

shall state the time and place of examination, and shall be served on the opposite party or his attorney, at least ten days previous to the proposed examination.

60. Every person deposing shall be examined on oath; and his testimony shall be reduced to writing either by himself, in the presence of the justice, or by the justice, or a clerk by him appointed and sworn fairly to write down and transcribe the depositions, and shall be subscribed by the deponent.

61. The depositions so taken, together with a certificate of the notices and proof of service of them, shall be sealed up by the magistrate who took them, and transmitted to the presiding officer of the body in which the seat is contested.

62. The examinations of witnesses, taken in the manner herein prescribed, and in no other, shall hereafter be admitted on trial of contested elections.

63. The copies of any papers recorded in any office of record, attested under the hand and seal of the recording officer, shall be admitted at all such trials, in the same manner as the originals would be if produced.

64. The copies of any other papers of a public nature, and remaining in possession of a public officer, and extracts from the poll books under the hand and seal of the clerk of the court or public officer in whose office they are deposited, shall be admitted as evidence.

65. The clerk of any court to whom the ballots have been returned under the provisions of this article, may deliver any of said ballots to a justice taking examinations in a contested election, to be by him transmitted (if necessary) to the presiding officer of the body in which the seat is contested.

66. The justice before whom such depositions shall be taken, shall be entitled to the sum of two dollars for every day he may be engaged in the examination of witnesses, and the witnesses shall be entitled to the usual allowance for their attendance before a justice of the peace, to be paid by the party on whose behalf such examination is held and said witnesses are summoned.