

cation of a candidate or his agent, or two electors, the Sheriff or presiding officer shall swear in such special constables.

50. Every Sheriff shall receive for every election, for providing the booths or polling places, and discharging the other duties required of him, the sum of ten pounds, and every presiding officer shall receive the sum of one pound ten shillings for his services for holding a poll and superintending the balloting, and six pence per mile for each mile in travelling to and from the same, and for returning the ballot box and books containing the check list to the Sheriff; and every poll Clerk shall receive twenty shillings for his services.

51. Whoever, after the ordering of the writ for any election, directly or indirectly give or allow to any elector, any money, meat, drink, entertainment, or provision, or make any present, gift, reward, or entertainment, or make any promise or engagement to give or allow any money, meat, drink, provision, reward, or entertainment to or for any person, or the use or benefit of any person or place, in order to be elected, or for being elected for such place, shall be incapable of sitting or voting in the House of Assembly.

52. No person shall recover from a candidate or his agent for entertainment furnished at the request of any of them, to any person at an election, and if upon the trial it shall appear that any part of the plaintiff's claim is for entertainment so furnished, he shall be non-suited.

53. Whoever shall wilfully, falsely, and corruptly make any declaration, oath, or affirmation required by this Act, or shall corruptly procure or suborn any other person to make any of them, shall be guilty of perjury, and for every offence incur the penalty of a person guilty of perjury.

54. Quakers may affirm in any cases where an oath is required.

55. If any elector shall take any money or other reward by way of gift, loan, or other device, or contract or agree therefor to vote or forbear to vote at any election, or to corrupt or procure any person to give his vote, or shall by threats or force intimidate any person to vote or forbear to vote at such election, he shall for every offence forfeit the sum of twenty pounds, and be for ever debarred from voting at any election.

56. If any Sheriff, Presiding Officer, Poll Clerk, Assessor, Revisor, Clerk of the Peace, Parish Officer, or other person whosoever, appointed or acting under the authority of this Act, shall wilfully contravene or disobey any of the provisions of this Act with respect to any matter or thing such person is required to do, and for which default or offence no specific penalty is provided, he shall be liable to the penalty of one hundred pounds, to be recovered in an action of debt at the suit of a candidate or elector; and the jury may find their verdict for the full sum of one hundred pounds, or any sum not less than twenty pounds they think just for the offence, and the plaintiff shall have judgment and execution therefor with costs of suit.

57. Penalties imposed by this Act must be prosecuted within four months after the commission of the offence, and may be recovered by action of debt in any Court of competent jurisdiction; and the plaintiff may set forth in his declaration that the defendant is indebted to him in the amount of the penalty sought to be recovered, allege the particular offence for which the action is brought, and that the defendant hath therein acted contrary to this Act, without mentioning the writ for holding the election, or the return thereof.

58. The penalty, when recovered, shall be appropriated, one half to the person who shall sue therefor, and the other half to the Treasurer of the County where the offence was committed, for the use of the County.

59. On trial of any action, or prosecution for any penalty imposed by this Act, or any other proceeding arising out of the election, parol proof of the election shall be sufficient *prima facie* evidence without producing the writ.

60. Upon the trial of any information, indictment, or other action, brought for the recovery of any of the penalties imposed upon any candidate or elector who may make the declaration of qualification prescribed for a candidate, or upon the trial of the qualification before a Committee of the House of Assembly, the certificate of the Registrar of Deeds and Wills of the County in which the land constituting the qualification is stated to be situate, that the candidate had no such lands on record, and a certificate of the Secretary that the candidate had no grant of any such land, shall be *prima facie* evidence that such candidate is not qualified.

61. Any Member may, by written notice to the Speaker, vacate his seat, or if there be no Speaker, to any two Members.

62. The Speaker may vacate his seat as Speaker or Member, either by a declaration to that effect in the House, if in Session, or by written notice to any two Members.

63. In case of vacancy by death, resignation, or appointment to the Legislative Council during any recess, the Speaker on being certified thereof in writing by two Members, shall send his Warrant to the Provincial Secretary to issue a Writ for the election of a Member to fill the vacancy, who shall on receipt thereof issue the same accordingly. If there be no Speaker, or if the vacancy occur before the first meeting of any new House, any two Members elect may send their Warrant to the Provincial Secretary to issue a Writ for the election of a Member to fill such vacancy, and on receipt thereof the Clerk of the Crown shall immediately issue the writ.

64. That if any election shall be set aside by the Assembly for irregularity, improper conduct, or want of qualification in a candidate, a new writ shall forthwith issue, to fill the vacancy occasioned thereby.

65. The representation in the General Assembly shall be as follows:—For the Counties of York, Saint John, Westmorland, Charlotte, and Northumberland, each, four Members; for the County of King's, three Members; for the Counties of Sunbury, Queen's, Gloucester, Kent, Carleton, Restigouche, Albert, and Victoria, each, two Members; for the City of Saint John, two Members.

66. The General Assembly shall continue for four years from the day of the return of the Writ for choosing the same, unless sooner dissolved, but shall not be affected by the demise of the Crown.

67. The word "Sheriff" herein shall mean Sheriff, Under Sheriff, or Deputy Sheriff; "Presiding Officer," the person presiding at the taking of the ballots; "District" shall mean electoral District; "County" shall mean County or any other place entitled to elect Representatives; "Election," the election of Members to serve in the General Assembly; "day of electing," or "of election," the day of polling the votes; "Municipality," the County Council or other governing body of any place.

68. On the first day of January in the year of our Lord one thousand eight hundred and fifty seven, the following Acts shall be repealed:—An Act made and passed in the eleventh year