

Laws of Her Majesty's Province of United Canada, passed in the year 1856. Quebec: Stewart Derbyshire and George Desbarts, 1856.

20 Victoria – Chapter 69

An Act to render the Mayor of Quebec elective by the Electors of Quebec. Assented to 19th June, 1856.

Whereas it is expedient to render the Mayor of Quebec elective by the Electors of the said City: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. So much of the twenty-eighth section of the Act passed in the eighteenth year of Her Majesty's Reign, and intituled, *An Act to amend and consolidate the provisions contained in the Ordinances to incorporate the City and Town of Quebec, and to vest more ample powers in the Corporation of the said City and Town*, as enacts that at the first Quarterly or Special Meeting of the City Council after the election of the members thereof, in each year, the Councillors shall elect out of the members thereof a fit and proper person to be Mayor of the said City, shall be and the same is hereby repealed.

II. After the term of office of the present Mayor of Quebec shall expire, the Electors of the said City duly qualified to elect members to the Council shall elect the Mayor each year, to be selected from persons qualified to be elected Councillors for the said City; and the said person so elected Mayor shall have and enjoy all the rights and powers now vested by law in the Mayor of Quebec, and such Election shall not prevent three Councillors as now representing each Ward of said City'.

III. A certificate in the same form as that prescribed by law to be given to each voter for a City Councillor, qualified to receive the same, shall also be given to such voter, save that for the words "for Councillor in the _____ Ward," there shall be substituted the words, "For Mayor," and a proper box shall be prepared to receive the said votes, and all the regulations prescribed for votes for Councillors, and the ascertaining of those elected, and the manner, time and form of receiving such votes, as far as the same shall be applicable, shall apply to the said election of Mayor, and the person having the majority of such votes, to be ascertained as in the case of Councillors, shall be Mayor of Quebec, and shall be so declared at the same time and place as the City Councillors shall be declared in each year.

IV. And whereas it is necessary to make provisions whereby a poll or contest may be avoided, in certain cases where no division of opinion exists among the electors, in respect of the person intended to be elected Mayor of the said City, or in respect of those intended to be elected Councillors in any or all of the Wards thereof; and it is also necessary to provide that the candidates for any of the said offices shall be publicly known, and that none others but those named shall be or may be elected: It is therefore enacted, that hereafter the first Monday in December in each year, or if that be a holiday, then the day next following not being a holiday,

shall be and the same is hereby fixed as the nomination day for all candidates for the offices of Mayor of the said City and of Councillors for the several Wards thereof; and such City Councillor as shall, at the last previous Meeting of the City Council, have been named and appointed for that purpose, shall preside at each of the nominations of candidates for the offices of Mayor and of Councillors respectively, which shall be held in the open air, that for the office of Mayor at the City Hall, and those for Councillors at such places in the several Wards to be so fixed by the said Council as that all the Electors may have free access thereto; and at ten o'clock in the forenoon of the said day, the Councillor appointed to preside at each such nomination shall proceed to the place where the same is to be held as aforesaid, and shall then and there require the Electors there present to name the person or persons whom they wish to choose as Mayor, or as Councillor or Councillors, as the case may be, and any two duly qualified Electors of the said City may openly and publicly address to the Councillor presiding at the nomination for the office of Mayor, a demand or requisition that the person by them named be elected Mayor of the said City for the next ensuing term of the said office of Mayor, and in the event of there being only one such demand or requisition made as aforesaid, or that all the demands or requisitions so made shall be for one and the same person, then the Councillor presiding shall proclaim the said person duly elected Mayor of the said City for the next ensuing term of the said office; and any two qualified Electors in any Ward of the said City may, on the day aforesaid, openly and publicly address to the Councillor presiding at the nomination for the office of Councillor in such Ward, a demand or requisition that the person or persons named by them be elected Councillor or Councillors for the said Ward in which the said requisitionists are Electors as aforesaid, and if there be only one demand or requisition made for the election of a Councillor or Councillors in any Ward of the said City, or if all the requisitions made in any such Ward be for the election of the same person or persons as Councillor or Councillors for the said Ward, then the said Councillor presiding shall proclaim the said party or parties named in the said requisition or requisitions, as the case may be, duly elected Councillor or Councillors for the said Ward for the next ensuing term of the said office or offices; and each and every such Election made as aforesaid, without dissent or division therein, shall be forthwith published in at least one English and one French newspaper in the said City, and the said presiding Councillors respectively shall, in due course, report the said Elections to the Council of the said City: In the event of demands or requisitions being made by two or more duly qualified Electors as aforesaid, for the election of two or more persons as Mayor of the said City, or as Councillor or Councillors in any Ward thereof, a poll shall be granted for each and every such Election by the said presiding Councillors respectively, and the said Election shall be proceeded with in the manner heretofore and now done, in all cases of contested Elections for the offices of Mayor of the said City, or of Councillor or Councillors in any of the Wards thereof: Provided, however, that no person may or shall be voted for at any such Election or may or can be elected thereat, for whose election a demand or requisition shall not have been made as aforesaid on the first Monday in December aforesaid.