

the said Election, and shall perform all the duties and obligations of that Office, in like manner as if he had been duly appointed Returning Officer, and without being required to possess any other qualification, or to take any new Oath for that purpose ; and in any such case the Election Clerk shall annex to his Return to the Writ of Election the said certificate of the Oath he has taken as Election Clerk, and also the Oath itself.
12 V. c. 27, s. 11.

Certificate to be annexed to the Return in such case.

PROCEEDINGS ON THE NOMINATION DAY.

34. Every Returning Officer shall, at the time and place by him fixed as aforesaid for opening the Election, proceed to the Hustings, (which shall be held in the open air, at such place as that all the Electors may have free access thereto,) and shall make, or cause to be made, in the English and French languages in Lower Canada, and in the English language in Upper Canada, in the presence of the Electors there assembled at the Hustings, a Proclamation in the Form E of the said Schedule, and shall then and there read, or cause to be read publicly, in the English language in Upper Canada, and in the English and French languages in Lower Canada, the Writ of Election, and his Commission as Returning Officer when he has been appointed Returning Officer by Special Commission for such purpose, and shall then require the Electors there present to name the person or persons whom they wish to choose at the said Election to represent them in the said Legislative Assembly or in the Legislative Council in obedience to the said Writ of Election :

Proceedings of the Returning Officer on the day of election.

Proclamation, reading of Commission, &c.

2. If the Candidates or their respective agents, and the Electors then and there present, upon a show of hands, agree in the choice to be so made of the person or persons to represent the said Electors as aforesaid, and if, after such show of hands, a Poll be not demanded, in the manner hereinafter mentioned, the Returning Officer shall forthwith close the Election, and shall then and there openly proclaim the person or persons so chosen, to be duly elected a Member or Members to represent in the Legislative Assembly or in the Legislative Council, the Electoral Division for which such Election is had ;

If no Poll be demanded.

3. But if a Poll be demanded (and any Elector present, or any Candidate either in person or by his agent, may demand a Poll,) then the Returning Officer shall grant such Poll for taking and recording the Votes of the Electors in the manner prescribed in this Act ; and when at any such Election a Poll is demanded as aforesaid, if the Returning Officer refuses or neglects to grant the same, the Election shall be *ipso facto* null, and such Returning Officer shall, for such refusal or neglect, incur a penalty of eight hundred dollars.
12 V. c. 27. s. 12.

If a Poll be demanded.

Penalty for not granting a Poll if demanded.