

then in every such case such person shall immediately be deemed and taken to be disqualified, and shall cease to hold his office of Mayor, Councillor, or Assessor, and his place shall be filled up by a new election, to be made in the manner hereinafter directed for holding elections.

11. The first election for a Mayor, Councillors and Assessors for said Town, after the passing of this Act, shall be held on the second Monday in June in the present year, and the annual election for a Mayor, Councillors or Assessors as aforesaid, in all succeeding years, shall be held on the fourth Monday in March in each and every year.

12. Public notice of the time and place for holding every such election respectively shall be given by the Clerk, by publishing such notice in one or more of the public newspapers printed in said Town, and by printed handbills in the several Wards, for not less than ten days previous to such election; provided always, that the elections in the several Wards for Mayor, Councillors, and Assessors, shall be held on the same day and hour.

13. At every annual election to be held under and by virtue of this Act, and before the polling commences, which shall be at ten o'clock in the forenoon, there shall be nominated by duly qualified electors out of the persons capable, including the Mayor, Councillors and Assessors then in office, one or more persons for the office of Mayor, two or more persons for the office of Councillors in each Ward, and one or more persons for the office of Assessor in each Ward; and no vote shall be counted except those given for one or more of the persons so nominated as aforesaid.

14. At all elections to supply extraordinary vacancies, there shall be nominated in the manner hereinafter provided, and out of persons duly qualified, one or more persons according to the nature or number of vacancies so to be supplied, and the votes given for the persons so nominated only shall be counted.

15. All voting under this Act for the election of Mayor, Councillors, or Assessors, shall be by ballot and not by open vote, and a separate ticket shall be given by each voter for each office then about to be filled, but a blank ticket shall not in any case be counted as a vote; and provided also, that 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.

16. 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 four 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 a poll list, to be kept at such election by the officer or person holding the same; and after finally closing the poll for Mayor, Councillors or Assessors at any such election, the officer or person by whom the same shall be held shall forthwith proceed to open and publicly to ascertain and declare the number of votes given for each of the candidates or persons for whom the votes shall then have been given; and he shall also then publicly declare the person or persons having the greatest number of votes in his and their favor, to be duly elected as such Councillors or Assessors, and return the number of votes given for each candidate for the office of Mayor to the Town Clerk, who shall, upon the receipt of the returns from all the Wards, declare the candidate having the greatest number of votes to be duly elected; 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 Councillor or Assessor.

17. The officer or person holding any such election shall not be bound to keep the poll open until four 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 given, and declare the persons elected in the manner hereinbefore directed.

18. The officer or person holding any election for Mayor, Councillors or Assessors as aforesaid shall, immediately after the close thereof, make a return to the Clerk of the names of the persons having the greatest number of votes, and declared by him duly elected at such election for Councillors or Assessors, and the number of votes given for each candidate for the office of Mayor.

19. The poll list kept at every such election, and the receipts delivered in by the electors hereinafter mentioned, shall on the next day 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 officer or person holding the same to the Clerk, to remain in his office, where they shall be open for inspection to any elector on the payment of twenty cents.

20. Any person duly elected to the office of Mayor, and accepting the same by taking the prescribed oath 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.

21. If any vacancy shall happen by 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 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.

22. No person shall be allowed to vote at any election for Mayor, Councillor, or Assessor, unless his name shall appear in the list of voters for the Ward in which he claims to vote, and 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:—"I, A. B., do solemnly swear (or affirm) that I am of the full age of twenty one years, and that I am the person named in the registry of voters for this Ward, and that I have not before voted at 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.

23. At any election for Mayor, Councillors, or Assessors, every elector shall vote in the Ward in which he resides, and not elsewhere, and non-residents shall vote in the Ward in which their property lies; but no person shall vote at any one election in more than one Ward; non-residents having property in more than one Ward may notify the Clerk of the Ward in which he desires to vote, and the Clerk shall enter his name in the list for that Ward.

24. Every officer or person holding any such election for