

ording to the provisions of the several Acts respecting controverted Parliamentary Elections: So help me God."

Questions of admission and of evidence how decided.

18. All questions on admitting or rejecting evidence adduced before the said Court, as well as all preliminary objections, shall be determined by the said Judge; but it shall be lawful for the party against whom the decision upon preliminary objections, or upon evidence, shall be given, to take the opinion of the entire panel of election tryers thereon, in the form of a special case to be settled before such Judge, and the said election tryers shall meet on a convenient day to be fixed by the Judge and reported to both Houses; and the said panel shall give their opinion in writing on such case, which opinion shall be binding. 5 10

Judge to propound questions to be decided.

19. The Judge shall propound in writing the questions for the determination of the Court, the same embracing all the allegations contained in the said petition, and any other matter on which the Judge may desire to have a special finding by the Court; and it shall be lawful for the Court to add any other special findings according to their discretion, so that the same are distinguished from their findings on the questions propounded to them by the Judge. 15

Majority to decide.

20. The Court shall return their finding in writing by a majority of voices, which the Judge shall report to both Houses, and it shall be entered in the Journals thereof respectively. 20

Certain powers of the Judge.

21. The Judge may exercise all the powers vested in a Judge of a Court of Record, for the punishment of prevarication of witnesses, and of refusal to be sworn to give evidence.

Court may command attendance of witnesses, &c.

22. The said Court may by warrant command the attendance and examination of any person to be named, or the production of any documents to be mentioned in such warrant, and the disobedience to such warrant shall be deemed a contempt of Court, if in addition to such order, an appointment of the time and place of attendance in obedience thereto, signed by the Judge, shall also be served, together with the service of such warrant; Provided also, that any person whose attendance shall be so required, shall be entitled to the like conduct money and payment of expenses, and for loss of time, as for and upon attendance at any trial in the Queen's Bench, if the witness reside in Upper Canada, and in the Superior Court, if the witness reside in Lower Canada. 25 30 35

Proviso: Allowance to witnesses, &c.

23. Upon the examination of any witness before the said Court the Judge may administer an oath to such witness, or take his affirmation in a case where affirmation is allowed by law, instead of an oath; and if upon such oath or affirmation any person making the same shall wilfully and corruptly give any false evidence, every person so offending shall be deemed guilty of perjury, and shall be prosecuted and punished accordingly. 40

Swearing witnesses, &c.

Vote of Judge.

24. In case of an equality of votes the Judge shall have a casting vote, but otherwise he shall not vote. 45

Effect of finding of the Court.

25. The finding of the said Court, and the report thereof to the House, shall have the same force and effect as the report of a Select Committee appointed to try the merits of an Election Petition, under chapter seven of the Consolidated Statutes of Canada, entitled "An Act respecting controverted Parliamentary Elections." 50