

XXVI. And be it enacted, That every person duly elected or appointed to the office of Mayor, and accepting the same by taking the prescribed oath as by this Act directed, shall be and remain in office as such Mayor, with all the powers and responsibilities incident to such office, until he die or become disqualified as hereinbefore provided, or until another person be sworn into office in his stead ; and if any person holding the office of Mayor be at any annual Election re-elected to the said office, it shall not be necessary for him to be again sworn into office as such Mayor.

Mayor to remain in office until he die, or become disqualified, or another be sworn in his stead.

XXVII. And be it enacted, That if any vacancy shall happen by the death or disqualification of the Mayor, or of a Councillor or an Assessor, the Mayor, or in case of his absence, or if there be no Mayor, then any three of the Councillors, shall by order in writing, and within ten days after the vacancy shall have happened, direct the City Clerk to give public notice as hereinbefore provided of the time and place when and where an Election will be held to supply the said vacancy or vacancies, and such Election shall be held in the manner provided in and by this Act.

Notice of election to be given in case of a vacancy by the death, &c., of a Mayor, Councillor or Assessor.

XXVIII. And be it enacted, That every person desirous of voting at any Election for Mayor, Councillors or Assessors, before he be permitted to vote, shall deliver to the officer or person holding such Election, a receipt from the City Treasurer or Collector of Rates, as provided in and by the eighth section of this Act, (unless such receipt be already filed in the Office of the City Clerk,) and also, if required by the officer or person holding such Election, or by any one of the candidates, or by any person duly qualified to vote at such Election, shall make oath, or being a Quaker shall make affirmation, before the officer or person holding such Election, in the form following, that is to say,—

Elector, before voting, to deliver a receipt for his taxes as in Sec. 8, unless it be already filed, and to swear to his qualification if required.

‘ I, A. B., do solemnly swear, [or affirm,] that I am a British Subject, and of the full age of twenty one years, and that I am the person named in the receipt now exhibited [or heretofore given in] by me, and that the said receipt was given to me by the City Treasurer (or Collector of Rates, *as the case may be,*) whose name is thereto subscribed, and that I have not before voted at this Election ;’ or if the Election be for a Councillor or Assessor, the form shall be— ‘ and that I have not before voted in any Ward at this Election.—So HELP ME God.’

Which oath or affirmation the officer or person holding such Election is hereby authorized to administer ; and in every case where the elector shall have been sworn as aforesaid, the presiding officer shall note in his Poll Book that such elector had been sworn or had affirmed.

Presiding officer authorized to administer the oath ; fact of swearing to be noted in the Poll Book.

XXIX. And be it enacted, That if any person shall knowingly swear or affirm falsely in taking any or either of the oaths, or in making the affirmations prescribed in and by this Act, he shall be deemed guilty of wilful and corrupt perjury, and on conviction shall suffer the pains and penalties provided by law in the like cases.

False swearing to be deemed perjury.

XXX. And be it enacted, That at any Election for Councillors or Assessors, every elector shall vote in the Ward in which he resides and not elsewhere, or if he be the owner of sufficient property in more than one Ward, and have paid his rates as aforesaid, he may make his option to vote in either or any of the Wards in which he shall have such property, but no person shall vote at any one Election in more than one Ward.

Electors for Councillors or Assessors to vote in the Ward in which they reside, or in any one Ward in which they may have a sufficient property qualification.

XXXI. And be it enacted, That every officer or person holding any such Elections for Mayor, Councillors or Assessors as aforesaid, shall be and may be deemed a Peace Officer on that occasion, and shall have power and authority to maintain and enforce order and decorum, and preserve the peace at the Election held by him, and to suppress all riotous and disorderly conduct thereat ; and all Peace Officers, and all others, Her Majesty’s subjects, are hereby required and commanded to be aiding and assisting him therein ; and every person neglecting or refusing to give such aid and assistance when thereunto required by such presiding officer, shall be taken and deemed guilty of a misdemeanor ; and if any person or persons shall commit violence, or be engaged in any affray or riot, or shall in any wise disturb the peace and order at such Election in any manner whatever, or in any wise interrupt the Poll, or the business thereof, or wilfully obstruct or threaten any person coming to vote, the officer or person holding any such Election shall have power and authority, on view or on oath of one credible witness, (which oath the said officer or person holding such Election is hereby empowered to administer,) forthwith to order such person into custody, or to commit him to prison, should such officer deem it expedient, by Warrant in writing, directed to the Sheriff or his Deputy, or to any Constable within the City, or to the Keeper of the Gaol of the City ; which Warrant such Sheriff,

Presiding officer at elections to be deemed a peace officer, and with power to enforce order and command assistance.

Power to commit to gaol.