

poll lists kept at such election by the several officers or persons holding the same and the report of the City Clerk thereupon, shall declare the person having the greatest number of votes to have been selected Mayor, and in case of an equality of votes, the said Council shall determine which of the said parties having the said equality, shall be held to have been elected to the office. 5

Term of Office

Vacancies  
how filled.

Person elected  
Mayor and  
Councillor at  
the same time  
to make his  
option: pen-  
alty for refus-  
ing the office  
of Mayor.

Proviso.

Proviso.

IV. And be it enacted, That the Mayor so elected shall continue in office as Mayor of the said City until his successor in the said office of Mayor shall have been elected and sworn in; and in case a vacancy shall occur in the office of Mayor by reason of 10 any person who shall have been elected to that office not accepting the same, or by reason of his dying or ceasing to hold the said office, the said Council shall at the first General or Special Meeting thereof, after such vacancy, elect from among the members of the Council, another fit person to be Mayor for the re- 15 mainder of the period for which the Mayor whose place is to be supplied was to have served; and the said Council shall from time to time exercise a like power in the event of any further vacancy during the said period: And if any person be elected at the same time Mayor of the said City and Councillor for any of the Wards 20 thereof, he shall be held and bound to declare within four days after notice given to him of the said election, which office he will accept; provided that if he be not legally excused from accepting the office of Mayor, he shall be held and bound to accept the same, and shall incur or pay a fine of *one hundred pounds* for 25 non-acceptance thereof, to be paid to the Treasurer of the said City to and for the use and purposes thereof, and if not forthwith recovered, levied and applied in the manner provided with paid to regard to the recovery, levying and application of the fine now imposed for the non-acceptance of the office of Mayor, and the 30 said fine shall be incurred and paid, notwithstanding that the person so elected as Mayor, and refusing to accept the office, shall at the same time accept the office of Councillor; Provided always, that if any person so elected Mayor and Councillor at the same time shall accept the said office of Mayor, then a new election of Councillor 35 shall be held for the Ward for which such person was elected Councillor, within a period to be appointed by the Mayor for that purpose, and in the manner and subject to the same conditions as are by law provided for extraordinary vacancies in the office of Councillor: Provided also, that any person being then a Coun- 40 cillor may be elected Mayor by the voters at any annual election as aforesaid; and that if any person being then a Councillor shall be elected Mayor either by the voters at any annual election or by the Council in the case of a vacancy in the Office of Mayor, such person shall be bound to accept the said Office or to pay the 45 penalty aforesaid for non acceptance; and the seat of any Coun-