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No. 117.

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3rd Session, 5th Parliament, 20 Victoria, 1857.

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**BILL.**

An Act to provide for the election of Mayors  
in Cities in Upper Canada by the direct  
vote of the people.

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Received and read, first time, Monday, 16th  
March, 1857.

Second reading, Monday, 23rd March, 1857.

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MR. MACKENZIE.

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TORONTO :

**An Act to provide for the election of Mayors of Cities in Upper Canada, by the direct vote of the People.**

**WHEREAS** it is expedient that the Mayors of the several Cities in Upper Canada should be elected by a direct vote of the electors qualified to vote for members of the Common Council of such Cities : Therefore Her Majesty, &c., enacts as follows :

Preamble.

5 I. The Mayors of the said Cities shall, after the first day of January, 1858, be such as shall be elected in the manner hereinafter provided, by the male inhabitants entitled to vote for members of the Common Council of such Cities respectively ; and the said electors in each Ward shall, in addition to their votes for an Alderman and two Councillors, vote also for one candidate as Mayor, if there be more than one candidate as hereinafter provided.

Mayors after 1st Jan., 1858, to be those elected as hereinafter provided.

II. Every qualified elector of members of the Common Council shall be held to be qualified to be a candidate for and to hold the office of Mayor in each of said Cities.

Who shall be qualified Mayor.

15 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, in the open air, the City Clerk shall preside at a public meeting, at such place as shall be appointed by the Common Council, to which all the Municipal electors for the City shall have free access, and shall there receive the names of 20 such persons as the said electors, or any two of them, may nominate as candidates for the office of Mayor, 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, he shall be the Mayor 25 elect.

Nomination of candidates in Dec., 1857.

No other candidates allowed in Jan., '58.

IV. All the provisions of law in force in the said Cities in respect to the time and manner of notifying, holding, and conducting elections for Aldermen and Councillors, shall apply, so far as applicable, to the election of Mayors in the said Cities respectively.

Provisions applicable to such elections.

30 V. The Returning Officer for each Ward shall deliver a statement and certificate to the Common Council at their next meeting after such election, of the votes polled for the several candidates, if there be more than one candidate for the office ; whereupon the Common Council shall proceed to determine and declare who is duly elected to the office 35 of Mayor ; and in case there is more than one candidate, the candidate duly qualified and having the greatest number of votes shall be declared duly elected ; If there is only one qualified candidate he shall be declar-

Return to be made ; and Common Council to declare who is elected.

ed Mayor; and if there be no such candidate the office shall be declared vacant and filled as hereinafter provided : And the said Common Council shall make a certificate of their determination, which shall be signed by the members present, or a majority of them, and filed with the City Clerk.

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When such elected Mayors shall enter on their duties, &c.

VI. The Mayors elected in pursuance of this Act shall take the oath of office, and enter on the duties of their office as soon as they shall be declared elected and shall have taken the oath of office, and shall hold their office for one year, and until a successor be elected and take the oath of office, and shall have the same powers and duties as the Mayors of Cities now have by law.

Case of vacancy provided for.

VII. In case a vacancy shall occur in the office of Mayor in any of the Cities of Upper Canada, the Common Council of such City shall, by the vote of a majority thereof, elect a Mayor from among themselves to fill such vacancy, who shall hold his office until a successor shall be duly elected and take the oath of office.

Repeal of inconsistent enactments.

VIII. All provisions in former statutes, in so far as they conflict with, or are contrary to the provisions of this Act, are hereby repealed.

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