

such declaration and record the whole number of votes or ballots given in shall be distinctly stated, together with the name of every person voted for, and the number of votes given for each person respectively, and for what office; and the Commissioner shall close and seal the poll book, and the receipts delivered in by the electors, and deposit the same so enclosed and sealed with the Common Clerk, before ten o'clock in the morning of the next day, to be by him laid before the Common Council at their first meeting thereafter; and the said poll book shall then be opened, and the Common Council shall examine all the returns from the respective Wards, and shall declare the persons having the majority of votes to be duly elected.

Poll books and receipts to be delivered to the Common Clerk.

21. In case there shall be an equal number of votes polled for two or more persons, a new election shall be held in respect of such persons to determine the same.

A new election to be held when the votes are equal.

22. Any person knowingly or wilfully voting when not entitled to vote; any person fraudulently putting in more than one ballot when voting, or voting in an assumed name; and any person who shall vote oftener than he is entitled to, shall pay a fine of two pounds.

Penalty for illegal voting.

23. Every person desirous of voting at any election, shall, before his vote be entered on the Poll List, if required by the Commissioner, or by any qualified elector, take the following oath, which oath the Commissioner is directed to administer:—"I do swear that I am a British subject, that I am qualified by law to vote at this election in this Ward, and have not before voted at this election within this Ward.—So help me God." And whenever a vote shall be so sworn, the Poll Clerk shall mark "sworn" opposite his name in the Poll List.

Electors may be sworn.

24. If any person shall knowingly swear falsely, he shall be guilty of perjury, and subject to the penalties thereof.

Penalty for false swearing.

25. The Commissioner shall have, for the purposes of the election, and during the time of holding the same, all the power and authority of a Justice of the Peace.

Commissioner to have the power of a Justice of Peace.

26. The respective Aldermen, Councillors or Constables, duly elected, shall be sworn into office on the third Tuesday in April in every year, as provided by the Charter.

Aldermen, Councillors and Constables to be sworn on the third Tuesday in April.

27. The Mayor shall be sworn into office before the Recorder or Common Clerk, as soon as conveniently may be after his election shall be declared by the Common Council, and shall continue in office until he resign or die, or become disqualified as before mentioned, or another shall be duly elected and sworn in his stead.

Time for swearing in the Mayor and his continuance in office.

28. Every person duly qualified, who shall be elected to the Office of Mayor or Alderman, shall accept the office or forfeit to the Corporation the sum of twenty five pounds.

Penalty for refusing the office of Mayor or Alderman.

29. If an extraordinary vacancy occur in the office of Mayor, Alderman or Councillor, an election for such vacancy shall be ordered and conducted in all respects in the same manner as ordinary elections under this Act.

Extraordinary vacancies.

30. All special vacancies of office from death, disqualification, resignation or other cause, shall be declared by the Resolution of Common Council, before proceeding to fill up the vacancy.

Declaration of special vacancies to be made.

31. The Common Council of the said City are hereby authorised and required once in every year in the month of April, including the present year, to determine and direct what sum of money, not exceeding two thousand pounds in any one year, shall be raised and levied in the said City for the purpose of repairing, altering and maintaining the streets, squares, bridges and highways in the said City, and shall make a rate and assessment upon the said City of such sum in the present year, and in each and every succeeding year, besides the charges and expenses of assessing and collecting, and shall direct their Warrant for such purpose to the Assessors of Taxes in the said City, and the same shall be assessed by a rate of two shillings and six pence upon the poll of all male inhabitants of the said City of the age of eighteen years and upwards, not being paupers, and the residue by a rate in just and equal proportion upon the real and personal estate and incomes of such inhabitants, and shall be levied, collected and paid in the same manner as any County rates for public charges can or may be levied, collected and paid under and by virtue of any laws which at the time of making such assessments may be in force for assessing, levying and collecting of rates for public charges; and when collected, shall be paid into the hands of the Chamberlain of the City, for the purposes of repairing, altering and maintaining the streets, squares, bridges and highways in the City of Saint John, and for no other use or purpose whatsoever.

Common Council annually in April to determine the amount to be raised by assessment for the roads.

How to be rated, collected and paid.