

Election Regulation Act.

- falsifying documents relating to Elections &c., to be guilty of felony, &c.
- other person having the lawful custody thereof, or from its lawful place of deposit for the time being, or unlawfully or maliciously destroys, injures, or obliterates, or causes to be wilfully or maliciously destroyed, injured, or obliterated, or makes, or causes to be made, any erasure, addition of names, or interlineation of names in, to, or upon, or aids, counsels, or assists in so stealing, taking, destroying, injuring, or obliterating, or in making any erasure, addition of names, or interlineation of names, in, to, or upon any Register of Voters, or any Writ of Election, or any Return to a Writ of Election, or any Poll Book, Certificate, or Affidavit, or any other document or paper made, prepared, or drawn out according to or for the purpose of meeting the requirements of this Act, or any of them,—every such offender shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned with or without hard labour, for any term not exceeding Two Years, or to suffer such other punishment by fine or imprisonment, or both, as the Court shall award; and it shall not, in any indictment for any such offence, be necessary to allege that the article, in respect of which the offence is committed, is the property of any person, or that the same is of any value.
- Punishment.**
- Certain averments not to be requisite in indictment.**
- Accessories punishable as principals.**
100. Every person who aids, abets, counsels, or procures the commission of any misdemeanor under this Act, shall be liable to be indicted and punished as a principal offender.
- How penalties shall be recoverable.**
101. All penalties imposed by this Act shall be recoverable, with full costs of suit, by any person who will sue for the same by action of debt or information, in any of Her Majesty's Courts in this Colony having competent jurisdiction, and in default of payment of the amount which the offender is condemned to pay, within the period to be fixed by such Court, such offender shall be imprisoned in the Common Gaol until he has paid the amount which he has been condemned to pay, with the costs, or until he is discharged by the order of the Court.
- How enforced.**
102. It shall be sufficient for the Plaintiff in any action or suit given by this Act, to state in the declaration that the Defendant is indebted to him in the sum of money thereby demanded, and to allege the particular offence for which the action or suit is brought, and that the Defendant had acted contrary to this Act, without mentioning the Writ of Election or the return thereof.
- What it shall be sufficient to state in the declaration.**
103. It shall be sufficient, in any indictment or information for any offence committed contrary to this Act, to allege the particular offence charged upon the Defendant, and that the Defendant is guilty thereof, without mentioning the Writ of Election, or the Return thereof, or the authority of the Returning Officer founded upon any such Writ of Election.
- And in any indictment under this Act.**
104. It shall not be necessary, on the trial of any suit or prosecution under this Act, to produce the Writ of Election, or the return thereof, or the authority of the Returning Officer, founded upon any such Writ of Election, but general evidence of such facts shall be sufficient evidence.
- On the trial, Writ, &c., need not be produced.**
105. Every action, suit, or information given by this Act, shall be commenced within the space of One Year next after the act committed, and not afterwards.
- Limitation of suits under this Act.**
106. Every person taking any oath or affirmation under this Act, who wilfully swears or affirms falsely shall be guilty of perjury; and every person making a false Declaration, knowing it to be false in any respect, shall be guilty of a misdemeanor.
- False swearing perjury.**
- False declaration misdemeanor.**
107. It shall be lawful for the Governor in Council, to authorize the payment of all necessary expenses incurred by the Registrars, in arranging, copying, printing, and publishing Registers, and otherwise in and about any Election.
- Governor to authorize Expenses incurred by Registrars.**
108. When any matter or thing shall be directed by this Act, or by any Writ issued in pursuance thereof, to be performed on a certain day, and that day shall happen to be Sunday, Good Friday, or Christmas Day, such matter or thing shall be performed on the next succeeding day, not being Sunday, Good Friday, or Christmas Day.
- Any thing directed to be done on Sunday, Good Friday, or Christmas Day, shall be done on the succeeding day.**
109. One copy of this Act for the Returning Officer, and one for each of his Deputies, shall be transmitted with the Writ of Election to each and every Returning Officer throughout the Colony.
- Copy of Act to be sent to Returning Officer and Deputies with Writ.**
110. The Governor in Council shall fix the amount of fees and allowances from time to time to be paid to the Returning Officers, Election Clerks, Deputy Returning Officers, and Poll Clerks, and the amounts to be paid to any Special Constables whose services may be required under the provisions of this Act.
- Governor to fix fees to be paid to Returning Officer, &c.**