

ed in such Poll Book for each Candidate at
 2 such Election, shall be included in his
 summing up of the Votes of such Election,
 4 as if the same had been taken from such
 Poll Book ; Provided always, nevertheless,
 6 that if either the Deputy Returning Officer
 or the Poll Clerk shall omit to attend on such
 8 Returning Officer as hereby required of
 them, or shall refuse to be sworn or affir-
 10 med by such Returning Officer as aforesaid,
 they shall be each subject to a Penalty of
 12 and in the case
 of such refusal to be sworn or affirmed as
 14 aforesaid, shall and may be committed by
 the said Returning Officer to the common
 16 Gaol of the County or District, until thence
 discharged by an order of the said Legisla-
 18 tive Assembly in that behalf.

Proviso
 Punishment
 of Deputy Re-
 turning Offi-
 cer or Poll
 Clerk refusing
 to attend or be
 sworn

XXVI And be it enacted, That in case
 20 any Returning Officer for any County,
 Riding, City or Town in this Province,
 22 shall wilfully make any false Return of any
 Member to seive in the said Legislative
 24 Assembly for such County, Riding, City or
 Town, or shall wilfully, falsely and mali-
 26 ciously return more persons than are
 required to be chosen by the Writ to him
 28 directed in that behalf, then and in every
 such case such Returning Officer, over and
 30 above all other pains, penalties and forfeit-
 ures to which he may by the law of Par-
 32 liament or otherwise be liable therefor,
 shall forfeit and pay the sum of
 34 £250 Currency, to each of
 the parties grieved by such false or double
 36 return, that is to say, to every person who
 shall have been duly elected and who
 38 ought to have been returned on such Writ,
 which penalty may be sued for and reco-
 40 vered by every such party with full costs of
 suit by action of debt in any of Her Majes-
 42 ty's Courts in this Province having com-
 petent jurisdiction ; and every such party
 44 shall moreover have the like remedy for a
 like sum against any and every person who
 46 shall willingly procure any such false or
 double Return to be so made as aforesaid.

Penalty on
 any Return-
 ing Officer
 wilfully mak-
 ing any false
 Return, &c

£250

How such
 penalty may
 be recovered.

Parties pro-
 curing a false
 return to incur
 a like penalty.