

clared his seat vacant, such councillor may resume his duties, and perform the same, if he is able so to do, without prejudice in any case to the costs of proceedings instituted against him, in event of any such proceedings having been instituted.

In case of the death of a councillor the office becomes *ipso facto* vacant, and a new election to fill such vacancy shall take place without delay, in the usual manner, provided also, that notwithstanding the death, absence or inability to act of such councillor, the remaining councillors shall continue to exercise the same powers, and fulfil the same duties, which they would have had to exercise and fulfill had not such death, absence, or inability to act on the part of such councillor, taken place.

Councillors elected in place of others.

3. Every councillor elected or appointed to replace another, shall remain in office for the remainder of the time for which his predecessor had been elected or appointed, and no longer.

His powers and duties.

13. The officers presiding at any election under this act, shall have authority, and are hereby required, at the request of any persons qualified to vote at such election, to examine upon oath (or affirmation, when the party is allowed by law to affirm), any candidate for the office of member of the said council, respecting his qualification to be elected to the said office, and shall also have authority, and are hereby required upon such request as aforesaid, to examine upon oath (or affirmation) any person tendering his vote at any election, and the oath to be administered by the presiding officers in both cases, shall be in the form following :

Voter's oath.

" You shall true answer make to all questions put to you
" by me, in my capacity of presiding officer, respecting
" your qualification to be elected a member of the city
" council (or respecting your qualification to vote at this
" election—as the case may be.) So help you God."

Questions.

2. And the presiding officer shall himself put the questions when he shall think necessary, but in no case shall the presiding officer at any ward have the power to refuse or reject the nomination of any person duly nominated, or to refuse to record the votes cast for such candidate, and the fact that the person was sworn shall be entered in the poll-book.

Contestation of elections.

14. If the election of all, or of one or more of the councillors be contested, such contestation shall be conducted