

*Election Regulation Act.*

the nomination, or with the taking of the poll, as the case may be, at the place at which the same may respectively have been interrupted or obstructed; and the day on which the business of the nomination shall be concluded, shall be deemed to have been the day fixed for the nomination, and the commencement of the poll shall, if practicable, be put off for an equal number of days for which any such nomination may have been adjourned; and any day whereto the poll shall have been so put off or adjourned, shall as to such place or places be reckoned the day of polling at such Election within the meaning of this Act. Provided that no adjournment shall be made to any day beyond that named as the return day in the Writ, and if the Election shall not have been completed by that day, the Returning Officer shall specially return that fact; and where any such poll shall have been adjourned by the Deputy of any Returning Officer, he shall forthwith give notice of such adjournment to the Returning Officer, who shall not finally declare the state of the poll or the name or names of the Member or Members chosen, until the poll so adjourned as aforesaid shall have been finally closed.

76. Within seven days after the day of polling, on a day and hour to be appointed by the Returning Officer, he shall proceed to the same place at which the nomination was held, first giving public notice thereof at the close of the poll on the polling day, by openly proclaiming such day and hour, and he shall then and there proceed to ascertain the state of the general poll at the Election, by counting and adding up from each Poll Book the total number of votes taken and recorded at the Election in all the polling places in such Electoral District for which the Election has been had, and as soon as he has so ascertained the total number of votes, he shall then and there openly proclaim, as being duly elected a Member or Members to represent such Electoral District in the Legislature, the person or persons having the greatest number of the votes so counted and added up; but the Returning Officer shall not in any case proclaim any such person or persons duly elected, unless all the Poll Books have been returned to him by all his Deputy Returning Officers; and in the event of the number of votes being found to have been equal for any two or more Candidates, one or more of whom, but not all of such Candidates being by the state of the poll and the number of Members to be elected entitled to be declared elected, such Returning Officer shall, by a casting vote or votes, as the case may be, and whether he be an Elector for such District or Division, or not, decide which of the Candidates for whom the votes may be equal shall be elected. Provided, that no Returning Officer shall vote at any Election for the Electoral District or Division of which he is the Returning Officer, except in the case of an equality of votes as aforesaid.

Proceedings on the day appointed for closing the Election.

Counting the Votes.

Proclamation of person elected.

If Votes equal, Returning Officer to have Casting Vote.

77. If it happens that one or more of the Poll Books have not been returned by the Deputy Returning Officer or Officers, and it is consequently impossible for the Returning Officer to ascertain the total number of votes as required by the next preceding Section, then such Returning Officer, instead of proceeding to examine the Poll Books which have been previously returned to him, shall again adjourn the proceedings of the Election to the following day, and so from day to day, until all the said Poll Books have been returned to him.

Proceedings to be adjourned if Poll Books not returned.

78. In proclaiming such adjournment, he shall publicly assign the reason thereof, and shall in no case continue the said adjournment to so late a day as to prevent his returning the Writ of Election on the day appointed for that purpose; and he shall in no case adjourn such proceedings to a Sunday, or to any of the holidays hereinbefore mentioned; but if the case occurs, he shall adjourn the proceedings to the day next after such Sunday or holiday.

Reason of adjournment to be proclaimed.

79. In case any Poll Book is stolen, or taken from its lawful place of deposit for the time being, or has been lost or destroyed, or otherwise placed beyond the reach of the Deputy Returning Officer, to whom the custody of such Poll Book for the time being belonged, at any time before he has made his Return of the same to the Returning Officer, such Deputy Returning Officer shall attend personally on the Returning Officer, and report to him the fact of such loss of the said Poll Book, and the Poll Clerk of such Deputy Returning Officer, so soon as he is informed of such loss personally, or by letter, either by or from such Deputy Returning Officer, or the Returning Officer himself, or has other good reasons for believing that such loss has occurred, shall forthwith attend personally on such Returning Officer.

Proceedings in case any Poll Book is stolen, lost, or destroyed.

80. The Returning Officer shall examine such Deputy Returning Officer and Poll Clerk upon oath or affirmation, as the occasion may require, as to such loss of the said Poll Book and the contents thereof, which examination shall be taken down by him in writing, and be subscribed by such Deputy Returning Officer and Poll Clerk, and annexed to the Return in lieu of such Poll Book; and the number of votes which the said Returning Officer shall by this means find in each

Examination of Deputy Returning Officer and Poll Clerk.