

No Mayor to be appointed under the Charter on first Tuesday in April 1860.

On failure to elect a Mayor, he may be appointed by the Governor in Council.

Governor in Council to establish a Police Office for the part of the City on the eastern side of the Harbour.

Police Magistrate to be sworn before a Judge of the Supreme Court.

Salary not to exceed £300.

Police Magistrate to appoint a Clerk. Salary.

Police Force not exceeding 30 in number, to be appointed by the Police Magistrate.

To have the authority and responsibility throughout the County, of Constables in their Constablewick.

Powers contained in 11 V. c. 13, s. 22 and 23, extended to the Police force under this Act.

said City, until such election for Mayor so as aforesaid to be held on the first Tuesday in May which will be in the year of our Lord one thousand eight hundred and fifty, and until the approval and swearing in of such Mayor in manner hereinbefore provided; and that no person shall be appointed Mayor of the said City under the provisions of the said Charter on the first Tuesday in April which will be in the year of our Lord one thousand eight hundred and fifty.

V. And be it enacted, That in case the Common Council of the said City shall neglect or refuse on the first Tuesday in May in any year, or on the occasion of any vacancy in the office of Mayor, within ten days after such vacancy, to elect a Mayor of the said City, and transmit the name of the Mayor elect for approval, as provided by this Act, it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to nominate and appoint a Mayor of the said City, who shall be sworn and shall hold and execute the said office in the same manner to all intents and purposes as if he had been duly elected by the Common Council of the said City under the provisions of this Act.

VI. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to establish a Police Office in and for that part of the City of Saint John lying on the eastern side of the Harbour, and from time to time to appoint thereto a fit person to be, during Her Majesty's pleasure, Police Magistrate for the said portion of the said City, and *ex officio* a Justice of the Peace for the City and County of Saint John, and who shall also be invested with all such other duties and powers as shall be hereafter specified.

VII. And be it enacted, That every person so appointed as Police Magistrate by virtue of this Act shall, before he shall begin to execute the duties of his office, take and subscribe the following oath before one of the Judges of the Supreme Court in this Province:—

'I, A. B., do swear that I will faithfully, impartially and honestly, according to the best of my skill and knowledge, execute all the powers and duties of a Police Magistrate and Justice of the Peace, under and by virtue of an Act made and passed in the twelfth year of the Reign of Queen Victoria, intituled *An Act in further amendment of the Charter of the City of Saint John* ;'

and also the oath of a Justice of the Peace in and for the City and County of Saint John, before said Judge.

VIII. And be it enacted, That an annual Salary of a sum not exceeding three hundred pounds shall be paid to such Police Magistrate in manner and out of the funds hereinafter provided.

IX. And be it enacted, That a Clerk to the said Police Office shall be appointed by the Police Magistrate of the said City, whose Salary shall not exceed one hundred and fifty pounds.

X. And be it enacted, That a sufficient number of fit and able men, not exceeding thirty, shall be appointed by the said Police Magistrate, as a Police force for the said eastern part of the said City, who shall be severally sworn in by such Police Magistrate to act as day and night Policemen, Watchmen and Constables, for the preserving the peace, and the preventing of all felonies, and apprehending offenders against the peace; and the men so sworn shall not only within the whole of the City of Saint John, but also generally within the City and County of Saint John, have all such powers, authorities, privileges, advantages and exemptions, and be liable to all such duties and responsibilities, as any Constable duly appointed now has or hereafter may have, or is or may be liable to within his constablewick, by virtue of the common law, or any Statute or Act of Assembly made or to be made, and shall obey all such lawful commands as they or any of them may from time to time receive from the said Police Magistrate or any other Magistrate sitting at the Police Office of the said City, for conducting themselves in the execution of their office; and that all the powers and provisions contained in the twenty second and twenty third sections of an Act made and passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act more effectually to provide for the support of a Nightly Watch and Day Police in that part of the City of Saint John lying on the eastern side of the Harbour of Saint John, and for lighting the same, as also for other purposes*, shall be vested in and apply to all and every of the Police force to be appointed under this Act, within the whole of the City of Saint John on both sides of the Harbour.