

Opening and duration of Court for nomination of candidates, and for the Poll.

Poll lists to be kept.

Officers holding the Poll to ascertain the number of votes given for each candidate, and declare the persons elected.

Poll may be closed at ten o'clock when no more candidates are proposed than are necessary to fill the offices, and at any time after 12 when no vote has been given during the preceding hour.

Return of persons elected to be made to the City Clerk.

At the close of the Poll for a Mayor the person who has the greatest number of votes and a majority of all the votes given, to be declared duly elected.

If no Candidate has received more than one half of all the votes given, a return to be made to the City Clerk, and the City Council may then elect as Mayor any one of those for whom votes may have been given.

If the City Council cannot agree, Lieut. Governor in Council to select one of the said persons.

Poll lists and receipts to be filed with the City Clerk.

if in sorting the votes it shall be found that two or more ballots are enclosed in the same cover, or if the name of the same person be more than once entered in the same ballot, or if any ballot shall contain a greater number of names of persons as designated to any office than there are persons to be elected to such office, all such ballots shall be rejected in toto and destroyed.

XXI. And be it enacted, That at all Elections to be held under this Act, the Court for nomination of candidates or persons proposed shall be opened at nine o'clock in the forenoon, by and before the officer or person appointed to hold such Election; and the Poll shall open at ten o'clock in the forenoon, and shall continue open until five o'clock in the afternoon of the same day, unless sooner closed as hereinafter provided; and the name of each elector voting at such Election shall be written in Poll Lists to be kept at such Election, by the officer or person holding the same; and after finally closing the Poll for Councillors or Assessors at any such Election, the officer or person by whom the same shall be held, shall forthwith proceed openly and publicly to ascertain and declare the number of votes given for each of the candidates or persons for whom votes shall then have been given, and he shall also then publicly declare the person or persons having the majority of votes in his or their favour to be duly elected as such Councillor or Assessor; and the officer or person so presiding, whether otherwise qualified or not, shall give a casting vote in cases where such casting vote may be necessary to determine the election of Councillors or Assessors.

XXII. And be it enacted, That the officer or person holding any such Election shall not be bound to keep the Poll open until five o'clock in the afternoon in any case where no more candidates have been proposed than may be necessary to be then elected, but in any such case the presiding officer may immediately after ten o'clock in the forenoon close the Poll, and declare such candidate or candidates to be duly elected; and provided also, that if no vote shall be polled or offered during any one hour at one time after twelve o'clock, then and in such case the presiding officer shall close the Poll as aforesaid at the expiration of such hour, and proceed to ascertain and examine the votes, and declare the persons elected in the manner hereinbefore directed.

XXIII. And be it enacted, That the officer or person holding every Election for Councillors or Assessor as aforesaid, shall immediately after the close thereof make a return to the City Clerk of the names of the persons having the majority of votes and declared by him duly elected at such Election.

XXIV. And be it enacted, That the annual or other Election for a Mayor for the said City shall be held as hereinbefore provided in some central and convenient place in the said City, where every duly qualified elector for the City, or as many as shall think proper, may give his vote for any one of the candidates or persons nominated for that office; and at the final close of the Poll as aforesaid, the officer or person holding such Election shall examine the state of the ballot, and the person who shall have received the greatest number of votes, if they amount to more than half of the whole number of votes given at such Election, but not otherwise, shall be declared duly elected, and shall be as such returned by the presiding officer to the City Clerk; or if no one of the candidates or nominees shall have received more than half of all the votes given at that Election for the office of Mayor, the presiding officer shall forthwith after the close of the Poll, make a return to the City Clerk of the names of the persons for whom votes shall have been polled, and the number given for each, and the City Council, at their first meeting, which must be held within three days after the close of such Election, may choose one out of all the persons for whom such votes shall have been given, and the person so chosen shall be deemed duly elected to the office of Mayor of the City, and in either of the foregoing cases a certificate of such election under the hand of the City Clerk shall be forthwith transmitted to the Office of the Provincial Secretary; but if the City Council cannot agree upon the person so to be chosen, the names of all the said candidates or nominees, and the votes polled for them respectively, shall be forthwith submitted by the City Clerk to the Lieutenant Governor, who, by and with the advice and consent of the Executive Council, may and shall approve one of the said candidates or nominees to be Mayor of the said City.

XXV. And be it enacted, That the Poll Lists kept at every such Election, and the receipts delivered in by the electors as hereinafter mentioned, shall on the day next after the conclusion of such Election, (unless such day be Sunday, Christmas Day or Good Friday, and then on the day next thereafter,) be delivered by the officers or persons holding the same to the City Clerk to remain in his office, where they shall be open for inspection to any elector on the payment of one shilling.