

XXIV. And be it enacted, That no persons shall be capable of holding the office of Warden or Councillor in any such County Council who shall be attainted for Treason or Felony in any Court of Law in any of Her Majesty's Dominions.

XXV. And be it enacted, That every person duly qualified, who shall be elected to the office of Councillor in any such County Council, and shall refuse to accept such office, shall pay to the Treasurer of the County Council in which he shall have been so elected, such fine, not exceeding £10 currency, as shall be inflicted for such default by any Bye Law of such Council that may be made in that behalf; and such fine, if not duly paid on demand, shall, together with the reasonable costs of recovering the same, be levied by distress and sale of the goods and chattels of the person so refusing to accept office, by Warrant of any Justice of the Peace having jurisdiction within such County, who shall, on the complaint of the Clerk of the Council, summon the party before him, and proceed to investigate the matter, and after the conviction of the person so making default, by confession or on the oath of one or more credible witness or witnesses, issue his Warrant to levy such fine with the costs of conviction: and the fine when so recovered shall be paid over to the Treasurer of the County, and accounted for by him as part of the County funds in his hands; provided always, that no persons shall be liable to such fine as aforesaid for the refusal to accept of the office of Councillor, who shall, prior to such conviction, make oath before the Justice of the Peace before whom he shall be prosecuted, that he has not the qualification in property required by this Act, or that he is not a resident within such County; and provided also, that no person disabled by infirmity of body or mind, nor any person above the age of 65 years, nor any person who within five years from the day on which he shall have been so elected shall have served in the office of Councillor, or paid a fine for not serving in the same, shall be liable to such fine as aforesaid.

XXVI. And be it enacted, That no person elected a Councillor as aforesaid, shall act in such capacity until he shall have taken and subscribed, before the Warden of the County for which he shall be so elected, who is hereby empowered to administer the same, the Oath of allegiance to Her Majesty, Her Heirs and Successors, and also an Oath in the words or to the effect following, (that is to say):

"I, A. B. having been elected a Councillor in the County Council of do hereby sincerely and solemnly swear (or do affirm, as the case may be) that I will faithfully fulfil the duties of the said office according to the best of my judgment and ability, and that I am seized and possessed to my own use of lands and tenements held in fee within the limits of the County of of the value of £300 currency, over and above all charges and incumbrances due and payable upon or out of the same, and that I have not fraudently or colusively obtained the same for the purpose of qualifying me to be elected as aforesaid.—So help me God."

And that such Oaths shall be so taken and subscribed to by every person duly qualified and elected to the office of Councillor as aforesaid within ten days after notice of his election; and in default thereof, such persons shall be deemed to have refused to accept the said office, and liable to pay the fine aforesaid for non-acceptance of such office; and the said office shall thenceforward be deemed to be vacant and to be filled up by another election as hereinafter provided, unless such persons should have been prevented from taking the said Oaths within the time specified by illness or unavoidable absence from the County during the period of ten days after such Election.

XXVII. And be it enacted, That in cases where any person or persons elected shall prove to be disqualified, or shall claim and prove exemption, or where any duly qualified person elected to the office of Councillor in any such County Corporate shall refuse to accept such office, or shall refuse and neglect to take and subscribe to the above mentioned Oaths, it shall be lawful for the Warden to issue in the name of Her Majesty, Her Heirs and Successors, his Warrant, under his hand and seal, to some fit and competent person, in manner aforesaid, to preside at such Election, requiring him, on a day to be named in such Warrant, of which not less than ten days notice shall be given by such officer, in the same manner as is by this Act required, with regard to the annual Elections, to the electors qualified as aforesaid, to proceed to another Election of one or more fit and proper person or persons to supply the place of the person or persons who shall have so refused or neglected or been disqualified or exempted from accepting the said office, or to take and subscribe the said Oaths; and the Councillor or Councillors who may be elected at such new Election, shall hold office until the time at which the person or persons in whose place he or they may have been so elected, would, according to the provisions hereinafter contained have gone out of office, and no longer; but shall be capable of immediate re-election, unless otherwise disqualified.

XXVIII. And be it enacted, That if a vacancy or vacancies in any such Council whether arising from the death of any of the Councillors or other cause shall occur before the annual period of Election prescribed by this Act, it shall be lawful for the Warden of such County in which such vacancy or vacancies shall have occurred, to issue the like Warrant under his hand and seal, directed to such presiding Officer as aforesaid, requiring him after ten days notice to be given in the manner mentioned in the next preceding Section of this Act, to the Electors qualified as aforesaid, to cause an Election to be made of a Councillor or Councillors, to supply such vacancy or vacancies, which Warrant shall by such presiding Officer aforesaid, be duly executed, and every Councillor elected under such Warrant shall vacate his seat in the Council at the time when the person in whose stead he shall have been chosen would according to the provisions hereinafter contained have vacated his seat, but shall be capable of immediate re-election if not otherwise disqualified: Provided always, that no such Warrants shall be issued as aforesaid, after the third quarterly meeting in any year.

XXIX. And be it enacted, That on the annual day of Election prescribed by this Act, in every year, one third part of the entire number of the Councillors in every such County respectively shall go out of office, and that at the last quarterly meeting of such Council in the year in which the first Election shall be had it shall be determined by lot, which among the Councillors shall go out of office for that and the next succeeding year, but thenceforward in all future years those persons who shall have been Councillors without re-election for the longest time shall vacate their seats: Provided always, that when any such County Council shall consist of a number of Councillors not divisible into three equal parts, it shall be lawful for such Council by a bye law to be made in this behalf to fix and determine the number of Councillors to go out of office at the end of the first and second years respectively, which numbers shall be as near one third of the whole number of Councillors in such Council as may be; and the number to go out of

office shall be so regulated by such bye law, that at the end of three years none of the Councillors elected at the first Election shall remain in office: And provided always, that every Councillor who shall go out of office, shall, if not otherwise disqualified, be capable of being immediately re-elected.

XXX. And be it enacted, That in order to determine in such Council which Councillors are to vacate their seats as aforesaid in the first and second years after the first Election, the Clerk of the Council, or other officers to be appointed for that purpose by the Council, shall at the last quarterly meeting of such Council to be held in the year in which such first Election as aforesaid shall be had, write the name of each of the Councillors on a piece of paper and place the same folded up in a glass or box, from which the names shall be drawn by some persons appointed by the Council for that purpose; and the third of the said Councillors (or the number of Councillors to go out in pursuance of the Bye Law to be made in that behalf as aforesaid) who shall vacate their seats in the year then next following, shall be those whose names shall be first drawn, and the third of the said Councillors or the number to go out of office in pursuance of such Bye Law as aforesaid who shall vacate their seats at the end of the second year after such first Election, shall be those whose names shall be next drawn.

XXXI. And be it enacted, That at all meetings of every such Council, the Warden of the County shall preside, or in case of his absence, death or incapacity to act, or of any accidental vacancy in the office of Warden, the members shall choose from the Councillors present one of their members as Chairman in the place of such Warden during his absence, or during such accidental vacancy in the office of the Warden.

XXXII. And be it enacted, That there shall be in each year four regular quarterly meetings of every such County Council constituted under the provisions of this Act, which meetings shall commence and be held on the several days appointed by the Charter of Incorporation and such meetings shall not at any time be held for a longer period than six successive days (Sundays excepted,) and at no meeting of any such Council shall any matters be deliberated or determined except such matters as fall within the scope of the powers and jurisdiction of such Council as derived from the provisions of this Act.

XXXIII. Provided always and be it enacted, That extraordinary meetings of any such Council may be called by the Warden of the County in such cases as he may judge fit and necessary upon his giving six days notice of such meeting in writing to each member of Council, which notice shall specify the subject matter on which such extraordinary meeting may be called, and no such extraordinary meeting shall continue beyond the period of six days, and no matters shall be deliberated or determined on at any such extraordinary meeting except those for which the same shall have been specially convened and mentioned in the said notice.

XXXIV. And be it enacted, That the meetings of the Council of every such County shall be open to the public, and shall be held at any place within the County that any such Corporation may provide for itself as a Council Room or place of meeting or may be held in any County Court House that may be within the limits of such County, until some other public building be provided for that purpose.

XXXV. And be it enacted, That all Acts whatever authorized or required by virtue of this Act or any other Act of the General Assembly that may be in force at the time to be done by the Council of any such County that may be hereafter constituted and incorporated under the provisions of this Act, and all questions of adjournment or other questions that may come before any meeting of any such Council, may and shall be done and decided by the majority of the votes of the members present at such meeting other than the Warden; and in order to constitute a quorum, there shall be present at every such meeting a majority of the entire members of the Council by which such County may be entitled to be so represented in such Council: Provided always, that no County Council shall be incompetent to proceed to business if a quorum be present, although there may be at the time one or more vacancies in the Council which at the time of such meeting may not have been filled up by a new Election, or by some of the members not having taken the Oaths required to entitle them to sit.

XXXVI. And be it enacted, That Minutes of the proceedings of all the meetings of every such Council shall be drawn up and fairly entered in a book to be kept for that purpose by the Clerks of such Councils respectively, and such Minutes in every such Corporate County shall be signed by the Wardens of such County or temporary Chairman who shall preside at the meeting, and shall be open to inspection by any Elector of the County at all reasonable times on payment of a fee of one shilling to the County Clerk.

XXXVII. And be it enacted, That it shall be lawful for the Council of any such County at any legal meeting, to appoint from and out of the Councillors elected to serve in such Council, such and so many Committees, consisting of such number of persons as they may think fit, for the reference to of any matters before such Council, that such Council may think proper to refer to such Committee to report upon, but that such Committees shall be subject in all things to the authority, controul and approval of the Council.

XXXVIII. And be it enacted, That in the case of any vacancy occurring in the office of County Clerk of any such County as may hereafter be constituted under this Act, either by death or otherwise, it shall be lawful for the Warden of such County to appoint a person to act as Clerk until such time as a new Clerk shall be appointed to the vacancy in manner hereinbefore mentioned.

XXXIX. And be it enacted, That in case of illness or temporary absence from his County, it shall be lawful for any such County Clerk appointed pursuant to the provisions of this Act, to appoint a Deputy Clerk to act for him in all matters that may be required to be done by the County Clerk during such illness or temporary absence; provided always, that such County Clerk shall be held responsible for the conduct of such Deputy Clerk during the time he so continues to act.

XL. And be it enacted, That the County Council of every such County shall at the first meeting of the Council, appoint some fit and proper person, an inhabitant of such County, to be the Treasurer of such County, and such appointment shall be entered on the Minutes of such Council, together with the amount of security that such Treasurer shall be required by such Council to give, and every such County Council shall have power to remove such Treasurer from time to time, and to appoint another in his stead, as they may see fit; but all such removals and re-appointments shall only be made by an order in such Council duly entered upon the Minutes and signed by the Warden and Chairman for the time being; and every person so appointed as Treasurer of any such County, shall, before he enters upon the duties of such office, give such security as the Council shall order and direct.

XLI. And be it enacted, That it shall be the duty of the Treasurer of every