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1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to enable Cities and Towns in
Upper Canada to elect their several
Mayors by the Municipal Electors
generally.

Received and read a first time, Monday, 7th
March, 1853.

Second reading, Thursday, 10th March, 1853.

MR. DIXON.

QUEBEC:

PRINTED BY JOHN DOWELL, MOUNTAIN STREET.

**An Act to provide for the Election of the Mayors of
Towns and Cities in Upper Canada, by the Municipal
Electors thereof generally.**

WHEREAS the present mode of electing the Mayors of the several incorporated Towns and Cities in Upper Canada has been productive of corrupt practices, and consequent injustice to the inhabitants of the said Towns and Cities, and it is therefore expedient to change the mode of electing in such cases; Be it therefore enacted, &c.,

Preamble.

That after the first day of January, 1854, neither the Councillors elected for any incorporated Town, nor the Councillors or Aldermen elected for any Cities, shall elect the Mayor thereof.

Councillors
not to elect
Mayor.

10 II. And be it enacted, That it shall be lawful for the duly qualified Municipal Electors of each Ward within every incorporated Town or City in Upper Canada, to record their votes for a Mayor at the time and place at which they record their votes for the Municipal Councillors thereof.

Mayor to be
elected by the
Municipal
Electors.

15 III. And be it enacted, That the Returning Officer or his Poll Clerk for each Ward in any Town or City in Upper Canada, shall keep a separate column or columns in the Poll Book, for recording the votes of the Electors aforesaid in behalf of any person or persons who may be duly qualified, and who may be Candidates for
20 such Mayoralty.

Additional col-
umn in Poll
Book.

IV. And be it enacted, That it shall be the duty of the City or Town Clerk for the time being, to add up the number of votes so recorded for the different Candidates for Mayor, which he shall have received from the several Returning Officers of the Wards in
25 such Town or City, and that the Candidate who shall have had recorded on his behalf the greatest number of votes, shall, by the said City or Town Clerk, be declared to be, and shall be, the Mayor for the ensuing year, and shall have all the rights and powers and duties now vested in or imposed upon Mayors of
30 Towns or Cities respectively in Upper Canada.

How the result
of the Election
shall be ascer-
tained and de-
clared.

Mayor to be a
Member of the
Council, &c.

V. And be it enacted, That the Mayor so elected shall be to all intents a Member of the City or Town Council, and that any person qualified to be elected a Councillor for any City or Town, shall be qualified to be elected Mayor thereof; and the Mayor shall be in addition to the number of Members of which the Council would be composed without this Act, and the same number of Aldermen and Councillors shall be elected in every case as would be elected without this Act. 5

Vacancies
how filled.

VI. And be it enacted, That if any vacancy shall occur in the office of Mayor of any such City or Town, at any period more than three months before the next day for the Annual Municipal Election, an Election shall be had in each Ward for a new Mayor, in like manner as if a councillor were required to be then elected for each such Ward, but if such period do not exceed three months, then a Mayor shall be elected by the Members of the Council from among themselves to serve until the next Annual Election. 15

If the Elec-
tion be not
contested in
any Ward

VII. And be it enacted, That if in any Ward the election be not contested, so that no Poll shall be taken, then all the Municipal Electors therein shall be held to have voted for the Candidate whose Election shall not be contested, and they shall be reckoned accordingly in suming up the total number of votes given for such Candidate in the City or Town. 20