

CAP. XXXIV.

An Act to amend "The Municipalities Act," Chapter 165, Consolidated Statutes, 1903.

Passed 29th April, 1909.

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:—

1. Section 22 of Chapter 165 of the Consolidated Statutes, 1903, is hereby amended by adding thereto the following sub-section as sub-section (3):—

"(3) As soon as the chairman has taken the oath, form (A), as hereinbefore provided the voters shall all retire from the room in which the poll is to be taken, except the chairman and his clerk, whom he is hereby authorized to appoint, a constable and a scrutineer or teller on behalf of each candidate and the candidates themselves."

2. Section 25 of the said Chapter 165 of the Consolidated Statutes, 1903, is hereby repealed, and the following section substituted in place thereof:—

"25. Unless otherwise provided, every male of the age of twenty-one years and every widow and unmarried female of the age of 21 years, being in each case a British subject and a resident of the parish, and a ratepayer thereof on income or personal property to the amount of one hundred dollars or on income and personal property together to the amount of one hundred dollars or on real property to any amount, and whose name is on the lists in this chapter directed to be furnished by the parish clerk, may vote at the election of councillors, and in case a firm is assessed in respect of property or income sufficient to give each member of the firm a qualification as provided in this section and is on the lists or either of them furnished by the parish clerk, the several persons comprising such firm, who are British subjects of the age of twenty-one years resident in said parish and otherwise qualified under this section, may vote at the election of councillors; provided, that no person shall vote more than once at any election, although he or she be assessed individually and as a member of a firm; provided, however, that in the County of Gloucester any resident ratepayer of a parish who is a British subject of the age of twenty-one years and is rated on income or personal property to the amount of fifty dollars or on income and personal property together to the amount of fifty dollars, shall be entitled to vote at the election of councillors."

3. Section 29 of said Chapter 165 of the Consolidated Statutes, 1903, is hereby repealed, and the following section substituted in place thereof:—

29. (1) Voting for councillors shall be by ballot and in the manner following: Not more than one voter shall, at any time, enter the room where the poll is being held, and such voter, upon so entering, shall declare his name, surname and addition, to the person presiding, and if the name of such voter is found on the list of voters, he shall receive from the person presiding at said election an envelope on the back of which said person presiding shall write in black ink his initials in the presence of the voter and give the same to the said voter.

(2) The voter on receiving the said envelope shall forthwith proceed into a compartment of the room where the poll is being held, which compartment shall be screened off from the rest of the room and shall there place his ballot paper in the envelope previously handed to him by the person presiding at the said election and shall then hand it unsealed to the said person so presiding at the said election, who shall ascertain by examining his initials that it is the same which he furnished the voter, and the said person presiding shall then immediately and in the presence of the voter place the envelope containing such ballot paper in the ballot box; but no such ballot shall be received by the said person so presiding at the said election until after the voter has proceeded to the compartment screened off as herein provided, and has, while there, placed his ballot in the envelope furnished him by the person presiding at said election.

(3) At the hour of closing, the chairman shall publicly open the ballot box and take each ballot separately and read the name or names thereon, so that each scrutineer or teller may take them down; when all are read and taken down the chairman shall state the number of votes polled for each candidate and declare the required number to be elected having the majority, elected; the chairman in addition to his vote as a ratepayer shall give the costing vote, if necessary.

(4) The secretary or secretary-treasurer of the municipality shall furnish the parish clerk of the several parishes, at least two days before the polling day, with a sufficient number of envelopes, with ungummed flaps, all being of the same description, to supply the number of voters in the said parish respectively, and, in cases where the parish clerk is disqualified from acting as chairman, he shall deliver said envelopes to the person who is chosen to preside at the said meeting for the election of councillors as provided by sub-section (1) of section 22, as soon as the said chairman so chosen shall have taken the oath form (A); and in case there is more than one polling district in a parish, the parish clerk shall supply the district clerk or clerks with a sufficient number of said envelopes to supply the number of voters in said district or districts; said envelopes to be used as hereinbefore directed.

(5) The parish clerk or district clerk or persons presiding at said election, as the case may be, before opening the poll at any election, shall see that the compartment referred to in sub-section (1) of this section is provided in accordance with the terms of such sub-section, and that a suitable table is placed therein on which ballots may be deposited.

(6) Each candidate or his agent, shall have the right to deposit in the separated compartment of the polling booth, printed ballots, bearing the name or names of the candidate or candidates; such ballots shall be printed or written on white paper in black letters only, and no ballot shall be counted by the returning officer at the close of the poll unless the same is so printed or unless the ballot is a piece of white paper having the names or surnames of the candidates written thereon in black ink or with black pencil; provided, always, that no ballot shall be rejected by the person presiding by reason of the names being partly printed and partly written thereon or by reason of the name or names having been marked through or struck out.

(7) The person presiding at any such election, upon application of any voter who is unable to read or write or is incapacitated by blindness or physical causes from voting in the manner prescribed by this Act, shall assist such voter by placing in the envelope the ballot paper containing the names of the candidate or candidates for whom said voter declares his intention of voting, in the presence of the sworn agents of the candidates; and the said person so presiding shall require the voter making such application, to make oath of his incapacity to vote without such assistance in the following form, that is to say:—

"I solemnly swear that I am unable to read and to understand the ballot papers," or "I am incapacitated from physical cause, (as the case may be), from voting without the assistance of the person presiding."

(8) Every voter shall vote without undue delay and shall quit the polling booth as soon as the envelope containing his ballot has been deposited in the ballot box.

4. The assessors in the list required to be furnished by them to the parish or district clerk as required by section 26 of the said Chapter 165, shall not include therein the names of any persons who are non residents of the said parish.

5. All provisions of the said Chapter 165 of the Consolidated Statutes, 1903, inconsistent herewith are hereby repealed.

CAP. XXXVII.

An Act to amend "The Towns Incorporation Act," Chapter 166 of the Consolidated Statutes, 1903.

Passed 29th April, 1909.

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:—

Section 98 of "The Towns Incorporation Act," being Chapter 166 of the Consolidated Statutes, 1903, is hereby repealed, and the following enacted in lieu thereof:—

"98. The ratepayers residing within any district incorporated as a town under the provisions of this Chapter, shall not vote for the election of municipal councillors for the parish in which such town is situate, unless they are also ratepayers of the parish in respect of real or personal property, or both, sufficient to qualify them to vote in the parish, other than that owned by them within the limits of said town."

CAP. XXXV.

An Act to amend Section 95 of Chapter 165, Consolidated Statutes, 1903, respecting Municipalities.

Passed 29th April, 1909.

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:—

Sub-section 44 of section 95 of the Consolidated Statutes, 1903, respecting municipalities, is hereby amended, by inserting between the words "county" and "from" in the eighteenth line thereof, the words "or persons not being ratepayers in any county in the Province."

NOTICE is hereby given that the persons hereinafter named will apply to His Honour the Lieutenant-Governor-in-Council, for a Charter of Incorporation by Letters Patent under the Great Seal of the Province of New Brunswick, according to the Provisions of the New Brunswick Joint Stock Companies' Act, incorporating the applicants and such other persons as may hereafter become shareholders in the proposed Company, a body corporate and politic under the name and for the purposes hereinafter set forth.

1. The proposed name of the Company is "Empire Steel Ladder, Limited."

2. The objects and purposes for which incorporation is sought are as follows:—

(a) To acquire, exploit, manufacture, sell and generally deal in certain new and useful improvements in steel flexible ladders, invented by William O. McAllister, of the City of Moncton in the County of Westmorland and Province of New Brunswick, and patented under No. 118,609, issued by the Dominion of Canada, dated May twenty-fifth, A. D. 1908, and all improvements and additions thereto.

(b) To farm out, manufacture, and use the said new and useful improvements in flexible ladders for portable folding fire escapes ladders, appliances and devices and patent rights, upon royalty or otherwise.

(c) To pay and settle for said patent right and other patent rights by the issue of fully paid up stock of the proposed Company in whole or in part as may be determined upon by the directors.

(d) To manufacture flexible steel ladders and other like articles and small wares of every kind of metals or other materials.