

of recorded  
papers, admis-  
sible

admitted at all such trials, in the same manner as the originals would be if produced.

Id s 64  
1844, c 284, s 5  
Copies of what  
other papers to  
be admitted as  
evidence

**61.** The copies of any other papers of a public nature, and remaining in the 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.

1876, c 226  
Ballots to be de-  
livered to jus-  
tice of peace in  
contested elec-  
tions.

**62.** The clerk of any court to whom the ballots have been returned under the provisions of this article, shall produce any of such ballots in regard to which testimony may be proposed to be taken before a justice of the peace taking examinations in a contested election, and shall furnish said justice with copies of the same if required, but said ballots when produced before the justice as afore-said shall be in the possession and custody of said clerk, and said clerk shall retain said ballots in his possession and custody until such ballots shall be required by the order of the court having jurisdiction of the case, to be delivered to said court or by the order of the Senate or House of Delegates, in whichever the seat is contested

Art 35, s 66  
1844, c 284, s 7.

**63.** 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.

Pay of justice  
and witnesses

Id s 67  
1844, c 78.

**64.** No person contesting a seat of any one who has been regularly returned by the judges of election, as elected to a seat in the Senate or House of Delegates, shall be allowed any per diem, mileage, or other pay, unless the party so contesting shall establish his right to such seat.

Contestant not  
allowed pay un-  
less successful

#### ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

Id s 68  
1833, c 261, s 1  
Time of elec-  
tion of electors  
of president and  
vice-president

**65.** On the first Tuesday, next after the first Monday of November preceding the time fixed by law of the United States for choice of president and vice-president of the United States, there shall be elected by general ticket as many electors of president and vice-president as this State shall be entitled to appoint.

Id s 69  
1833, c 261, s 1

Who may vote  
for

**66.** Each citizen of this State entitled to vote for delegates to the General Assembly shall have the right to vote for the whole number of electors; and the several persons, to the number required to be chosen, having the highest number of votes, shall be declared and deemed duly appointed electors.

Id s 70  
1833, c 261, s 1

Case of the, how  
decided

**67.** If any of the persons voted for as electors shall have an equal number of votes, so as to defeat a choice between them, the governor shall determine by lot which of the persons having such equal number of votes shall be electors, so as to complete the whole number to which the State shall be entitled.