

witness in the matter of the said Petition, and to attend the said Court until your examination shall have been completed.

As witness my hand this day of A. D. 18 .

A. B.,

Judge of the said Court.

XLIV.

In order to the commitment of any person for contempt, the Warrant may be as follows :—

At a Court holden on _____ at _____ for the trial of an Election Pe-
tition for the (*here name the County, &c.*), before the Honorable
one of the Election Judges, pursuant to the "Controverted Elections
Act 1873."

Whereas A. B. has this day been guilty, and is by the said Court adjudged to be guilty of a contempt thereof. The said Court does, therefore, sentence the said A. B. for his said contempt to be imprisoned in the Gaol for , and to pay to our Lady the Queen a fine of \$, and to be further imprisoned in the said Gaol until the same fine be paid. And the Court further orders that the Sheriff of the said County (*or as the case may be*), and all Constables and Officers of the Peace of any County or place where the said A. B. may be found, shall take the said A. B. into custody, and convey him to the said Gaol, and there deliver him into custody of the Gaoler thereof to undergo his said sentence. And the Court further orders the said Gaoler to receive the said A. B. into his custody, and that he shall be detained in the said Gaol in pursuance of the said sentence.

Given under my hand and seal the day of A. D. 18 .

[L. S.]

(To be signed by the Judge.)

XLV.

Such Warrant may be made out and directed to the Sheriff or other person having the execution of process of the Supreme Court, as the case may be, and to all Constables and Officers of the Peace of the County or place where the person adjudged guilty of contempt may be found; and such Warrant shall be sufficient without further particularity, and shall and may be executed by the persons to whom it is directed, or any or either of them.

XLVI.

All Interlocutory questions and matters, except as to the sufficiency of the security, shall be heard and disposed of before any one of the Election Judges, who shall have the same control over the proceedings under "The Controverted Elections Act 1873," as a Judge at Chambers in the ordinary proceedings of the Supreme Court; and such questions and matters may be heard and disposed of by any one of the Election Judges.

XLVII.

Notice of an application for leave to withdraw a Petition shall be in writing, and signed by the Petitioners or their agent. It shall state the ground on which the application is intended to be supported.

The following form shall be sufficient :—

IN THE ELECTION COURT.

"The Controverted Elections Act 1873," [name the County].

Petition of (*state Petitioners*), presented day of

The Petitioner proposes to apply to withdraw his Petition upon the following ground (*here state the ground*), and prays that a day may be appointed for hearing his application.

Dated this day of

(Signed)

XLVIII.

The notice of application for leave to withdraw, shall be left at the office of the Clerk of the Election Court.

XLIX.

A copy of such notice of the intention of the Petitioner to apply for leave to withdraw his Petition shall be given by the Petitioner to the Respondent, and to the Returning Officer, who shall make it public in the County, or City and County, or Electoral District, to which it re-

lates; and it shall be forthwith published by the Petitioner in the manner hereinafter prescribed.

The following may be the form of such notice :—

IN THE ELECTION COURT.

" *The Controverted Elections Act 1873.*"

In the Election Petition for _____ in which _____ is Petitioner and Respondent: Notice is hereby given that the above Petitioner has on the _____ day of _____ lodged at the office of the Clerk of the Election Court, notice of an application to withdraw the Petition, of which notice the following is a copy (*set it out*). And take notice that, by the rule made by the Judges, any person who might have been a Petitioner in respect of the said Election, may, within five days after publication by the Returning Officer of this notice, give notice in writing of his intention to apply on the hearing for leave to be substituted as a Petitioner.

(Signed)

L.

Any person who might have been a Petitioner in respect of the Election to which the Petition relates, may within five days after such notice is published by the Returning Officer, give notice in writing, signed by him or on his behalf, to the Clerk of the Election Court, of his intention to apply at the hearing to be substituted for the Petitioner; but the want of such notice shall not defeat such application, if in fact made at the hearing.

LI.

The time and place for hearing the application shall be fixed by the Election Court, or by one of the Election Judges, and whether before the said Court or before a Judge, as may be deemed advisable: but shall not be less than a week after the notice of the intention to apply has been given to the Clerk of the Election Court as hereinbefore provided; and notice of the time and place appointed for the hearing shall be given to such person or persons, if any, as shall have given notice to the Clerk of the Election Court of an intention to apply to be substituted as Petitioners, and otherwise in such manner and at such time as the said Court or Judge directs.

LII.

Notice of abatement of a Petition, by death of the Petitioner or surviving Petitioner, under Section 44 of the said Act, shall be given by the party or person interested, in the same manner as notice of an application to withdraw a Petition; and the time within which application may be made to the Court or one of the Election Judges, by motion or summons of a Judge, to be substituted as a Petitioner, shall be one calendar month, or such further time as, upon consideration of any special circumstances, the Court or Judge may allow.

LIII.

If the Respondent dies, or is summoned to Parliament as a Member of the Senate, or if the House of Commons have resolved that his seat is vacant, any person entitled to be a Petitioner under the Act, in respect of the Election to which the Petition relates, may give notice of the fact in the County, or City and County, or Electoral District, by causing such notice to be published in at least one newspaper published therein, if any, and by leaving a copy of such notice signed by him, or on his behalf, with the Returning Officer, and a like copy with the Clerk of the Election Court.

LIV.

The manner and time of the Respondent giving notice to the Election Court that he does not intend to oppose the Petition, shall be by delivering notice thereof, in writing, at the office of the Clerk of the Election Court, signed by the Respondent, six days before the day appointed for trial, exclusive of the day of leaving such notice.

LV.

Upon such notice being left at the office of the Clerk of the Election Court, he shall forthwith notify the Judge assigned to try the Petition, and also send a copy thereof by the post to the Petitioner or his agent,