

*Laws of Her Majesty's Province of United Canada*, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 18

**An Act to amend the Act to make better provision for the establishment of Municipal Authorities in Lower Canada. Assented to 18th December, 1854.**

Whereas no provision is made by law for filling up the places of Councillors going out of office, in Village, Town or Borough Municipalities, which refuse or neglect to proceed to the Election of other Councillors within the period fixed by law, and it is necessary to remedy such omission: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

- I. In any Village, Town or Borough Municipality, which has omitted or neglected or shall omit or neglect to proceed within the period fixed by law, to the Election of new Councillors to fill the places of those going out of office, any three Electors of such Municipality may and are hereby authorized to call, by public notice, in the manner prescribed by the laws now in force, a meeting of the Electors of such Municipality, to be held at the usual place of meeting of the Municipal Council, for the purpose of proceeding to such Election; and the Councillors so elected and the said Municipality shall have the same rights, powers and authorities, which they would have had if the said Election had taken place within the time required by law; Provided always, that for every such Election which should have taken place before the passing of this Act, the notice above mentioned shall be given within the six months following the passing of this Act, and not afterwards.
- II. Such Election shall be had at the time and place appointed therefor, in the same manner as if it had taken place at the time appointed by law.
- III. All Elections of Councillors before the passing of this Act, in any Village, Town or Borough Municipality, made after the expiration of the period limited by the laws then in force in Lower Canada, and with regard to which the formalities prescribed and appointed by law were not observed, shall be and are hereby declared valid and legal to all intents and purposes whatsoever; and all By-laws and Orders, and generally all proceedings whatever, of the Councils of such Municipalities, shall be as valid and shall by virtue of this Act have the same force and effect as if the said Elections had been made within the period limited by the law, and with all the formalities thereby required.
- IV. Nothing contained in this Act shall be held in any manner to affect any judicial proceeding pending at the time of the passing of this Act, which proceedings shall be determined and decided as though this Act had not been passed.

V. This Act shall extend only to Lower Canada.