

office, or shall in lieu thereof pay such fine, not exceeding the sum of *Twenty-five Pounds sterling*, to the Treasurer of the District, as the District Council shall by any ordinance appoint; such fine to be recovered by action or suit, to be instituted by the said Treasurer, and to be accounted for by him as part of the District Fund: Provided, That no person shall be obliged to accept the said office who shall be disabled by permanent infirmity of body or mind, or shall be above the age of Sixty-five Years, or shall have already served such office, or shall have paid a fine for not serving the same within Five Years from the day on which he shall be re-elected. 5 10

37.
One-third of
the District
Councillors to
vacate their
seats each
Year.

And be it Enacted, That upon the *First day of January* in the year One thousand eight hundred and *Forty-three*, and in every succeeding year, One-third of the complete number of Councillors in every District Council shall vacate their seats; and that in the said year One thousand eight hundred and *Forty-three*, and in the next succeeding year, the Members who are so to vacate their seats shall be determined by lot, and thereafter those Members shall vacate their seats who have been Members for the longest time without re-election: Provided always, That every Councillor so going out of office shall be capable of being forthwith re-elected. 15 20

38.
Members in
1843 and 1844
to vacate by
Lot.

And be it Enacted, That in order to determine the names of the Members who are to vacate their seats as aforesaid, in the years One thousand eight hundred and *Forty-three* and One thousand eight hundred and *Forty-four*, the Clerk of the Council or other officer appointed for that purpose shall, before the day appointed for the vacating of the said seats, write the name of every Member on a piece of paper, and shall fold up such piece of paper, and place the same so folded up in a glass or box, from which the names shall be drawn by any person appointed by the said Council for that purpose, and the first and other Members whose names shall be drawn in succession, shall vacate their seats until the whole number of those who are to vacate have been drawn. 25 30

39.
Elections to
take place
yearly.

And be it Enacted, That on the *Fifteenth day of January* One thousand eight hundred and *Forty-three*, and in every succeeding year, there shall be held an Election in each of the Electoral Divisions for which any Member has vacated his seat in manner hereinbefore prescribed, or for which any extraordinary vacancy shall have occurred during the past year and where the seat shall have remained vacant, and the Returning Officer is hereby authorized and required to cause such Election to take place without any special Writ or authority for that purpose, and at the same place and in the same manner in all respects as at the last preceding Election of District Councillors, unless otherwise lawfully directed as to the place and manner of Election by the Governor of the said United Province. 35 40

And