

returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election shall forfeit to the person aggrieved the sum of five hundred dollars and costs in addition to all damages sustained.

Custody
of election
documents.

79. (1) The Supervisor of Elections shall keep the election documents referred to in subsection (1) of section 78 in safe custody and shall allow no person to have access to them:

Provided that, if an election petition has been presented questioning the validity of any election or return, the Supervisor of Elections shall, on the order of a Judge of the Supreme Court, deliver to the proper officer of that Court the documents relating to the election that is in dispute:

Provided also that after the expiration of twelve months from the day of any election it shall be lawful for the Supervisor of Elections to cause the said documents used at such election to be burnt.

(2) No such election documents in the custody of the Supervisor of Elections shall be inspected or produced except on the order of a Judge of the Supreme Court; and an order under this subsection may be made by any such Judge upon his being satisfied by evidence on oath that the inspection or production of such election documents is required for the purpose of instituting or maintaining a prosecution for an offence in relation to an election or for the purpose of a petition which has been filed questioning an election or return.

(3) Any such order for the inspection or production of election documents may be made subject to such conditions as to persons, time, place and mode of inspection or production as the Judge deems expedient.

Custody of
ballot boxes.

80. Forthwith upon making the return to the writ in accordance with the provisions of section 78, the returning officer shall cause the