



BY AUTHORITY.

ANNO TRICESIMO SEXTO VICTORIÆ REGINÆ.

CAP. CIII.

An Act to incorporate certain Districts of the Parish of Saint Stephen, in the County of Charlotte, to be known as the Town of Milltown.

[Continued from page 392.]

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 Town 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 lists of voters for the Ward in which he claims to vote; and before he be permitted to vote, shall, if required, deliver to the officer or person holding such election, a receipt from the Collector of rates as provided in and by the sixth section of this Act, 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:—"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 list of voters and in this receipt, and that the said receipt was given me by the Collector of rates whose name is thereto subscribed, 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 roll 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 Town Clerk of the Ward in which he desires to vote, and the Town Clerk shall enter his name on the list for that Ward.

24. Every officer or person holding any such election for Mayor, Councillors or Assessors as aforesaid, shall be and may be deemed a peace officer on that occasion, and he 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 other Her Majesty's subjects are hereby required and commanded to be aiding and assisting him therein; and any person neglecting or refusing to give such aid and assistance when required thereunto by such

presiding officer, shall incur a penalty of not exceeding twenty dollars; 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 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 Town, or to the keeper of the gaol or lock-up house, which warrant such Sheriff, Deputy Sheriff, Constable or Gaoler shall and may, and is hereby required forthwith to obey, under a penalty not exceeding forty dollars for disobedience thereto; provided that such imprisonment or restraint shall not continue more than forty eight hours after the adjournment or dissolution of such meeting, and provided also that the person or persons so guilty of such riotous or disorderly conduct, or of disturbing or interrupting the poll in any way or manner whatever as hereinbefore specified, shall be liable, notwithstanding such restraint and imprisonment, to be otherwise prosecuted and punished as if no such arrest had been made.

25. The Mayor, Councillors, and Assessors, before entering upon the duties of their offices respectively, shall file with the Town Clerk the assessment receipts given to them severally by the Collector of rates, as hereinbefore provided, and shall also severally be sworn, or in case of Quakers, shall make affirmation, by taking and subscribing the following oath of office before any Justice of the Peace, that is to say: "I, A. B., do solemnly swear (or affirm) that I am a British subject, and am qualified as by law required in every respect for the office of Mayor (Councillor or Assessor, *as the case may be*) to which I have been elected, and that I will diligently, faithfully and impartially, and to the best of my ability, discharge the several duties which appertain to the said office of Mayor (Councillor or Assessor, *as the case may be*) while I hold the same.—So help me God."

26. At the annual election to be held under this Act, all the officers whose term shall then expire shall be eligible for immediate re-election, if duly qualified in other respects.

27. The Councillors and Assessors to be elected under this Act shall severally go out of office on the day hereinbefore prescribed for holding the annual election.

28. The said Town Council shall meet for the transaction of business at such time and place as the Mayor or any four Councillors may from time to time appoint, giving at least three days' public notice of such meeting; provided always, that there shall be four quarterly meetings in each and every year, to be held at such time and place as the Council may by any bye law appoint.

29. In all meetings of the Council to be held under this Act, three members with the Mayor or Chairman shall constitute a Court for the purpose or purposes for which they had been convened as aforesaid, and a majority of the members present shall determine the questions and matters submitted for consideration; and it shall be the duty of the Town Clerk at all meetings to keep a minute of the proceedings, in which he shall enter the names of the members who shall be present at the opening or during the continuance of