REPRESENTATION ON BOARD OF SUPERVISORS
Act 391 of 1913

AN ACT relating to the representation on the board of supervisors from certain cities of the fourth class.

History: 1913, Act 391, Eff. Aug. 14, 1913.

The People of the State of Michigan enact:

115.21 Representation on board of supervisors; cities not exceeding 350 inhabitants.

Sec. 1. Whenever it shall appear upon a census being taken as provided for hereinafter, that the total population of any city, whether such city has been incorporated by virtue of a local act or acts, or under the general laws of the state relating to the incorporation of cities, does not exceed 350 inhabitants, actually residing therein, such city shall not be entitled thereafter to more than 1 representative on the board of supervisors of the county in which such city is located, the provisions of any general law heretofore passed or any local act having application to such city, or the county in which located, to the contrary notwithstanding.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3344;—CL 1929, 2222;—CL 1948, 115.21.

115.22 Representation on board of supervisors; new census, petition; procedure.

Sec. 2. Whenever there is reason to believe that the population of any city of the class named in section 1 hereof has been reduced to less than 350 bona fide inhabitants, any member of the board of supervisors of the county in which such city is located may petition the circuit court jurisdiction for the appointment of a suitable person to take a census of such city. A copy of such petition shall be served upon the mayor of such city at least 5 days before such petition shall come on to be heard by the circuit judge of such circuit, together with a copy of an order to show cause why such census should not be taken, which in all such cases shall be issued by the judge having jurisdiction thereof, and returnable not later than 15 days from the date of the issuance thereof. Upon the return of such order to show cause, any resident of such city or county shall be entitled to be heard either in support of or as opposed to the taking of such census. If satisfied on such hearing that there is good reason to believe that the population of such city is less than 350 bona fide inhabitants, it shall be the duty of the circuit judge to direct the county clerk of such county to appoint a resident elector of the county, not a resident of such city, to enumerate the inhabitants of such city. Such enumeration shall be taken within 30 days after such appointment has been made and accepted.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3345;—CL 1929, 2223;—CL 1948, 115.22.

115.23 Enumerator; duties.

Sec. 3. It shall be the duty of the enumerator so appointed to enumerate all the inhabitants of such city by wards, and to visit each house or dwelling and to obtain the names of every known resident of each ward: Provided, That in the taking of such enumeration no one shall be counted who is not at the time of the taking of such census a bona fide and actual resident of such city. Upon completing such enumeration, it shall be the duty of the person so appointed to make a return in triplicate of such enumeration, showing the names of the inhabitants of such city by wards to the county clerk.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3346;—CL 1929, 2224;—CL 1948, 115.23.

115.24 Enumerator; compensation.

Sec. 4. Any enumerator so appointed shall receive for his services a sum not exceeding 3 dollars per day for the time actually and necessarily spent in the preparation, taking and completing his work, which sum, together with his actual and necessary expenses, shall be paid by the county in the same manner as other claims are paid.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3347;—CL 1929, 2225;—CL 1948, 115.24.

115.25 Representation by mayor.

Sec. 5. Whenever it shall appear as provided for herein that a city is only entitled to 1 representative on the board of supervisors, such city shall thenceforth be represented on said board by the mayor, who shall thereupon be vested with all the powers and duties of a member of the board of supervisors of such county.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3348;—CL 1929, 2226;—CL 1948, 115.25.

115.26 Petition; no filing fee; validity; prosecutor, services without expense.

Sec. 6. For any proceeding taken under this act, the person filing the petition therein shall not be required to pay any fee to the county clerk, and no costs shall be taxed in such case. No petition shall be deemed

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invalid for want of technical preparation, and the supervisor presenting the same shall be entitled to the services of the prosecuting attorney of the county, without expense.

History: 1913, Act 391, Eff. Aug. 14, 1913;—CL 1915, 3349;—CL 1929, 2227;—CL 1948, 115.26.

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