

one clear day before the polling day the provisions of the Ballot Act with respect to agents of candidates shall so far as respects such agent apply in the case of that election.

“(g.) All expenses of the poll shall be defrayed by the Board.

“(h.) Where an equality of votes is found to exist between any candidates at an election and the addition of a vote would entitle any of such candidates to be declared elected the returning officer shall determine by lot between the candidates so equal which is to be elected.

“(i.) No return shall be made to the Clerk of the Crown.

“(j.) All ballot papers and other documents which in the case of a Parliamentary Election are forwarded to the Clerk of the Crown in Chancery shall be delivered to the Clerk of the Peace for the County of Cumberland and shall be by him kept among the records of the county and the provisions of Part I of the First Schedule to the Ballot Act with respect to the inspection production and destruction of such ballot papers and documents and to the copies of such documents shall apply respectively to the ballot papers and documents so in the custody of the said Clerk with these modifications namely—

“(i.) An Order of the County Court having jurisdiction in the Borough or of any tribunal in which an election is questioned shall be substituted for an Order of the House of Commons or of one of Her Majesty's Superior Courts but an appeal from such County Court may be had in like manner as in other cases in such County Court.

“(ii.) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied shall be prescribed by the Board with the consent of one of Her Majesty's Principal Secretaries of State and subject as aforesaid the Clerk of the Peace in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Scheme shall be subject to the directions of the Board.

“(k.) The term ‘Returning Officer’ shall mean the Clerk of the said Harbour Commissioners or failing him a person appointed by the Mayor of the borough to be Returning Officer.

“30. Subject to the provisions of this Scheme if and whenever the Ballot Act ceases to be in force the following provisions shall have effect with respect to the poll at an election—

“(a.) If on such cesser new or substituted enactments are in force for providing that the poll at a contested Parliamentary Election shall be by ballot then so much of this Scheme as directs that the poll at a contested election shall be conducted in the same manner as the poll at a contested Parliamentary Election is by the Ballot Act directed to be conducted and as applies the provisions of the Ballot Act to a poll at an election shall be deemed to refer to such new or substituted enactments so far as the same are applicable to a poll at a contested election of Commissioners and the same shall *mutatis mutandis* and subject to such of the modifying provisions hereinbefore contained as are applicable apply to a poll at a contested election of Commissioners.

“(b.) If on such cesser no such new or substituted enactments are in force then so much of this Scheme as directs that the poll at a contested election should be conducted in the same manner as the poll at a contested Parliamentary Election and as applies the provisions of the Ballot Act to a poll at an election shall notwithstanding such cesser continue to be in force and as if the provisions of the Ballot Act herein referred to and applied had not ceased to be in force.

“31. The necessary expenses attendant on any election of Commissioners and such reasonable remuneration to the Returning Officer and other officers and persons for services performed or expenses incurred by them in relation thereto shall be paid out of the rents rates tolls dues charges or other the revenues of the said Harbour.

“32. When the day on which anything is required by or in pursuance of this Schedule to be done is Sunday or a Bank Holiday that thing shall be done on the next following day not being one of the days above-mentioned.

“FORM OF NOMINATION PAPER.

“THE WHITEHAVEN HARBOUR COMMISSIONERS.
“Nomination of Traders' and Shipowners' Commissioners.

“WE A. B. [here insert name and designation] and B. C. [here insert name and designation] hereby nominate [here insert name and designation of Candidates] for election as Traders' and Shipowners' Commissioners at the ensuing Election.

“GIVEN under our hands this day of

“A.B.

“B.C.

“I assent to this nomination and will serve as a Harbour Commissioner if elected.

“C.D.

“To

“Clerk to the Whitehaven Harbour Commissioners.

“Directions for Signing.

“This Nomination Paper shall be signed by two electors and by the candidates and delivered to the Returning Officer fourteen days at least prior to the day of being the day of election.

“THE FIFTH SCHEDULE.

“Definitions Rules and Regulations for the Election of Bondholders' Commissioners.

“1. No person shall be entitled to be elected a Bondholders' Commissioner unless he is qualified to vote as hereinafter provided.

“2. The Commissioners shall hold office for a term of three years.

“3. Every person who is qualified as hereinafter mentioned shall be entitled to vote in the manner hereinafter provided for the election of Commissioners.

“4. Every person company or corporate body (hereinafter called ‘an elector’) who on the thirty-first day of July one thousand eight hundred and ninety-four and on the thirty-first day of July in every third year thereafter is the registered holder of a bond assignment or mortgage of the rates and duties on shipping and merchandise dock and harbourage dues granted under the Whitehaven Town and Harbour Acts or any of them or under this Scheme to the extent of one hundred pounds or more shall be entitled to one vote for every one hundred pounds so held by such elector.

“5. Subject as next mentioned if several persons including trustees be jointly entitled to