

Examination of Deputy-Returning Officer & Poll Clerk, &c.

2. The Returning Officer shall examine such Deputy-Returning Officer and Poll Clerk upon oath or affirmation, as the occasion may require, as to such loss of the said Poll Book and the contents thereof, which examination shall be taken down by him in writing, and be subscribed by such Deputy-Returning Officer and Poll Clerk, and annexed to the Return in lieu of such Poll Book; And the number of votes which the said Returning Officer shall by this means find to have been recorded in such Poll Book for each Candidate at such Election, shall be included in his summing up of the Votes of such Election, as if the same had been taken from such Poll Book;

Punishment of Deputy Returning Officer or Poll Clerk refusing to attend or be sworn.

3. If either the Deputy-Returning Officer or the Poll Clerk omits to attend on such Returning Officer as hereby required, or refuses to be sworn or affirmed by such Returning Officer as aforesaid, he shall be subject to a penalty of two hundred dollars, and in the case of such refusal to be sworn or affirmed as aforesaid, shall and may be committed by the said Returning Officer to the common Gaol of the County or District, until thence discharged by an order in that behalf made by that House of the Legislature for a Member of which the Election was had. 12 V. c. 27, s. 26.

Duty of Returning Officer believing any Election Documents to be altered, &c.

69. When the Returning Officer having received any Poll Book, or any document connected with the Election, has reason to believe that the same has been altered, injured or obliterated, or that additions have been made thereto, he shall adjourn proceedings and establish the true facts in the manner above provided in case of the loss of any Poll Book. 22 V. c. 52, s. 19.

Returning Officers to have copies of the Poll Books made and deposit the same.

70. Each Returning Officer shall make or cause to be made exact copies of all the Poll Books returned to him by his several Deputies, and within ten days after the closing of the Election, shall deposit such copies duly certified by him in the Office of the Registrar of deeds and titles for that County or part of a County within which the place where the nomination of the Candidates at such Election was made, is situate; and the said Registrar shall allow inspection thereof to any person who may demand the same on payment of a fee of twenty cents; and shall allow such person to take copy of the same at his own expense;

To be open to the public.

Fee.

Originals to be returned with the writ of Election.

Their effect as evidence.

2. The Returning Officer shall also then transmit the originals of the said Poll Books, with the Writ of Election and his return thereupon, to the Clerk of the Crown in Chancery, within fifteen days after the closing of the Election; and the said original Poll Books, with the affidavits and certificates hereinabove required, shall in all cases be *prima facie* evidence of the truth of the allegations therein contained. 12 V. c. 27, s. 27.