

examining said ballot. The poll clerk shall, under the direction of the returning officer, then enter the name of such voter on the check list, to be kept for that purpose.

(11) If so requested by either of the persons representing those promoting the said petition, or by either of the persons representing those opposing the said petition, permitted to be present in the room where the vote is being taken, as provided by sub-section (7) herein, the returning officer shall require any voter to take the oaths following or either of them, which he is hereby authorized to administer:—

"I, A. B., do swear that I am qualified to vote at this election, that I reside at _____, that I am the person named and intended in the voters' list, and that I have not given my vote before at this election. So help me God."

"I, A. B., do swear that I have not received, by myself or another, or any person in trust for me, or to my use, directly or indirectly, any sum of money, office, place or employment, gift or reward, or any promise or security for any money, office, or employment or gift, in order to give my vote at this election. So help me God."

(12) The returning officer, upon the 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 section, shall assist such voter in marking his ballot paper and placing the same in the envelope in the presence of one of the representatives respectively of those promoting and opposing the said petition; and the returning officer shall require the voter making such application, before voting, 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 "that I am incapacitated by physical causes (as the case may be) from voting without the assistance of the returning officer."

(13) If a person representing himself to be a particular voter named on the list of voters applies for an envelope and ballot paper after any person has voted as such voter, the applicant, upon taking the following oath: "I solemnly swear that I am A. B., of _____ (as on the list of voters), whose name is entered on the list of voters now shown me. So help me God," and after establishing his identity to the satisfaction of the returning officer, shall be entitled to receive an envelope and ballot paper and to vote as such voter. The name of such voter shall be entered in the check list, and a note shall be made by the returning officer of his having voted on a second envelope and ballot paper being issued under the same name, and that the oath before mentioned had been required of him and made, as well as of any objections being made on behalf of either interest, and which.

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

(15) A voter who has inadvertently dealt with the envelope or ballot paper given him in such manner that it cannot be conveniently used may, on delivering the same to the returning officer, obtain another envelope or ballot paper in place of the one delivered up.

(16) Before the returning officer appointed to take a vote under this section enters upon his duties he shall be sworn before a Justice of the Peace or a Commissioner for taking affidavits to be read in the Supreme Court, to the faithful performance of his duties as such returning officer, and the said returning officer shall administer a like oath to his poll clerk; and he shall also swear the persons representing the persons promoting and the persons opposing the said petition as mentioned in sub-section (7) to keep secret the manner in which any voter shall vote.

(17) At the close of the poll in the different districts, the returning officers shall publicly, and in the presence of the representatives of those promoting and opposing the said petition open the ballot box, and count the ballots therein deposited, and the poll clerk shall, under the supervision and direction of the returning officer, then and there make a check list thereof, and the returning officer shall openly and publicly declare the number of votes cast for and against the granting of liquor licenses, and shall then and there make out and subscribe a statement of the result of such poll, and lock the same up in the ballot box together with the check list and the voters' list used and the ballots used at the taking of said vote, and safely transmit the same to the secretary of the county in which the ward or parish where such vote was taken is situate.

The returning officer when counting the ballots shall reject all ballot papers which have not been supplied by the returning officer, and all those upon which there is any writing or marks by which the voter could be identified.

In counting the ballots, if any ballots shall be found not to be single, the returning officer shall forthwith then and there publicly destroy the same, and no envelope containing more than one vote shall be counted.

(18) The said secretary shall open the said return of the returning officer or officers and shall certify the result of the said vote to the Provincial Secretary, and if the result of such voting in any ward or parish is against the granting of licenses, the Lieutenant-Governor in Council shall cause a proclamation to issue and be published in the Royal Gazette declaring that no liquor licenses either wholesale or retail shall be granted in the said ward or parish from and after a day in said proclamation to be named.

(19) If a majority of the ratepayers voting upon such question declare against the granting of licenses no liquor licenses shall be granted in such ward or parish either on the first day of May next ensuing (except as hereinafter provided in sub-section (22)) or until such decision is reversed as hereinafter provided.

(20) If a majority of the ratepayers voting upon such question do not declare against the granting of licenses then they may be granted in such ward or parish until such last mentioned vote is reversed as hereinafter provided.

(21) At the date of polling for the third regular annual civic election following in the case of wards in cities and incorporated towns, and the fourth regular annual or second biennial municipal election following, in other cases, of members of the civic or municipal council and not earlier, or at any subsequent regular annual or biennial civic or municipal election, a vote may be taken again on the said question of the granting of liquor licenses, and so on, once in three years, in the case of cities and incorporated towns, and once in four years in other cases, with the same procedure and in the same manner as hereinbefore provided in respect of the first vote.

(22) In any case where the regular annual or biennial election of members of the civic or municipal council is held subsequent to the twenty-fifth day of March and earlier than the first day of May, should the ratepayers decide against the granting of licenses, the said decision shall come into force and take effect on the first day of May in the year following that in which the said vote is taken.

(23) Should the decision of the ratepayers in any ward or parish against the granting of licenses be reversed at the third or fourth regular annual or second biennial civic or municipal election following, as provided for in sub-section (21) herein, the said decision shall in no case come into force and take effect until three full years have elapsed during which no licenses have been granted in the case of a ward in a city or incorporated town, or four years in other cases.

(24) In the wards of Dukes, Lorne, Lansdowne, and Victoria, in the City of Saint John, and in the Parish of Harcourt in the County of Kent, in which wards and parish it is declared petition in accordance with section 21 of said Chapter 22, hereby repealed, have been duly prepared, signed and presented, there shall be a vote of the ratepayers on the said question of the granting of licenses, on the same day as the civic or municipal elections of 1909 are held, in accordance with the terms and under the provisions of this section hereby enacted; and the common council of the City of Saint John and the county secretary of the said county of Kent are hereby directed to make the necessary preparations for having such vote taken.

(25) If any person shall fraudulently vote at any election held under this section by personating any elector, and being qualified shall vote more than once at any election, he shall for such act of personation or for every case in which he shall vote more than once as aforesaid forfeit the sum of forty dollars, and any ratepayer may proceed against said person and prosecute him therefor.

5. Sub-section (3) of section 24 of said Chapter 22, is hereby amended by omitting from the first and second lines the words, "except in the case of clubs and hotels;" and by adding after the word "entrance" in the second line the following: "and every other entrance must be closed by lath and plaster or wood or with such material as will make it identical with the rest of the wall in which such entrance is placed."

6. Section 35 of said Chapter 22 is hereby amended by adding to Table (A) the following:—

"For each whole license to a non-resident, or agent of a non-resident of the province, \$250.00."

7. Section 36 of said Chapter 22, is hereby amended by adding to Table (A) the following:—

"For each wholesale license to a non-resident, or agent of a non-resident of the Province, \$250.00."

8. Section 40 of said Chapter 22, is hereby amended by making said section sub-section (1) of said section 40, and adding thereto the following as sub-section (2):—

"(2) Both during the hours in which it is lawful to sell liquor, and during the hours in which the said sale of liquor is prohibited, there shall be no screen, blind, shutter, ground or colored glass, or other device placed at any window or door of any place, or bar-room where intoxicating liquors are licensed to be sold that shall in any manner interfere with the full view of said place or bar-room from the outside of such place or bar-room, and any person who keeps a tavern or other licensed place in respect to which a tavern license has been duly issued and is in force who violates the provisions of this section shall be liable to a penalty of five dollars, besides costs for each and every day on which such violation takes place."

9. Sub-section (1) of section 48 of said Chapter 22 is hereby amended by striking out the following words: "from or after the hour of seven of the clock on Saturday night till six of the clock on Monday morning thereafter, nor from or after the hour of ten o'clock in the evening until six o'clock on the following morning on all other nights of the week;" and substituting in lieu thereof the following: "from and after the hour of five of the clock on Saturday afternoon till seven of the clock on Monday morning thereafter, nor from or after the hour of ten o'clock in the evening until seven o'clock on the following morning on all other nights of the week;" and sub-section (2) of said section 48 is hereby amended by striking out the words "from and after the hour of seven of the clock on Saturday night till six of the clock on Monday morning thereafter," in the tenth, eleventh and twelfth lines thereof and substituting in lieu thereof the following: "from and after the hour of five o'clock on Saturday afternoon till seven of the clock on Monday morning thereafter."

10. Sub-section (1) of section 49 of said Chapter 22 is hereby amended by striking out the words "seven of the clock on Saturday night and six of the clock on Monday morning thereafter," and substituting in lieu thereof the following: "five of the clock on Saturday afternoon and seven of the clock on Monday morning thereafter."

11. Section 51 of said Chapter 22, is hereby amended by inserting therein between the words "taken" and "from" in the seventh line thereof the following: "and upon every public holiday;" and by striking out the word "six" in the said seventh line and substituting in lieu thereof the word