

two hundred dollars, or to be imprisoned for a term not exceeding six months, or both, at the discretion of the Court. 22 V. c. 82, s. 11.

61. Any person wilfully voting at any such Election, without having, at the time of his so voting, all the qualifications required by law for entitling him so to vote at such Election, knowing at the time that he was not so entitled, shall, for so doing, incur a penalty of forty dollars, and his vote shall moreover be null and void; and in any action or prosecution instituted as hereinafter provided against any such person for the recovery of the said penalty, the burden of the proof of such person having, at the time of his so voting at such Election, all the said qualifications, or good reason for believing so, shall fall upon him and not upon the party instituting such action or prosecution; and any person who votes more than once at the same Election shall for so doing incur a like penalty of forty dollars, and every vote he gives subsequently to his first vote shall be null and void. 12 V. c. 27, s. 44.

Penalty on unqualified persons voting.

Proof of the qualification to be on the person voting.

Penalty for voting more than once at the same election.

62. If any lands or tenements are transferred or conveyed to any person, by any title or instrument whatsoever, fraudulently, and for the purpose of giving him the qualification requisite to enable him to vote at any Election, and if such person votes at such Election, upon such lands or tenements, he shall incur a penalty of one hundred dollars; and nevertheless such transfer or conveyance, notwithstanding any agreement to annul or revoke the same, or to reconvey such lands or tenements, shall be valid, and shall transfer such lands or tenements out of and from the person who has so transferred or conveyed the same, and shall vest them in the person to whom they have been so transferred or conveyed, to all intents and purposes whatsoever; and every such agreement to annul or revoke any such transfer or conveyance, or to reconvey such lands or tenements, whether such agreement has been made with the person so transferring or conveying, or with the person to whom such lands or tenements are so transferred or conveyed, or with any person or persons acting for them or on their behalf, shall be null and void to all intents and purposes whatsoever. 12 V. c. 27, s. 45.

Penalty for fraudulently conveying lands in order to give a vote.

But the conveyance shall be valid.

Any agreement to the contrary notwithstanding.

PROCEEDINGS AFTER THE CLOSE OF THE POLLS.

63. Every Poll Clerk shall, after the closing of the Poll at which he has acted as such, but before the Deputy-Returning Officer who has kept the same has returned the Poll Book to the Returning Officer, as herein required, make and subscribe, either before a Justice of the Peace for the county or district in which he resides, or before the said Deputy-Returning Officer, or before the Returning Officer himself, the oath in the Form M of the schedule hereunto annexed, which oath shall thereafter be annexed to the said Poll Book :

Oath to be made by each Poll Clerk before the Poll book is returned.