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No. 20.

4th Session, 6th Parliament, 24 Vic., 1861.

BILL.

An Act to provide for the Election of Reeves and Deputy Reeves, by a direct vote of the Municipal Electors.

Received and read first time, Saturday, 23rd
March, 1861.

Second Reading, Tuesday, 2nd April,
1861.

Mr. AIRKINS.

QUEBEC :
PRINTED BY THOMPSON, HUNTER & CO.,
ST, URSULE STREET.

An Act to provide for the Election of Reeves and Deputy Reeves by a direct vote of the Municipal Electors.

WHEREAS it is expedient to amend chapter fifty-four of the Consolidated Statutes for Upper Canada, respecting the Municipal Institutions of Upper Canada, in so far as it relates to the election of Reeves and Deputy Reeves; Therefore Her Majesty, &c.. enacts as follows:

Preamble

I. The Reeves and Deputy Reeves of Townships, Towns withdrawn from the jurisdiction of the Councils of the Counties in which they lie, and of incorporated Villages, shall, after the first day of January, 1862, be such as shall be elected in the manner hereinafter provided, by the electors entitled to vote for Councillors in such Townships, Towns, and incorporated Villages respectively; and the said electors shall, in addition to their votes for a Councillor or Councillors, vote for one candidate as Reeve (and, in the event of their being the requisite number of freeholders or householders resident in such Township, Town, or incorporated Village, for one candidate as the Deputy Reeve) if there be more than one candidate for the said offices respectively.

Reeves and Deputy Reeves to be elected at the Annual Municipal elections.

II. Every qualified elector of members of the Council shall be held to be qualified to be a candidate for and to hold the office of Reeve or Deputy Reeve.

Their qualifications.

III. On the first Monday in December next, and on the same day in every future year, at the hour of ten in the forenoon, the Clerk of the Township, Town, or incorporated Village, shall preside at a public meeting at such place as shall be appointed by the Council, to which all the Municipal electors of the Township, Town, or incorporated Village shall have free access, and shall there receive the names of such persons as the said electors or any two of them may nominate as candidates for the offices of Reeve and Deputy Reeve respectively; and the candidates then and there nominated and duly qualified, and no others, shall be eligible to be voted for and declared elected at the then next ensuing annual Municipal Election; and, if there be only one such candidate for either of the said offices, he shall be at once declared elected thereto.

Nomination of Candidates

IV. All the provisions of chapter fifty-four of the Consolidated Statutes for Upper Canada respecting the Municipal Institutions of Upper Canada, which relate to the holding and conducting of Elections for Municipal Councillors, shall apply, as far as they are applicable and consistent with this Act, to the election of Reeves and Deputies.

Provisions respecting election of Councillors to apply.

Returning officer to deliver a statement of the votes to the Clerk of Council :

V. The Returning officer (or, if the Municipality be divided into wards, the Returning officer for each ward) shall deliver a statement and certificate to the Clerk of the Council, within at least one week after the election, who shall, at the first meeting of the Council after the election, exhibit the votes polled for the several candidates, if there be more than one candidate for either of the said offices, and thereupon the Council shall proceed to determine and declare who are duly elected to the offices of Reeve and Deputy Reeve respectively ; and, in case there shall have been more than one candidate for the said offices respectively, the candidate duly qualified and having the greatest number of votes for either of the said offices, shall be declared duly elected. If there be only one qualified candidate for either office, he shall be declared elected : and, if there be no such candidate, the office shall be declared vacant and filled as hereinafter provided. 5

Candidate having the majority to be declared elected.

Reeves, &c., to be members of Council, and to have the same powers as heretofore.

VI. The Reeves and Deputy Reeves so elected shall be members of the Councils of the Municipalities in which they are respectively elected, and shall have the same powers and duties as Councillors elected to be Reeves and Deputy Reeves, respectively now have by law. 15

Case of vacancy.

VII. In the case of a vacancy occurring in the office of Reeve or Deputy Reeve, the Council of the Municipality shall, by a vote of the majority thereof, elect a Reeve or Deputy Reeve, as the circumstances may require, from among themselves, to fill the vacancy, until a successor shall be duly elected at the next annual election. 20

Contrary provisions.

VIII. All the provisions of chapter fifty-four of the Consolidated Statutes for Upper Canada respecting the Municipal Institutions of Upper Canada which conflict with or are contrary to the provisions of this Act, are hereby repealed. 25