

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1865.* Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1865.

28 Victoria – Chapter 27

**An Act in further amendment of the Charter of the City of Saint John, and the Laws relating to the local government of said City. Passed 8th June, 1865.**

Section.

1. If one person be duly nominated for Mayor, &c., Clerk to certify the same Common Council to declare person duly elected.
2. Common Council to appoint Constables.

Section.

3. Person duly qualified to vote in any Ward, may nominate in any other Ward.
4. Candidate for Alderman or Council for need not live in Ward for which he offers.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That notwithstanding any thing contained in the Act passed in the sixteenth year of the Reign of Her present Majesty, intituled *An Act to amend the Charter of the City of Saint John, and certain Acts of Assembly relating to the local government of the said City*, whenever and so often as it shall happen that only one Candidate is duly nominated for the office of Mayor of the said City, or only one Candidate is duly nominated for the office of Alderman and one for the office of Councillor for any Ward of said City, as required by the fourth Section of the Act twenty fourth Victoria, Chapter 28, it shall not be necessary in any such case to hold a Poll for election, as required by the first recited Act; but in lieu thereof, the Common Clerk or his Deputy shall, in each such case, make return to the Common Council at their first meeting thereafter, certifying that but one such nomination was filed according to law, and such certificate shall have the like effect as if the person and persons were returned elected as provided by said Act, and thereupon the Common Council shall declare the person and persons so nominated duly elected accordingly.

2. The election of a Constable in and for the several Wards of said City as heretofore accustomed, is hereby abolished, and in lieu thereof, the Common Council of said City shall in the month of April in each year appoint a Constable for each Ward in said City, and the Constables so appointed shall have the like powers, authorities, and privileges, shall take the same oaths, and be subject and liable to the same fines, penalties, duties, rules, ordinances and regulations in every respect, and to all intents and purposes, as any Constable duly elected under the Charter and Laws for the government of said City hath heretofore had and enjoyed and been subject and liable unto.

3. Any elector who may be duly qualified to vote in any Ward of said City shall be entitled to nominate a candidate or candidates for office of Alderman and Councillor in any Ward, notwithstanding such elector may not be a voter in the particular Ward for which he may make any such nomination.

4. Any person otherwise duly qualified may be a candidate for office of Alderman or Councillor in and for any Ward of said City, notwithstanding that he may not be a voter in such Ward.