

enter the names of the members who shall be present at the opening or during the continuance of such meeting, and the persons whose names have been so entered, shall be deemed and taken to be to all intents and purposes present at such meeting, until the same shall be finally adjourned or dissolved by the presiding officer; and the rules, orders, and regulations, enactments and decisions of such meeting, shall not be deemed illegal or contrary to the true intent and meaning of this Act, notwithstanding some of the members shall withdraw therefrom previous to such adjournment or dissolution.

32. That at all meetings of the Council, the Mayor, if he be present, shall preside; and in case of his absence, the Councillors present shall choose one of their own number to act as Chairman, and preside at such meeting; and the Mayor or Chairman so presiding shall not vote, except in case of equal votes, upon any question, and he shall then have a casting vote, and all meetings of the Council shall be held with open doors.

33. That the minutes of proceedings of all meetings of the said Council to be held as aforesaid, shall be drawn up and fairly entered in a book to be kept for that purpose by the Clerk, and shall be signed by the Mayor or Chairman presiding at such meeting; and the said minute book shall be open, on payment of a fee of one shilling, to the inspection of all persons qualified to vote at the election of Councillors.

34. That if any candidate or duly qualified elector be dissatisfied with the decision of the officer or person holding any election under this Act, in any case relating to the return of a Mayor, Councillor, or Assessor, such candidate or elector shall within ten days next after the day of such election, make application in writing through the Clerk to the Council, setting forth the cause of complaint, and demanding an investigation thereon; and the said Council are hereby authorized and required to assemble and examine and determine the matter of such complaint without delay, but the Mayor or Councillor whose return or seat is in dispute, shall not vote on the examination of such complaint, and if it shall appear to the Council by satisfactory evidence, on complaint as aforesaid, that any person has been returned and is serving as Mayor, Councillor, or Assessor, contrary to the provisions of this Act, the said Council shall declare his election to be void, and shall direct a new election to be held to supply his place, as in the case of other extraordinary vacancies.

35. That it shall be lawful for the said Council to appoint from out of the members composing such Council, such and so many Committees, and consisting of such number of persons as they may think fit for the transaction of the business before such Council, and for the discharge of such duties as by the said Council may be prescribed, but subject in all things to the approval, authority, and control of the said Council; and in all questions coming before any such Committee, a majority of the members present shall determine such question, provided that a majority of the persons composing such Committee be present.

36. That if at any meeting of the said Council to be held under this Act, any member of the Council shall be guilty of grossly violent or improper conduct, or shall make use of language indecent or profane, or insulting to the presiding officer or to any member of the Council present at the meeting, the Council, if five members in all, or more, besides the offender, be then present and concur in the sentence, may expel such offending Councillor from the Council, or another

meeting may be specially summoned to adjudicate upon the subject, the time and object of such meeting being previously notified in writing to every member, or to be left at his usual place of abode, and if five members at least, including the offender, be present at such special meeting, the Council so assembled shall have power in such manner as may be determined at such meeting, to punish the offender by reprimand, fine, or expulsion, as any five of the members then present shall think fit; provided that in case of expulsion the person so expelled shall forthwith cease to be a member of the Council, and forfeit all rights, powers, and privileges enjoyed by him as such, and the Mayor shall immediately order a new election to supply the vacancy occasioned by such expulsion as in the case of other extraordinary vacancies; and provided also, that in case a fine shall be imposed, the same shall in no case be more than five pounds, to be recovered with costs in the name of the Treasurer, who is hereby authorized and required to sue for the same before any competent Court in a summary manner, in which a certificate of the Clerk shall be conclusive evidence of the defendant's liability, which certificate the said Clerk is hereby authorized and required to furnish without fee or reward.

37. That any meeting of the Council to be held under this Act may be adjourned from day to day for three days in the whole, and no longer.

38. That at the first meeting of the Council after every annual election, or at any subsequent meeting, the said Council, if they see fit, may nominate and appoint from time to time for the said Town a Clerk, an Auditor, a City Treasurer, a Marshal, a Clerk of the Market, and so many Constables, Surveyor of Roads, Collectors of Rates, Pound Keepers, Harbour Master, Wharfinger, or Overseers of the Poor, according to the true intent and meaning of this Act or any bye law; and to define the duties of such officers and their respective terms of office, which, except in cases of the Clerk and Treasurer, shall not be longer than one year, unless they be re-appointed, and the Council may also remove or displace any of the said officers, and appoint others in their stead, and to impose penalties for the non performance of duties or other misdoings of such officers, and to cause such penalties to be levied and recovered by distress or otherwise as such Council may direct, and shall grant and allow in any year, by stated salary or otherwise, to the Clerk and other officer so to be appointed as aforesaid such allowance or other compensation for their services as the said Council may think fit; provided that no person shall be capable of acting in any office to which he may be appointed by the Council until he shall have been sworn or have affirmed before the Mayor that he will diligently, faithfully, and impartially, and to the best of his ability, discharge the several duties appertaining to the office to which he has been appointed so long as he shall hold the same.

39. That no person shall be capable of acting as Clerk, Wharfinger, Collector of Rates, or in any other office or capacity accountable for the revenues or any part thereof, until he shall have entered into a bond to the said Corporation, with two sufficient sureties to be approved by the Council, in such form and for such penal sum as the Mayor may approve or any bye law prescribe, conditioned to account for and pay over to the Treasurer all moneys received by him on behalf of the said Town; and provided also, that the Treasurer before entering upon the duties of his office shall enter into a bond to the said