

Officer for the Riding secondly named ; subject always to the preceding provisions of this section ; 14, 15 V. c. 108, s. 3.

Proviso as to Leeds and Grenville.

5. Provided always, that the High Sheriff of the United Counties of Leeds and Grenville shall be *ex officio* Returning Officer for the North Riding of Leeds and Grenville,—the Registrar of Deeds for the County of Leeds shall be *ex officio* Returning Officer for the South Riding of Leeds,—and the Registrar of Deeds for the County of Grenville shall be *ex officio* Returning Officer for the South Riding of Grenville. 16 V. c. 152, s. 7.

THE WHOLE PROVINCE.

*Returning Officers of Members of the Legislative Council.*

Governor to appoint Returning Officers for Legislative Council from among certain persons.

23. The Governor shall appoint the Returning Officers at Elections of Members of the Legislative Council from among those persons who would be Returning Officers at Elections of Members of the Legislative Assembly for places within the Electoral Division for which the Election of a Member of the Legislative Council is to be held. 19, 20 V. c. 140, s. 10.

*Provisions as to Returning Officers, applicable to both Houses.*

In case no one can *ex officio* be Returning Officer for any place, &c., Governor may appoint a person, &c.

24. If in any case it happens, either in Upper or in Lower Act, that there is no person, who, under the provisions of this Act, can be *ex officio* Returning Officer for any place for which an Election is to be held, or the person who would or might be such Returning Officer is absent from the Province, or incapacitated from sickness or otherwise from performing the duties of Returning Officer, then the Governor may appoint any person qualified under the preceding sections of this Act to be Returning Officer for such place. 14, 15 V. c. 109, s. 3.

Qualification of any person so appointed Returning Officer, &c.

25. No person, other than a Sheriff or Registrar as aforesaid, shall be so appointed or act as Returning Officer for any County, Riding, City or Town, or other Electoral Division, in this Province, unless at the time of his appointment such person is an elector for such County, Riding, City or Town, or other Electoral Division, then duly and legally qualified to vote at the election of a Member for the same, nor unless he has continually resided therein during at least twelve months immediately preceding his appointment :

Penalty for acting without qualification.

2. And any person who, being so appointed, acts as Returning Officer for any one of the said Counties, Ridings, Cities or Towns, or any other Electoral Division, without possessing the qualifications hereinbefore required, shall thereby incur a penalty of two hundred dollars. 12 V. c. 27, s. 5—the Proviso.