

Mayor, or of five pounds for non-acceptance of the office of Councillor, or of three pounds for non-acceptance of the office of Assessor, and the election to any of the said offices shall be held *prima facie* evidence of qualification on the part of the person so elected, unless such person shall make oath before the Mayor for the time being, or before any Justice of the Peace for the County of York, who are hereby authorized to administer such oath, that he is not possessed of the qualification required by this Act, in some particular to be stated in such oath.

XII. And be it enacted, That when any person, duly elected to the office of Mayor, Councillor or Assessor, shall neglect or refuse to accept the same within the time limited, or to take the oath of office as aforesaid, the said office shall be deemed vacant, and shall be filled up by a new Election, to be made in the manner hereinafter provided for holding Elections.

On neglect or refusal to accept office within said five days, office to be deemed vacant.

XIII. And be it enacted, That if any person holding the office of Mayor or of Councillor shall be declared a bankrupt, or shall apply to take the benefit of any Act for the relief of insolvent debtors, or shall compound with his creditors by deed or other writing, or shall remove his place of residence without the limits of the City, or shall be absent from the City or from the meetings of the City Council, for more than two months at any one time, except in case of illness, or by leave of the City Council first obtained, then and in every such case such person shall immediately be deemed and taken to be disqualified, and shall cease to hold his office of Mayor or Councillor, and his place shall be filled up by a new Election, to be made in the manner hereinafter directed for holding Elections; and in the case of such absence as aforesaid, he shall be liable to the same fine, to be recovered and applied in the same manner, as if he had neglected or refused to accept the said office, as hereinbefore mentioned.

Mayor or Councillor becoming bankrupt, removing residence without the limits of the City, or being absent, to vacate his office.

XIV. And be it enacted, That the first Election for a Mayor for the said City, after the passing of this Act, shall be held on the second Monday in May in the present year; and the annual Election for a Mayor as aforesaid, in all succeeding years, shall be held on the second Monday in March in each and every year.

Time for first and each subsequent election of Mayor.

XV. And be it enacted, That the first Election for two Councillors and one Assessor for each Ward of the said City, after the passing of this Act, shall be held on the last Monday in May in the present year; and the annual Election for two Councillors and one Assessor for each Ward as aforesaid, in all succeeding years, shall be held on the last Monday in March in each and every year.

Time for first and each subsequent election of Councillors and Assessors.

XVI. And be it enacted, That every Election for Mayor, Councillors or Assessors to be held under and by virtue of this Act, after due notice as hereinafter directed, shall be held as follows, that is to say: For the Election of Mayor, at one convenient place within the said City; and for the Election of Councillors or Assessors, in one convenient place in each of the several Wards thereof; and by and before such fit and proper persons as shall be appointed for the purpose by the City Council for the time being, or by the High Sheriff of the County of York in case of the neglect or refusal of the City Council to make such appointment.

Place for election of Mayor and Councillors, and appointment of presiding Officers.

XVII. And be it enacted, That public notice of the time and place for holding every such Election respectively shall be given by the City Clerk, by publishing such notice in one or more of the public newspapers printed in the said City, and by printed handbills in the several Wards, for not less than ten days previous to such Election; provided always, that the Elections in the several Wards for Councillors and Assessors shall all be held on the same day and hour.

City Clerk to give notice of time and place for holding elections.

XVIII. And be it enacted, That at every annual Election to be held under and by virtue of this Act, and before the polling commences, which shall be at ten o'clock in the forenoon, there shall be nominated by duly qualified Electors, out of the persons capable of being elected, including the Mayor, Councillors and Assessors then in office, one or more persons for the office of Mayor, two or more persons for the office of Councillor in each Ward, and one or more persons for the office of Assessor in each Ward; and no vote shall be counted except those given for one or some of the persons so nominated as aforesaid.

At the annual elections, persons to be nominated for the offices before the polling commences, and no votes to be counted except for those nominated.

XIX. And be it enacted, That at all Elections to supply extraordinary vacancies, there shall be nominated in the manner hereinafter provided, and out of persons duly qualified, one or more persons according to the nature or number of vacancies so to be supplied, and the votes given for the persons so nominated only shall be counted.

Elections to supply extraordinary vacancies.

XX. And be it enacted, That all voting under this Act for election of Mayor, Councillors or Assessors, shall be by ballot and not by open vote; and a separate ticket shall be given by each voter for each office then about to be filled, but a blank ticket shall not in any case be counted as a vote; and provided also, that

Voting at elections to be by ballot.

Defective ballots not to be counted.