

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.

P. G. L., (1860,) art. 35, sec. 65. 1844, ch. 284, sec. 6. 1876, ch. 226.
1888, ch. 112.

106. The board of police commissioners in the city of Baltimore, and the clerks of the circuit courts in the counties, to whom 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 copies of the same only on an order first had and obtained from some one of the courts of Baltimore city, or of the circuit courts for the counties, or some one of the judges thereof, and then in pursuance of the terms and conditions of said order, and subject to its restrictions; and said police commissioners of Baltimore city, and said clerks, as the case may be, shall retain such ballots in possession and custody until such ballots shall be required by the order of the court having jurisdiction in the case to be delivered to said court, or by order of the senate or house of delegates, in whichever the seat is contested.

Ibid. sec. 66. 1844, ch. 284, sec. 7.

107. 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.

Ibid. sec. 67. 1844, ch. 78.

108. 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.