

Bill No. 58 of 1938.

A BILL TO AMEND THE CONTROVERTED
MUNICIPAL ELECTIONS ACT.

NOTE.

Section 2 amends section 22 of the Act and makes provision for the person to be served with Notice of Proceedings in an election contest as well as the manner of service.

Section 3 empowers the Judge disposing of contested election proceedings to order the payment of the costs of such proceedings by the municipality in which the election was held in case he finds that the election is invalid by reason of misconduct on the part of the returning officer, deputy returning officer or any poll clerk.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 58 of 1938.

An Act to amend The Controverted Municipal Elections Act.

(Assented to _____, 1938.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Controverted Municipal Elections Act Amendment Act, 1938.*"

2. *The Controverted Municipal Elections Act*, being chapter 117 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 22 by striking out the same and by substituting therefor the following:

"**22.** The notice shall be served upon such persons and in such manner as the Judge may direct."

3. The said Act is further amended by inserting therein immediately after section 32 the following new section:

"**32a.** Where it is made to appear to the Judge that an election is invalid by reason of any act of nonfeasance or misfeasance on the part of the returning officer or any deputy returning officer or any assistant deputy returning officer or any poll clerk, the Judge may in his discretion order that the costs of the proceedings to unseat the person declared elected or any part thereof or any other costs be paid by the municipality in and for which the election was held."

4. This Act shall come into force on the day upon which it is assented to.

SIXTH SESSION
EIGHTH LEGISLATURE
1 GEORGE VI
1938

BILL

An Act to amend The Controverted
Municipal Elections Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MAYNARD.

EDMONTON:
A. Shnitka, King's Printer
1938