

petition complaining of the other member returned on such double return, may withdraw his petition, by notice addressed to the prescribed officer; and upon such withdrawal, the prescribed officer shall report the fact to the Speaker; and the House of Commons shall, thereupon, give the necessary directions for amending the said double return, in such manner as the case may require.

## COSTS.

Cost of proceedings under this Act.

**48.** All costs, charges and expenses of and incidental to the presentation of an election petition under this Act, and to the proceedings consequent thereon, with the exception of such costs, charges and expenses as are by this Act otherwise provided for, shall be defrayed by the parties to or those opposing the petition, in such manner and in such proportions as the Election Court or the Judge may determine,—regard being had to the disallowance of any costs, charges or expenses which may, in the opinion of the court or judge, have been caused by vexatious conduct, unfounded allegations or unfounded objections, on the part either of the petitioner or the respondent; and regard being had to the discouragement of any needless expense, by throwing the burden of defraying the same on the parties by whom it has been caused, whether such parties are or are not on the whole successful.

How taxed and recovered.

The costs may be taxed in the prescribed manner and according to the same principles as they are taxed between parties in actions at law, and such costs may be recovered in the same manner as the costs in actions at law in the same Province, or in such other manner as may be prescribed.

Enforcing recognizance in case of non-payment of costs.

**49.** If any petitioner in an election petition presented under this Act neglects or refuses for the space of six months after demand to pay to any person summoned as a witness on his behalf, or to the respondent, any sum certified to be due to him for his costs, charges and expenses, and if such neglect or refusal be within one year after such demand proved to the satisfaction of the Election Court,—in every such case every person who has entered into a recognizance relating to such petition, under the provisions of this Act shall be held to have made default in the said recognizance, and the prescribed officer shall thereupon certify the same to be forfeited; and such certificate shall have the same effect as to any such recognizance, as if the same were estreated or otherwise proceeded upon for enforcing payment of the sum forfeited; which such sum shall be paid to the prescribed officer, and shall, as shall also all moneys paid in as security on the presentation of an election petition, be paid as the Election Court or Judge may direct, in pursuance of the recognizance and conditions of the security as hereinbefore provided.

## MISCELLANEOUS.

As to Sundays and holidays.

**50.** If the time limited by this Act for any proceeding or the doing of anything under its provisions, expires or falls upon a Sunday,