

mentioned, from and after judgment obtained against him, in any such action of debt, bill, plaint or information, or being in any otherwise lawfully convicted, shall forever be disabled to vote for any Member or Members of the Assembly of this Province.

XXIII. And be it enacted, That if any person shall cause himself or themselves to be polled more than once at the same Election in the same County, or if any person who is not duly qualified to vote and be polled according to the provisions of this Act, shall wilfully vote and cause himself to be polled at any Election for any Candidate, such person so offending in either case aforementioned, shall for every such offence forfeit the sum of fifteen pounds, to be recovered as before directed, in the nineteenth Section of this Act, with full costs of suit.

Penalty for polling more than once at an Election, or polling once if not qualified.

Recovery.

XXIV. And be it enacted, That if the qualification of any Candidate, at any Election to be hereafter holden, be openly questioned at any time during the Election, the said Candidate, whose qualification is so questioned, shall within six hours after such public questioning, make or cause to be made a declaration in writing, of his qualification, in the manner hereinafter prescribed, and in default thereof, the Sheriff or returning officer shall strike his name from the Poll Book.

Qualifications of Candidates when questioned to be declared in writing within six hours.

XXV. And be it enacted, That the Sheriffs of the respective Counties are hereby authorized and required immediately prior to any Election, to erect or to cause to be erected temporary Booths at such of the respective polling places within their respective Counties, or of the Shire Town, or to procure any house or houses, or other building or buildings, at the respective places appointed for taking the Poll, as such Sheriffs respectively may and shall from time to time deem necessary and proper.

Temporary Booths, &c. to be provided at the several polling places.

XXVI. And be it enacted, That every Sheriff who hath the execution and return of any such Writ for electing Members to serve in General Assembly, which shall be issued for the future, shall on or before the day that any future Assembly shall be called to meet, and with all convenient expedition after any Election made by virtue of any new Writ, either in person or by his Deputy, make return of the same to the Clerk of the Crown in Chancery, to be by him filed in the Crown Office, and every Sheriff having execution and return of any such Writ as aforesaid, who shall not make the Returns according to the true intent and meaning of this Act or of the Acts now in force to which this Act is an amendment, shall forfeit for every such offence one hundred pounds, one moiety of which shall go to Her Majesty and the other moiety to him or them that shall sue for the same, to be recovered by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record in this Province.

Due return of Writs of Election to be made to the Clerk of the Crown in Chancery.

Penalty.

Recovery.

XXVII. And be it enacted, That in taking any Poll which shall be required as aforesaid, the Sheriff and Clerks, under Sheriffs, Deputies or presiding Officers respectively, or any of them shall enter in the Poll Book not only the place of the Elector's Freehold, but also the place of his abode as he shall declare the same at the time of giving his vote, and shall also make or enter "Jurat" against the name of every such voter who shall take the oath or oaths herein required to be taken by Electors, and that the said Sheriff or returning Officer shall within the space of twenty days next after such Election, faithfully deliver over upon oath, (which oath any one of the Justices of the Peace of the County in which such Election is held, is hereby authorized and required to administer,) unto the Clerk of the Peace of the same County, all the Poll Books of such respective Elections, without any embezzlement or alteration, to be carefully kept and preserved among the Records of the Sessions of the Peace of and for the said County.

Place of each Elector's freehold and residence, and 'Jurat,' if sworn, to be entered in the Poll Book.

Poll Books to be delivered over on oath to the Clerk of the Peace to be filed.

XXVIII. And be it enacted, That all false returns which shall be wilfully made of any Member to serve in the Assembly of this Province are against Law, and hereby prohibited; and in case any person or persons shall return any Member to serve in the Assembly of this Province for any County, City or place contrary to the rights of Elections established in and by the provisions of this Act or of any of the Acts now in force in this Province relating to Elections, such return so made shall, and is hereby adjudged to be a false return, and the party aggrieved, to-wit, every person that shall be elected to serve in such Assembly for any County, City or place by such false return may sue the Sheriff or returning Officer, and persons wilfully making and procuring such false return, and every or any of them at his Election in the Supreme Court of this Province, and shall recover the damages he shall sustain by reason thereof, together with his full costs of suit, and if any Sheriff or returning Officer shall wilfully, falsely and maliciously return more persons than are required to be chosen by the Writ or precept on which any choice is made, the like remedy may be had against him

All returns contrary to the right of Election to be deemed false, and suits may be maintained by parties aggrieved.