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5th Session, 8th Parliament, 29-30 Vic., 1866.

BILL.

An Act to amend the Act of the present session, intituled, "An Act to amend and consolidate the several Acts respecting the Municipal Institutions of Upper Canada."

Received and read, first time, Monday, 13th August, 1866.

Second reading, Monday, 13th August, 1866.

Mr. MCKENZIE.

OTTAWA:

**PRINTED BY HUNTER, ROSE & CO.,
SALLY STREET.**

BILL.

[1866.

An Act to amend the Act of the present Session, intituled:
"An Act to amend and Consolidate the several Acts re-
specting the Municipal Institutions of Upper Canada."

HER MAJESTY, by and with the advice and consent of the Legis-
lative Council and Assembly of Canada, enacts as follows:

1. The following sections and sub-sections of the Act passed in the
present Session of the Parliament of this Province, intituled: "An Act
5 to amend and consolidate the several Acts respecting the Municipal In-
stitutions of Upper Canada" are hereby repealed and the following sec-
tions and sub-sections shall be and are hereby substituted in lieu of the
said sections and sub-sections hereby repealed, and shall be taken and
read as the said sections and sub-sections of the said Act.

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3.—IN TOWNS.

The Council of every town shall consist of the Mayor, who shall be
the head thereof, and of two councillors for every ward, and if the
town has not withdrawn from the jurisdiction of the council of the
county in which it lies, then a Reeve shall be added, and if the town
15 had the names of five hundred freeholders and householders on
the last revised assessment roll, then Deputy Reeve shall be
added, and for every additional five hundred names of persons pos-
sessing the same property qualification as voters on such roll, there
shall be elected an additional Deputy Reeve.

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4.—IN INCORPORATED VILLAGES.

The Council of every incorporated village shall consist of one Reeve,
who shall be the head thereof, and four Councillors, and if the village
had the names of five hundred freeholders and householders on the
last revised assessment roll, then of a Reeve, Deputy Reeve, and
25 three Councillors, and for every additional five hundred names of per-
sons possessing the same qualification as voters on such roll there shall
be elected an additional Deputy Reeve instead of a Councillor.

5.—IN TOWNSHIPS.

The Council of every township shall consist of a Reeve, who shall be
the head thereof, and four Councillors, and if the township had the
30 names of five hundred freeholders and householders on the last
revised assessment roll, then the Council shall consist of a Reeve,
Deputy Reeve, and three Councillors, and for every additional five
hundred names of persons possessing the same property qualification as
voters on such roll there shall be elected an additional Deputy Reeve
35 instead of a Councillor.

7. No Reeve or Deputy Reeve shall take his seat in the County

Council until he has filed with the clerk of the county council a certificate under the hand and seal of the Township, Village or Town Clerk, that such Reeve or Deputy Reeve was duly elected, and has made and subscribed the declarations of office and qualification (unless exempted therefrom) as such Reeve or Deputy Reeve; nor in case of a Deputy Reeve, until he has also filed with the Clerk of the County an affirmation or declaration of the Clerk, or other person having the legal custody of the last revised assessment rolls for the municipality which he represents, that there appears upon such rolls the names of at least five hundred freeholders and householders in the Municipality for the first Deputy Reeve elected for such Municipality, and that no alteration reducing the limits of the municipality and the number of persons possessing the same property qualifications as voters, within five hundred for each additional Deputy Reeve since the said rolls were last revised, has taken place. 5
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86. The electors of every city shall elect three Aldermen for every ward, on the first Monday in January in the year one thousand eight hundred and sixty-seven, one of whom shall retire annually, in rotation, and on the first Monday in January in each year thereafter, shall elect one Alderman for each ward, in the room of the retiring member, unless chosen by acclamation on the day of nomination. 20

117. The necessary declarations of office and qualification may be administered to the members of the Council and Mayor elect in cities and towns by the Clerk thereof.

120. In case no return be made for one or more wards in consequence of non-election, owing to interruption by riot or other cause, the members of council-elect being at least a majority of the whole members of the Council when full, shall elect one of the Aldermen-elect in cities, to be Presiding Officer, at which election the clerk shall preside, and such officer shall take the necessary declarations and possess all the powers of Mayor, until a poll for such ward, wards, or electoral division or divisions, has been held under a warrant in the manner provided for in the one hundred and twenty-fifth section of this Act. 25
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151. The Warden of a county may resign his office by verbal intimation to the Council while in session; or by letter to the County Clerk, if not in session, in which case the Clerk shall, if required, by a majority of the members of the County Council, call a special meeting to fill such vacancy. Vacancies caused by the resignation of a Reeve or a Deputy Reeve shall be filled by an ordinary election as provided by section one hundred and twenty-five. 40

371. All cities and all towns having more than five thousand inhabitants shall have a police magistrate, and the salaries of such police magistrates shall not be less than on the following scale:—

427. This Act shall take effect on the first day of January next, (A.D., 1867) save and except so much thereof as relates to the nominating of Candidates for municipal offices, and the passing of By-laws for dividing a municipality or any ward thereof into electoral divisions and appointing Returning Officers therefor, which shall come into effect on the first day of November next, and also so much thereof as relates to the qualification of electors and candidates shall not take effect till the first day of September, 1867. 45
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1. Forthwith after the passing of this Act it shall be lawful for the

Governor to cause such extra number of copies of the Municipal Act, and the Assessment Act, to be printed, appending thereto a copious index to their provisions as he may deem expedient, and he may cause any Acts or parts of Acts passed during the present session; which
5 amend or affect in any way the provisions of the Municipal Act, to be incorporated with it, inserting them in their proper places in the said Municipal Act, and striking out of the latter any enactments repealed by or inconsistent with those so incorporated; and altering the number of the sections if need be; and a correct printed copy of the said Municipal Act with the amendments so incorporated, and attested under
10 the signature of the Governor, and countersigned by the Provincial Secretary; and also a similarly attested copy of the Assessment Act passed during the present session, shall be deposited with the Clerk of the Legislative Council, and after such attestation and deposit, copies
15 of the said Municipal Act as amended, and of the said Assessment Act, and printed by the Queen's Printer, shall be held and deemed to have the same force and effect as the copies of this Act, and of the Acts amending the same, as passed during the present session; and the Queen's Printer shall distribute the extra copies of the volume containing such Acts and index, in the proportion of three copies to each
20 municipality in Upper Canada, and one copy to each member of the Legislative Council and Assembly.