

the Clerk shall declare the want of return for such ward or wards, or Electoral Divisions, and the cause thereof.

If no return for one or more wards proceedings in such case.

120. In case no return be made for one or more wards in consequence of non-election, owing to interruption by riot or other cause, the members of council elect being at least a majority of the whole members of the Council when full, shall elect one of the Aldermen elect in Cities, or one of the Councillors-elect in Towns, to be Presiding Officer, at which election the Clerk shall preside, and such officer shall take the necessary declarations and possess all the powers of Mayor, until a poll for such Ward, Wards, or Electoral Division or Divisions, has been held under a warrant in the manner provided for in the one hundred and twenty-fifth section of this Act.

When Poll completed, Clerk to add up votes and declare result; when and where.

121. When a poll has been duly held in each of such Wards, and the poll-books returned to the Clerk, the Clerk shall add up the number of votes for Mayor, Reeve, Deputy Reeves and Councillors, and in cities for Aldermen, therein set down for the respective candidates, and ascertain the aggregate number of votes for Mayor, Reeve or Deputy Reeves, Councillors or Aldermen contained in such last-mentioned poll-books, together with the votes contained in the poll-books previously returned for the other Wards, and shall, at noon on the next day, at the Town Hall, declare elected Mayor, Reeve or Deputy Reeve (*as the case may be*) the candidate having the greatest number of votes polled; and in cities whenever the return has been made under such warrant, and the Alderman or Aldermen so elected has or have been qualified as such, the election of Mayor of such city shall be proceeded with at the next meeting of the Council in the same manner as is provided by the one hundred and fifth section of this Act.

Election of mayor in cities.

Declaration and assumption of office.

122. The person or persons so elected shall forthwith make the necessary declaration of office and assume the same accordingly.

DUTIES OF MAYORS.

Mayor to be the Head of the Council: His duties.

123. The Mayor shall be deemed the Head of the Council, and the Head and Chief Executive Officer of the Corporation; and it shall be his duty to be vigilant and active at all times in causing the law for the Government of the City or Town to be duly executed and put in force; to inspect the conduct of all subordinate Officers in the Government thereof, and as far as may be in his power, to cause all negligence, carelessness and positive violation of duty to be duly prosecuted and punished, and to communicate from time to time to the Council, all such information, and recommend such measures as may tend to the improvement of the finances, the police, health, security, cleanliness, comfort and ornament of the City or Town.