

CAP. XXVI.

An Act to amend an Act made and passed in the First Year of Her present Majesty's Reign, intituled *An Act to alter and amend an Act passed in the Sixth Year of the Reign of His late Majesty, intituled "An Act to consolidate and amend the Election Laws."*

[Passed April 29th, 1840.]

BE it enacted, by the Lieutenant Governor, Council and Assembly, That in the event of any Candidate, or any Elector representing a Candidate, objecting to any Vote or Votes, and persisting in a Scrutiny thereof after such Voter or Voters shall have taken the Oath in Schedule (C.) to the said recited Act annexed; then in the event of such Vote or Votes being found good on Scrutiny, the entire expenses of substantiating such Vote or Votes shall be borne by the party or parties who shall have objected to such Vote or Votes, or in case the party or parties who shall have so objected shall decline the Scrutiny, by the Candidate or Candidates, Elector or Electors, who shall insist on the Scrutiny of such Vote or Votes: Provided always, that in regard to Votes found upon Scrutiny to be bad Votes, nothing herein contained shall be construed to empower the Returning Officer to recover the expenses of the Scrutiny on such bad Votes from the person or persons who objected to the same, but that the Candidate or Candidates in whose favour they shall have been given shall be solely responsible for the same.

Candidate demanding a Scrutiny and persisting therein to pay all expense of such Scrutiny, if votes be found good.

II. And be it further enacted, That no Returning Officer shall be bound to enter upon the Scrutiny of any Vote or Votes so objected to as afore-

No Returning Officer to proceed with Scrutiny, unless security be