

Report with return. **37.** The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act.

R.S.C., c. 8, s. 25.

5

Withdrawal of candidates.

**38.** Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, there remains but one candidate, or no more than the number to be elected, then the returning officer shall return as duly elected the candidate or candidates so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day.

R.S.C., c. 8, s. 27.

Death of candidate.

**\*39.** If a candidate dies after being nominated and before the closing of the poll, the returning officer may fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by section 26 between the posting up of the proclamation and the nomination day; and in such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a special report of the death of the candidate having occasioned the postponement of the election.

Deposit, how to be dealt with.

**\*[2.** In such case the candidate's deposit shall be returned to his personal representatives.]

R.S.C., c. 8, s. 15, *part*.

Granting of poll.

**40.** If more candidates than the number required to be elected for the electoral district are nominated to the manner required by this Act, the returning officer shall grant a poll for taking the votes of the electors.

R.S.C., c. 8, s. 26, *part*.

#### PROCEEDINGS BETWEEN NOMINATION AND POLL.

Duties of returning officer.

Notice of poll.

**\*41.** On a poll being granted, the returning officer shall,—  
(a.) Cause to be posted up notices of his having granted such poll, indicating the names, residences and occupations of the candidates nominated, in the order in which they are to be printed on the ballot papers hereinafter mentioned,—which notice shall, as soon as possible after the nomination, be placarded at all the places where the proclamation for the election was posted up, and shall be in the form I;

Deputies.

**\*(b.)** Appoint, by a commission under his hand, in the form J, one deputy returning officer for each polling division in the electoral district, who shall, before acting as such, take the oath of office in the form K;

Copies of Act and of voters' list.

**\*(c.)** Furnish each deputy returning officer with a copy [of this Act and one copy] of the voters list, if there is one, for the polling district for which he is appointed,—such copy of the voters' list being first certified by himself;

50