

duly authorised at least ten days previous to the said proposed examination.

To testify to the truth.

SEC. 3. *And be it enacted,* That every person deposing shall make oath or affirmation to testify the whole truth, and shall subscribe the testimony by him or her given, which shall be reduced to writing only by the magistrate taking the deposition or by the deponent in his presence or by a clerk appointed by the magistrate and duly sworn, fairly to write down and transcribe the deposition or depositions, and the deposition so taken together with a certificate of the notices and proof of service of them, shall be sealed up by the magistrate who took it, and transmitted to the presiding officer of the body in which the seat is contested.

Witnesses in contested elections.

SEC. 4. *And be it enacted,* That the examinations of witnesses taken in this manner, and no other, shall hereafter be admitted on trial of contested elections.

Copies of recorded papers admitted on trial.

SEC. 5. *And be it enacted,* That copies of any papers recorded in any office of record, *provided,* these copies be 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; and in like manner 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 county court, shall be admitted, when attested under the hand and seal of that officer.

Ballots to be returned by return judge to clerk of county.

SEC. 6. *And be it enacted,* That all ballots cast at any election, shall be returned by the return judges of election, on the day of their meeting, (as now prescribed by law) to the clerk of the county, to be by him safely kept, for the space of twelve months, from the day of such return, at which time the clerk in the presence of one or more justices of the Orphans' court shall destroy the same, and shall record among the land records of the county, a certificate of the fact, signed by said justice or justices, and that no ballot thus returned shall be given by the clerk to any person or persons, except to the justice of the peace before whom the examination aforesaid is held, to be by him transmitted, if necessary, to the presiding officer of the body in which the seat is contested; but any person or persons interested therein, shall have the privilege of inspecting said ballots in the presence of said clerk.

Magistrate entitled to \$2 for every day engaged.

SEC. 7. *And be it enacted,* That any magistrate before whom such deposition or depositions as aforesaid may be taken, shall be entitled to the sum of two dollars for every day he may be engaged in the examination of witnesses, who shall also be entitled to the usual allowance granted

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