

that they are severally worth double the sums for which they are respectively bound by such Recognizance, after payment of all their just debts; which affidavit shall be left at the Office of the Clerk of the Pleas, by or on behalf of the Petitioner, at the time of filing the Recognizance.

6. On presentation of the Petition, and filing of the Recognizance and affidavit of sufficiency, the Clerk of the Pleas shall send a copy of the Petition, endorsed with the names and places of residence and additions of the sureties, to the Sheriff of the County to which the Petition relates, who shall forthwith publish the same in the County or City, as the case may be, the cost of which publication, and of any other matter required to be published by the Sheriff, shall be paid by the Petitioner or person moving in the matter, and shall form part of the general costs of the Petition.

7. The Duplicate Petition shall, within fourteen days after the presentation of the Petition, be served by or on behalf of the Petitioner on the Respondent, by service of a copy of the same, and in all respects as nearly as may be in the manner in which a writ or summons is served; and in case of non-personal service, or an evasion of service, or in case of the absence from the Province of the Respondent, the Judge shall have power to make all orders for perfecting service, or for directing notice to be given, which shall be equivalent to personal service; but service may be made in such other manner as may be prescribed.

8. The Petitioner shall, within fourteen days after the time limited for service of the Petition, file in the Office of the Clerk of the Pleas, the Duplicate Petition, with affidavit of service, and order of Judge when necessary, in the same manner as in cases of service of writ or summons, and when such Duplicate Petition shall have been so filed, with affidavits and orders when necessary, the Petition shall be deemed to be at issue; and the Clerk of the Pleas shall keep a Book, called "The Bribery and Corruption and Election Petition Act, 1869, List," in which he shall enter a minute of the time of filing of the different papers filed under the authority of this Act, and shall post in his Office a list of the Election Petitions, so from time to time at issue.

TRIAL OF A PETITION.

9. The Trial of such Election Petition shall be conducted before a Judge of the Supreme Court.

10. The Court shall, in Hilary Term of each year, commencing at Hilary Term, 1870, assign certain Judges of the Court to try any Election Petitions standing for Trial in the several Counties of the Province, to which such Judges may respectively be assigned.

11. In the event of the death or illness of any Judge for the time being so assigned, or his inability to act for any reasonable cause in the Trial of such Election Petition, the Court or the Chief Justice shall assign another Judge of the Court to hear and try such Election Petition.

12. Every Election Petition as aforesaid shall, except where it raises a question of Law for the determination of the Court, (as hereinafter mentioned) be tried by one of the Judges in this behalf mentioned, sitting in open Court without a Jury.

13. The trial of an Election Petition under this Act shall take place at the Court House in the County to which such Petition relates.

14. Notice of the time at which an Election Petition will be tried shall be given not less than fourteen days before the day on which the Trial is to be held.

15. The time of the Trial of such Petition shall be fixed by the Judge assigned to hold the Trial of Election Petitions under this Act, in the County to which such Petition relates, and notice thereof shall be given in writing by the Clerk of the Pleas by posting notice in his office, and sending one copy by the Post to the Sheriff of the County, who shall forthwith publish the same by posting printed notices thereof on the Court House and in the Registry Office, and in some public place in the Parish in which the Respondent resides, if a resident of the County, and such notice shall run from the time of such publication; and the Sheriff shall serve copy of notice of trial on the Respondent in the same manner as other papers; but the failure of the Sheriff to serve such notice on the Respondent shall not of itself be cause of postponing such Trial, if in fact the above public notice has been given: The notice of Trial may be in form C in Schedule.

16. A Judge may from time to time, by order made upon the application of a party to the Petition, his Attorney or Agent, or by notice in such form as the Judge may direct to be sent to the Sheriff, postpone the beginning of the Trial to such day as he may name; and such notice when received shall be forthwith made public by the Sheriff.

17. In the event of the Judge not having arrived at the time appointed for the Trial, or to which the Trial is postponed, the commencement of the Trial shall *ipso facto* stand adjourned to the ensuing day, and so from day to day.

18. No formal adjournment of the Court for the Trial of an Election Petition under this Act shall be necessary; but the Trial is to be deemed adjourned and may be continued from day to day until the inquiry is concluded; and in the event of the Judge who begins the Trial being disabled by sickness or otherwise, it may be recommenced and concluded by another Judge: The Judge presiding at the Trial may adjourn the same from time to time, as to him may seem expedient.

19. The Clerk of the Pleas shall send the Petition to the Sheriff of the County to which the Petition relates, or to the Judge so as above assigned, which, with the particulars, a copy of which shall be furnished by the Petitioner, shall constitute the Record in the cause.

20. At the conclusion of the Trial the Judge who tried the Petition shall determine and publicly declare whether the Member whose Return and Election is complained of, was duly elected and returned, or whether such Election and Return is void and should be set aside, stating the grounds and reasons for such determination, and shall forthwith certify in writing such determination, and the grounds and reasons aforesaid, to the Speaker; and upon such certificate being given, such determination shall be final to all intents and purposes.

21. The Judge shall at the same time make a report to the Speaker whether Bribery has been committed by or with both the knowledge and consent of the Member, and may at the same time make a special report to the Speaker as to any matters arising in the course of the trial, an account of which in his judgment ought to be submitted to the House of Assembly.

22. Provided always, that if it shall appear to the Judge on the Trial of the said Petition, that any question or questions of law as to the admissibility of evidence, or otherwise, require further consideration by the Court, then it shall be lawful for the said Judge to postpone the granting of the said certificate until the determination of such question or