

(b.) in the province of Quebec, to a judge of the Court of Queen's Bench ;

(c.) in the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, to a judge of the Supreme Court of the province ;

(d.) in the province of Manitoba, to a judge of the Court of Queen's Bench ; and

(e.) in the North-West Territories, to the Supreme Court *in banco*,—

10 for an order commanding the judge to comply with such *Remedy.*
directions, and to proceed with and complete such recount or final addition.

*2. Such application may be made upon affidavit, which *Order of court for hearing.*
need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect ; and the
15 [court or] judge to whom the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing a time, within eight days, and a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such
20 directions for the service of the order, and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper, and, if the circumstances appear to [the court or judge] to warrant it, may direct that service upon any
25 of such parties may be substitutional, or may be made by mail, or by posting, or in such other manner as he thinks fit.

*3. The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court, to [which or to] a judge of which the ap-
30 plication is made, affidavits in reply to those filed by the applicant, and upon demand shall furnish him with copies thereof. *Affidavits may be filed.*

*4. At the time and place appointed by [the court or judge] *Order of court after hearing.*
or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are
35 present or their counsel, the [court or] judge, or some other judge of the same court, [where a single judge has jurisdiction] shall make such order as the facts of the case in [the opinion of the court or judge] warrant, either dismissing the application or commanding the judge in default to take such action as
40 is necessary in order to a compliance with the directions of this section, and to proceed with and complete such recount or final addition as aforesaid, and may make such order as to costs as [the court or judge] thinks proper.

5. A judge so found to be in default as aforesaid shall *Judge to obey order.*
45 forthwith carry out the directions of any order so made, and there shall be the same remedies for the recovery of the costs awarded by such order as for that of the costs in ordinary cases *Costs.*
in the same court.

1891, c. 19, s. 11 ; 1894, c. 15, s. 11.

ELECTION RETURN.

50 *92. The returning officer shall, immediately after the, *Return of candidate elected.*
sixth day after the final addition by him under section 85 or the ascertainment by him under section 88, of the number of votes given for each candidate, unless before