote as a member.

CASTING VOTE.

(7) Where the number of votes cast for a warden is even, and no election can be had during the first day of meeting, if no choice is made after the council has voted twice, on the second day, the member representing the municipality having the largest equalized assessment shall have two votes, and in case of two or more municipalities having an equalized assessment of the same amount, the clerk shall in open council draw lots to ascertain which member shall give the casting vote.

(8) In every question arising in a county council constituted under this section which involves the expenditure of money to an excess of \$1,000 for any purpose other than the current annual expenses of the municipality, the result shall be determined by adding together the equalized assessments of the municipalities whose representatives vote for such expenditure and against such expenditure respectively instead of by a majority vote of the members as in other cases.

POWERS OF COUNTY COUNCILS.

(9) Such county council shall have all the rights, powers and authority vested in county councils by this Act, and subject to the provisions of subsection 8 of this section, may do and perform all acts, matters and things which county councils might or could do under this Act; and all parts of this Act affecting or applicable to county councils, except the provisions thereof relating to the election of county councillors and the election of a warden, shall apply to the county councils constituted under the preceding subsections of this section.

MEANING OF "LOCAL MUNICIPALITY."

(10) The words "local municipality" or "local municipalities" in the preceeding subsections of this section shall not include a city or town separated from the county for municipal purposes.

COMPOSITION OF COUNCILS IN CERTAIN TOWNS AND CITIES.

15. Section 71a of *The Municipal Act* is repealed and the following substituted therefor:—

71a—(1). The council of every town having a population of not more than 5,000 shall consist of a mayor, who shall be the head thereof, and of six councillors, who shall be elected by a general vote.

(2). At any time, after two annual elections have been held under the provisions of subsection 1 of this section, the council of the town may by by-law provide for the division of the town into wards, and at the annual municipal election held next after the passing of such by-law and thereafter at each annual election so long as the said by-law shall remain in force one councillor shall be elected by the electors of each ward, and the remaining councillors to complete the full number of six shall be elected by general vote.

(3). The council of any town having a population of more than 5,000, and the council of any city having a population of 15,000 or less, may by by-law provide that the council of such city or town shall be composed of a mayor and one alderman for each 1,000 of population to be elected by general vote, or of a mayor and six aldermen, when the population is less than 6,000.

(4). At any time after two annual elections have been held under the provisions of subsection 3 of this section, the council of the town or city may by by-law provide for the election of aldermen by wards as provided in section 71 of this Act.

(5). In any city having a population of more than 15,000, the council may by by-law provide that the aldermen shall be elected by a general vote of the municipal electors, and may in like manner repeal any such by-law.

(6). No by-law shall be passed under this section by the council of any city or town, nor shall any by-law repealing the same be so passed until it shall have been submitted to the electors at an annual municipal election, and shall have received the assent of a majority of the electors voting thereon.

(7). Upon a petition signed by at least twenty per cent. of the electors of the city or town, as the case may be, being presented to the council on or before the first day of November, in any year, for the submission of a by-law under subsections 2 and 4, and upon a petition signed by at least 400 electors of a city being presented to the council on or before the said date for the submission of a by-law, or the repeal thereof under subsection 4 of such city or town, as the case may be, to submit the by-law at the then next ensuing annual municipal election. Provided that no by-law passed under subsections 2, 3 and 4 of this section shall be repealed until at least two annual municipal elections have been held under such by-law, and no by-law passed under subsection 5 of this section shall be repealed until at least five annual municipal elections have been held thereunder.

(8). The word "electors" in this section shall mean the persons qualified to vote at municipal elections in the city or town as the case may be.

(9). Every by-law passed under this section shall come into force and take effect at the next annual municipal election.

(10). The population of any city or town shall, for the purposes of this section, be determined by the latest census of the Dominion of Canada.

QUALIFICATION OF MAYOR, ALDERMAN, COUNCILLOR, ETC.

16. Subsection 1 of section 76 of *The Municipal Act* is amended by striking out the word

"rated" in the 12th line and inserting the word "assessed" in lieu thereof.

EXEMPTION FROM DISQUALIFICATION.

17. Clause (b) of subsection 2, of section 80, of *The Municipal Act* is amended by adding after the word "office" in the fourth line of the said clause the following words:—

"Or by reason of any such exemption being founded on any contract or agreement made between him and the council of any such municipal corporation with respect to such exemption."

CLERK OR TREASURER OF COUNTY ELIGIBLE TO SIT IN COUNTY COUNCIL.

18. Section 81 of *The Municipal Act* is amended by striking out all the words therein after the word "councillor" at the end of the 7th line of said section.

BY-LAWS FOR HOLDING NOMINATIONS IN CERTAIN CITIES.

19. *The Municipal Act* is amended by adding the following as section 95a:—

95a. In cities having a population of over 100,000 inhabitants, the council thereof may, by by-law to be passed not later than the 15th day of November in any year, enact that the meeting of electors for the nomination of candidates for the offices of Mayor, Alderman and Public School Trustees, shall be held on the 23rd day of December, except where the said 23rd day of December falls on a Sunday, in which case the nomination shall be held on the following day, and that the election of Mayor, Aldermen and Public School Trustees in such municipality (except such members as have been previously elected) shall be held on the 1st day of January next thereafter, except where the 1st day of January falls on a Sunday, in which case the election shall be held on the following day.

20. Section 99 of *The Municipal Act* is repealed.

21. Section 103 of *The Municipal Act* is repealed.

ELECTION OF TOWNSHIP COUNCILLORS MAY BE HELD WITHIN A CITY, TOWN OR VILLAGE.

22. Section 105 of *The Municipal Act* is amended by striking out all the words therein after the word "election" in the first line down to and including the word "election" in the second line, and by inserting the word "shall" after the word "thereof" in the third line of the said section.

ADMINISTRATION OF OATH TO VOTERS.

23. Section 117 of *The Municipal Act* as amended by section 6 of *The Municipal Amendment Act, 1902*, is repealed, and the following substituted therefor:—

117. Such oaths or affirmations may be administered by the returning officer or deputy returning officer, as the case may be, if he shall think proper, and shall be administered at the request of any candidate or his authorized agent, and no enquiries shall be made of any voter except with respect to the facts specified in such oaths or affirmations.

CANDIDATES IN CITIES OF OVER 30,000 TO FILE

DECLARATION OF QUALIFICATION BEFORE 9

O'CLOCK P. M. ON DAY FOLLOWING NOMINATION DAY.

24. Subsection (3a) of section 129 of *The Municipal Act* as enacted by *The Municipal Amendment Act, 1900*, is amended by inserting after the word "or" in the second line thereof the following words "at any time before nine o'clock p. m."

EFFECT OF RETIREMENT BY A MAJORITY OF COUNCIL.

25. (1) Section 131 of *The Municipal Act* is amended by striking out the words "the number of members necessary to complete" and the word "is" in the 4th and 5th lines of the said section.

WHEN NEW ELECTION TO BE HELD.

(2) *The Municipal Act* is amended by inserting therein the following section: