

## III. ADMISSION OF PARTIES TO DEFEND.

sums of not less than *twenty-five* pounds each, for the payment of all costs and expenses which under the provisions herein contained shall become payable by the person subscribing such Petition, to any witness summoned in his behalf, or to the person subscribing the Election Petition to which such person prays permission to appear for the purpose of defence as aforesaid, or to any person who, upon the application of such first mentioned Petitioner for the issue of a Commission to take evidence upon the trial of such Election Petition, may be appointed a Commissioner for that purpose, or to any Clerk, Bailiff or other Officer employed by such Commissioner in or about or in any way relating to the execution of the commission issued to him in that behalf, which recognizance shall be entered into before the Speaker or a Justice of the Peace as is herein provided with respect to other recognizances to be entered into under this Act, and shall be accompanied by affidavits of the sufficiency of the sureties as is provided with respect to the same, and the same may be in the form or, to the like effect as is set forth in the Schedule to this Act annexed marked A (3), with such alterations as may be necessary to adapt such form to the circumstances of the case; or a deposit of money may be made in lieu of such recognizance, or a deposit of money in lieu of some part of the amount required to be so secured, and a recognizance for the residue thereof shall be made and entered into as is hereby provided with respect to such other recognizance, which shall be accompanied by affidavits of sufficiency from the sureties, and an affidavit of belief in such sufficiency made by such Petitioner for permission to defend, as is hereinbefore provided with respect to the recognizance to be entered into on behalf of any such sitting Member as aforesaid: *Provided* always nevertheless, that all objections to such sureties or the manner in which they have been put in, shall be heard and disposed of by the Select Election Committee for the trial of such Election Petition, in the same manner and subject to the like powers and provisions, as well respecting costs and the payment and recovery thereof, as respecting all other matters connected with the enquiry into and allowance of the sufficiency of such sureties as is herein provided with respect to the recognizance hereby required to be entered into by any such sitting Member aforesaid.

Form of recognizance, &c.

Money may be deposited instead.

*Provido.*

XXIX. And be it enacted, That if in the case of an Election Petition complaining of a double return, the Member whose return is complained of in such Petition have given notice, as aforesaid, that it is not his intention to defend his return, and if no party, within the period hereinbefore allowed for that purpose, have been admitted to defend such return, then if there be no Election

Provision in case of double return, when the Member petitioned against does not defend his return.