

(3) In any prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, marking instruments and other things in use at an election, the property in such papers, boxes, instruments and things may be stated to be in the returning officer at such election, as well as the counterfoils.

34.—(1) Every officer, clerk, and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in such station and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(2) No such officer, clerk, or agent, and no person whosoever shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station.

(3) Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(4) No person shall directly, or indirectly, induce any voter to display his ballot paper after he has marked it, so as to make known to any person the name of the candidate for whom or against whose name he has so marked his vote.

(5) Every person who acts in contravention of the provisions of this article shall be liable, on summary conviction to imprisonment with or without hard labour, for any term not exceeding six months.

35. Any person who at an election held under this Order applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once at any such election, applies at the same election for a ballot paper in his own name, shall be guilty of the offence of personation, and every person so guilty or who is guilty of the offence of aiding, abetting, counselling, or procuring the offence of personation, shall be liable, on summary conviction, to imprisonment, with or without hard labour, for any term not exceeding six months.

36.—(1) Any person who corruptly by himself or by any other person, either before, during or after an election held under this Order, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person, or any other person to give or refrain from giving his vote at such election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or

refrain from voting, at such election, shall be guilty of the offence of treating, and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

(2) Every elector who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of the offence of treating, and shall be liable on summary conviction to the penalty in this article specified.

37. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint or inflicts or threatens to inflict, by himself or any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election held under this Order, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of an elector or thereby compels, induces or prevails upon any elector, either to give or refrain from giving his vote at any such election, shall be guilty of the offence of undue influence, and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

38.—(1) The following persons shall be deemed guilty of the offence of bribery, and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

(a) Every person who, directly or indirectly, by himself or any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such elector having voted or refrained from voting at any election under this Order;

(b) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises or promises to procure or to endeavour to procure, any office, place, or employment to or for any elector or to or for any person on behalf of any elector, or to or for any other person, in order to induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any elector having voted or refrained from voting at an election under this Order;

(c) Every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as an elected member of the Council, or the vote of any elector at an election under this Order;

(d) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procures or engages, promises or endeavours to procure, the return of any person as an elected member of the Council, or the vote of any elector at any election under this Order;