

X. MISCELLANEOUS PROVISIONS.

interfere with or prevent the disposal by such Committee of any substantial question raised upon such Election Petition upon the true merits thereof: But in every such case where necessary, such non-observance shall be supplied, in the case of non-observance by the said House, or the Speaker, Clerk, or other Officer thereof, under the direction of the House itself, and in the case of such non-observance by the said Select Committee, or the Chairman, Clerk, or other Officer thereof, or by any such Commissioner for taking evidence as aforesaid, or any Clerk, Bailiff or other officer acting under him as aforesaid, then under the direction of such select Committee, so as to occasion to the parties prosecuting and defending such Election Petition as little inconvenience, delay or expense as may be.

15

How the Speaker, Clerk or other officer of the House, omitting to observe the directions of the Act, may be punished or dealt with.

CLIX. And be it enacted, That in all such cases of non-observance as are referred to in the next preceding section of this Act, where such non-observance shall have taken place on the part of the Speaker, Clerk or other Officer of the Commons House of Legislative Assembly, or on that of the Select Committee appointed for the trial of any such Election Petition, or the Chairman, Clerk, or other Officer thereof, or on that of any Commissioner appointed to take evidence upon any such trial, or any Clerk, Bailiff, or other Officer acting under such Commission, the persons guilty of such non-observance, may, by order of the said House in its discretion; be taken into the custody of the Sergeant-at-Arms attending such House, or his Deputy, for such non-observance, and be otherwise dealt with, at the like discretion of the said House, by censure or imprisonment, or by requiring them to make such satisfaction to the parties interested or concerned in such Election Petition, or any of them, as to the said House may seem just, and by commitment of such persons, or any of them, in execution, for such period as the said House may deem proper, or until such satisfaction be made to such parties or any of them, according to the judgment come to by the said House in that behalf, or by all or any of such means as in the discretion of the said House shall seem just. Provided always nevertheless, that every such proceeding by the said House shall, in all cases except that of the Speaker of the said House, or in that of the said Select Committee or the Chairman or other Member thereof, be had and taken by the said House only upon a special report of such non-observance made by such Select Committee to the said House and not otherwise.

Proviso.

CLX. And be it enacted, That if with regard to any Election Petition, any case shall arise as to which no express provision is made by this Act, and in which if it were

50