

26. None of the persons hereinafter designated in this section, shall in any case be appointed or act as Returning Officer, or as Deputy-Returning Officer, or as Election Clerk, or as Poll Clerk, that is to say :

Certain parties excluded from serving as Returning Officers.

First. The Members of the Executive Council ;

The parties.

Second. The Members of the Legislative Council ;

Third. The Members of the Legislative Assembly ;

Fourth. Any Minister, Priest, Ecclesiastic, or Teacher, under any form or profession of religious faith or worship;

Fifth. The Judges of the Courts of Superior Civil and Criminal Jurisdiction, as well as the Judges of Circuit Court and County Courts ;

Sixth. All persons who have served in the Parliament of this Province as Members of the Legislative Assembly or of the Legislative Council, in the session next immediately preceding the election in question, or in the then present session if the election takes place during a session of the said Parliament ;

2. And if any one of the persons above mentioned in this section is appointed to act and acts as Returning Officer, or as Deputy-Returning Officer, or as Election Clerk, or as Poll Clerk, he shall thereby incur a penalty of one hundred dollars. 12 V. c. 27, s. 6.

Penalty on parties excluded acting as Returning Officers.

27. None of the persons hereinafter mentioned in this section, unless they are Sheriffs or Registrars, or Town Clerks or Assessors, shall be obliged to act as Returning Officer, or Deputy-Returning Officer, or as Election Clerk or Poll Clerk, that is to say :

Certain parties exempt from serving.

First. Physicians and Surgeons ;

Second. Millers ;

Third. Post-Masters ;

Fourth. Persons being sixty years of age, or upwards ;

Fifth. Persons who have previously served as Returning Officers. 12 V. c. 27, s. 7.

28. Every Sheriff or Registrar, and every other person having the qualifications required by this Act for acting as Returning Officer, who refuses to perform the duty of Returning Officer at any such Election as aforesaid, after having received the Writ of Election, shall for such refusal incur a penalty of two hundred

Penalty on parties not exempt, refusing to serve as Returning Officers.