

(Continued from fourth page.)

Electors of such Parish for the election of the first County Council, and shall also issue his warrants in the name of Her Majesty, Her Heirs and Successors, under his hand and seal, directed to fit and competent persons in the several Parishes whom he shall appoint to preside at such Elections, requiring them to attend on the day appointed and proceed to the election of so many Councillors as by Law may be elected, and to return the same according to the provisions of this Act.

XII. And be it enacted, That at the first opening of such Election in each of the said Parishes, the presiding and returning Officer so appointed as aforesaid, being present, shall open the business of the meeting by causing to be publicly read so much of this Act as provides for the qualification required for members of the Council and for Electors to the persons there assembled, and shall then call upon the persons present to nominate from among the inhabitants of such Parish such number of persons being duly qualified according to the provisions of this Act as they are required to elect as Councillors to serve in the County Council and then to proceed to the election thereof which may be decided by a shew of hands at such meeting unless there should be a greater number of candidates proposed and offered at such meeting than by this Act are authorized to be elected, in which case if a poll shall be demanded by any of the candidates or by any three of the Electors duly qualified there present, such poll shall be granted by the presiding Officer, and it shall then be the duty of the said presiding Officer to open and keep the same in a book or poll list prepared for that purpose in the form of the Schedule hereunto annexed, and which poll shall be kept open from the hours of ten o'clock in the forenoon, until the hour of three o'clock in the afternoon of the day of such meeting when the same shall be finally closed; and after the final close of such poll the presiding Officer shall forthwith proceed publicly to declare the number of votes given for each candidate, and shall declare the person or persons having the majority of votes duly elected; and if there shall be at such final close of the poll an equal number of votes polled for any two or more opposing candidates it shall be lawful for the presiding Officer, and he is hereby required to give a casting vote for any of the persons having such equality of votes so soon as it may be necessary, in order to determine the Election; and the poll books or list kept at such Election shall after the conclusion of every such Election be safely kept by the Clerk of the County for which such Election shall have been held, amongst the other Records and Documents of such County in the office of such Clerk, to be open to the inspection of every member of the Corporation who shall apply for the same; and the presiding Officer shall within two days after the close of every such Election make his return in Writing to the Warden of such County of the Councillors so elected unless a scrutiny should be demanded in manner hereinafter provided for, and then and in every such case he shall make such return in writing within two days after the close of such scrutiny, and in case of default by such returning Officer in making such return according to the directions of this Act, he shall forfeit and pay the penalty of one pound, currency, for every day he shall delay making such return after the time allowed by this Act for the same, which penalties shall be received and applied in the same manner as other penalties inflicted by this Act.

XIII. And be it enacted, That at every Election of County Councillors, only such persons whose names shall have been previous to the day appointed for such Election duly enrolled as qualified Electors of the said County, and shall be then remaining on the said roll as such Electors, shall be entitled to vote at any such Election.

XIV. And be it enacted, That it shall be lawful for the presiding Officer at such Election to require of, and administer to any person claiming to be entitled to vote at any such Election the following Oath, viz:

"I do swear, (or solemnly affirm as the case may be) that I am duly enrolled an Elector of the County of _____, that I am duly qualified as such to vote in the election of County Councillors as by Law is required, and that I have not already voted at this Election."

And no other proof of such qualification shall be then required of any such person.

XV. And be it enacted, That before the presiding Officer at any Election of Councillors for any such County shall allow any vote or votes thereat to be polled he shall take the following Oath before the Warden of the said County, or some Justice of the Peace residing within the Parish where such Election is to be held, who are duly empowered and required to administer the same and who shall certify such affidavit on the poll book to be kept by the said presiding Officer before the polling shall commence:

"I, C. D. presiding and returning Officer at the Election of Councillors of the County of _____, do swear, (or do solemnly affirm as the case may be) that I have not directly or indirectly by myself or any other person received any fee, gift, gratuity or reward either in money or otherwise, or the promise of any as a consideration for my returning or effecting the return of any person as a member of the Council for the County of _____, and that I will to the best of my ability fairly, honestly and faithfully conduct the present Election for the choice of the members of the said Council, and truly declare the candidates who at the final close shall appear to have the majority of votes, and that I will use my best endeavors to preserve peace and order at such Election, and to give all persons entitled to vote free and unmolested access to and from the poll."

XVI. And be it enacted, That the person presiding at every such Election shall during the day on which the Election may be held, be fully empowered to act as Conservator of the Peace in and for such County, and such person presiding, or any Justice or Justices of the Peace present at such Election shall and may arrest or cause to be arrested, and may bind over for trial or summarily punish by fine, not exceeding forty shillings, or imprisonment not exceeding five days, or both, any riotous or disorderly person or persons, or any person or persons who may assault, beat, molest or threaten any Elector at, coming to, or returning from the said Election, and when thereto required all Constables and others at the said Election are enjoined to aid and assist such persons presiding and Justice or Justices of the Peace in discharging such duties under pain of being deemed guilty of a misdemeanor and liable to punishment therefor, and all Justices of the Peace residing in the Parish wherein such Election is held shall upon being notified in writing by such person presiding attend at such Election for the purpose of aiding in preserving peace and order thereat, and such person presiding and any Justice or Justices of the Peace residing in such Parish shall and may when they consider necessary, appoint and swear in any number of Special Constables that they may think necessary and requisite as Peace Officers to assist in maintaining peace and order at such Election.

XVII. And be it enacted, That whenever any poll shall be demanded and

granted at any such Election under the provisions of this Act, the presiding Officer before polling any Votes shall take and subscribe the following Oath:

"I, A. B. do swear (or affirm as the case may be) that I will as presiding Officer at this Election faithfully and truly enter on, or cause to be entered upon the poll book of this Election every Vote that may be given and received at this Election truly and correctly, as the same is given by every Elector, as by Law is required, and that I will not practice any deception, or in any way meddle or interfere with the Electors for the purpose of obtaining Votes for any one of the Candidates at this Election, but that I will well and truly discharge the duties imposed on me at this Election as by Law is required, to the best of my knowledge and ability. So help me God."

Which Oath or Affirmation any Justice of the Peace within such County is hereby authorized to administer, who shall certify the same being sworn to before him by such presiding Officer, in the poll book, before the polling commences.

XVIII. And be it enacted, That if any candidate at any such Election shall after the final close of the poll demand a Scrutiny of the Votes so polled it shall be the duty of the presiding Officer at such Election to grant such Scrutiny, and each candidate or candidates between whom such Scrutiny may be shall within two days after such Scrutiny shall be demanded deliver in to the presiding Officer a list of such Votes entered upon the poll book as such candidate or candidates respectively intend to question on such Scrutiny, and the said presiding Officer shall appoint an hour and place for the parties to attend on the fourth day after the final close of such poll, to proceed on such Scrutiny, and shall then proceed in the investigation of the Votes questioned on either side, taking them up alternately from each list, and deciding upon them as they proceed, at which Scrutiny the said presiding Officer at such Election shall sit as the presiding Judge, and after hearing the evidence on both sides upon each vote in order as it comes, shall decide whether the same is good or bad, whose decision thereon shall be final and in every case where the name of the Voter objected to shall appear on the Roll of Electors of the County, it shall lay upon the party questioning the Vote to produce evidence to shew that such Voter is not qualified by Law to be an Elector of such County, before the opposing party shall be called upon to sustain the same, and that the said presiding Officer shall keep or cause to be kept separate lists of the Votes decided to be bad on either side at such Scrutiny, on which, respectively, shall be entered such Votes as then are decided upon, until the whole of the Votes questioned on either side are gone through, and then the respective lists so kept shall be cast up and the number on each list pronounced bad shall be deducted from the number of Votes given on the Poll Book for the respective Candidates for whom such bad Votes shall have been given, and the contending Candidates in such Scrutiny who shall be found to have a majority of Votes after such deductions of the Votes found bad on such Scrutiny shall be then declared by the Presiding Officer as the duly elected Councillors, and shall cause his return of such Election to be made as hereinbefore directed, and which return the Warden of such County shall cause to be entered on the Minutes at the first Council of the County that shall be held after such Election, whether any Scrutiny shall be demanded or not.

XIX. And be it enacted, That it shall be the duty of the Collector or Collectors of Rates in the several Parishes of every County, to furnish to the Clerk of such County at least two months before the day appointed for the annual Election of Councillors, a certified list of all the inhabitants within the limits of such Parish entered upon the then last Assessment of Rates for such Parish; and it shall be the duty of the County Clerks of every such County as soon after obtaining such certified lists from such Collector or Collectors to compare and examine the same with the then existing roll of Electors of such County, and if he shall find by such examination any persons duly qualified by Law whose names have not before that time been so enrolled but have subsequently ceased from being qualified as Electors from not paying the rates or otherwise, such Clerk shall make out a list of all such names as well those that ought in his judgment to be so enrolled, as those which in his judgment ought not to remain on the said roll as being no longer qualified as Electors, and submit the same to the Warden of the said County whose duty it shall be on receiving such lists from the County Clerk to call a meeting of the County Council at least one week before the then next annual day of Election, which Council at such meeting shall then determine what names in the said lists shall be added to the roll as qualified Electors, and which shall be struck off the roll as no longer qualified as such Electors; provided always, that it shall be the duty of the County Clerk to give at least one week's notice before such meeting of Council to all such enrolled Electors whose qualifications are intended to be questioned at such meeting of the Council if such Electors shall then be resident in such County, in order that they may appear at such meeting of the Council and sustain their rights to remain as Electors if they can and see fit.

XX. And be it enacted, That after the first Election of Councillors there shall be annually held on the _____ day of _____ an Election of Councillors for the then ensuing year, at which annual Elections all the proceedings herein provided and directed to be pursued and take place at the first Election of the first Council for any such County, shall also be pursued and adopted except wherein such proceedings may be altered by any of the other provisions of this Act.

XXI. And be it enacted, That the number of Councillors to be elected for each of the said Counties shall be regulated as follows, that is to say:—every Parish within the County shall be entitled to elect one Councillor, and if in such Parish there shall be more than three hundred inhabitant freeholders and householders in such assessment list as aforesaid, such Parish shall be entitled to elect two Councillors; and no Parish shall be entitled to elect more than two Councillors.

XXII. And be it enacted, That every person to be elected a member of a County Council as aforesaid, shall be resident within the Parish for which he shall be elected, and shall be seized and possessed to his own use in fee of lands and tenements within the County in which such Parish shall be situate of the real value of three hundred pounds, currency, over and above all charges and incumbrances due and payable upon or out of the same.

XXIII. And be it enacted, That no person being in Holy Orders, or being a Minister or Teacher of any Religious Sect or Congregation, nor any Judge or Judges of any Court of Civil Jurisdiction, nor any Military, Naval or Marine Officers in Her Majesty's Service on full pay, nor any person accountable for the County Revenues, nor any person receiving any pecuniary allowance from the County for his services, nor any person having directly or indirectly by himself or his partner any contract, or any share or interest in any contract with, or on behalf of the County, shall be qualified to be elected a Councillor, or appointed a Warden in any County Council that may be hereafter constituted under the provisions of this Act.