

and determined, unless as is hereinafter otherwise directed, in the same manner and to the same effect and purpose as if the said parts of the said Charter and Acts had not been repealed.

II. And be it enacted, That the Assistant Aldermen of the said City shall hereafter be known and designated Councillors, and shall under the name of Councillors have all the powers, privileges, authorities and immunities given and granted by the said Charter to the Assistant Aldermen of the said City.

Assistant Aldermen to be designated Councillors, and have the powers of Assistant Aldermen under the Charter.

III. And be it enacted, That on the first Tuesday in May which will be in the year of our Lord one thousand eight hundred and fifty, and on the same day in every succeeding year, the Common Council of the said City shall elect out of the Aldermen and Councillors of the said City, by a majority of votes by ballot or otherwise, (the Mayor of the said City, if present, having one vote,) a fit person to be Mayor of the said City, who shall continue in office until the first Tuesday in May in the next subsequent year, or longer as hereinafter provided; and in case a vacancy shall occur in the said office of Mayor by reason of any person who shall have been elected to that office not accepting the same, or by reason of dying or ceasing to hold the said office, the said Common Council of the said City shall within ten days after such vacancy elect out of the Common Council of the said City, another fit person to be Mayor thereof for the remainder of the period for which the Mayor whose place is to be supplied was to serve; provided that no person shall be capable of being appointed Mayor of the said City who shall not at the time of his election in every respect be qualified in such manner as would entitle him to be then elected as Alderman of the said City, conformably to the provisions of the Charter and of this or any other Act; and provided also, that after such election the former Mayor shall occupy the office and place in the City Council of the Mayor then elect, and go out of office at the time and in the manner such Mayor elect might and should have done if not elected Mayor, unless the outgoing Mayor shall desire to retire from the City Council, and shall within two days after the Mayor elect shall be approved and sworn into office as hereinafter directed, give notice in writing of his resignation to the City Council, in which case an Alderman or a Councillor as the case may require, shall be elected by the Ward by which such Mayor elect was elected, in the manner provided for the election of Common Councilmen in other cases; provided always, that the person who shall be Mayor of the said City (under the provisions of this Act) on the first election for Mayor, shall not continue to be a Member of the Common Council, but that an election for a Common Councilman in place of the person who shall be first chosen Mayor of the said City shall take place in the manner prescribed for the election of Common Councilmen in other cases; and further provided, that the person who may be Mayor of the said City on the first Tuesday in April in the said year one thousand eight hundred and fifty, or in any subsequent year, may be elected an Alderman or Councillor for any Ward in the said City, and shall, notwithstanding such election, continue to execute the office of Mayor of the said City until the election of Mayor of the said City by the Council on the first Tuesday in May then next; and that the person who may be Mayor of the said City on the first Tuesday in May in any year, may be re-elected Mayor by said Common Council, in case the said Mayor shall have been elected Alderman or Councillor for any Ward for such year.

On first Tuesday in May 1850, and annually thereafter, Common Council, to elect a Mayor out of the Aldermen and Councillors.

On vacancy in the office by non-acceptance, &c., another Mayor to be elected within ten days.

Qualification.

Former Mayor to occupy the place in the Common Council of the Mayor elect, unless he desires to retire, in which case an Alderman or Councillor, as the case may require, to be elected.

IV. And be it enacted, That immediately after the election of any person to fill the office of Mayor under this Act, the name of the Mayor elect shall be transmitted by the Common Clerk to the Provincial Secretary, for the approval of the Lieutenant Governor or Administrator of the Government for the time being, with the advice and consent of the Executive Council; and in case such approval is given, the Mayor so chosen shall be sworn into office as provided by law; and in case such approval is not given, a new election shall take place in the manner hereinbefore provided for the election of a Mayor, until such approval is obtained; and no election of Mayor shall be complete, nor shall any person act, or have authority to act, until such approval shall first have been given and procured conformably hereto; provided always, and be it enacted, that after such election as aforesaid, and until the approval shall be given, and the new Mayor sworn into office as hereinbefore provided, and no longer, the Mayor for the time being and at the time of such election, shall continue to be and have full power and authority to act as Mayor of the said City; and that the person who shall be Mayor of the said City of Saint John, under the provisions of the Charter of the said City, on the day previous to the first Tuesday in April which will be in the year of our Lord one thousand eight hundred and fifty, shall continue to be Mayor of the said City, and shall have full power and authority to act as Mayor of the

Name of Mayor elect to be transmitted for the approval of the Lieut. Governor.

On disapproval a new election to be made.

Mayor to act till an appointment be completed.