

set forth in the Schedule to this Act annexed marked B. (2) with such alteration as may be necessary to adapt such form to the circumstances of the case.

Power of a Judge,
Commissioner in cases
of contempt.

C. And be it enacted, That every such Commissioner when engaged in the execution of the duties of his office as such Commissioner, shall have the like power and authority to commit for contempt against him and his orders, as by law is or shall be vested in a Circuit or County Court respectively, for the like contempts against it or its orders, subject always nevertheless to an Appeal from the decision of such Commissioner, in every such case, to the Select Committee for the time being charged with the disposal of such Election Petition.

Appeal given.

Circuit or County
Judge appointed a
Commissioner may
appoint a proper
person to act for him
as Judge while he is
executing the
Commission.

CI. And be it enacted, That upon the issue of any Commission to any Circuit or County Judge appointing him a Commissioner for the examination of witnesses under this Act, it shall and may be lawful for such Judge, by an Instrument in writing under his hand and seal, to name any other Circuit Judge, if the Judge so appointed such Commissioner shall himself be a Circuit Judge, or any other County Judge if such Judge shall himself be a County Judge, or to name any other person of the degree of Barrister at Law of that section of the Province to the judiciary of which such Circuit or County Judge shall belong, to sit for him as such Circuit or County Judge, and in every other capacity, whether judicial or otherwise, belonging or attached to the Office of such Circuit or County Judge as such Judge, during the time that such Commission for the examination of witnesses under this Act shall be in force unreturned, and for twenty days after the same shall have been superseded or returned by the Judge to whom the same shall be directed.

Instrument of
appointment to be in
triplicate; and where
such triplicates shall
be deposited, &c.

CII. And be it enacted, That every such Instrument of nomination shall contain a recital of the Commission which shall have rendered such nomination necessary, and shall be executed in triplicate, one of which triplicate originals shall, by the Judge making the same, be filed in the Office of the Clerk of such Circuit or County Court, or with any Clerk of such Court if there be more than one, another of them be delivered or sent to the person so named to sit for such Judge, and the third be transmitted to the Provincial Secretary, for the information of the Governor of the Province.

Governor may annul
appointment and
appoint another
person.

CIII. And be it enacted, That in the case of every such nomination, it shall and may be lawful for the Governor of the Province, by an Instrument under his Privy Seal, to annul such nomination, and if he shall think fit so to do, to name by the same or any other Instrument under his Privy Seal, some other person legally qualified to have been named by such Judge himself, to sit for such Judge instead of the person so named by such Judge as aforesaid.

Powers of persons
appointed to act
instead of Circuit or
County Judges.

CIV. And be it enacted, That in every such case the person so nominated to sit for such Judge shall, so long as his nomination shall be unannulled, and the said Commission for the examination of witnesses under this Act shall remain in force unreturned, and for twenty days after such Commission shall have been either superseded or returned, have full power and authority to sit for such Judge as such Circuit or County Judge, and in any other capacity whether judicial or otherwise belonging or attached to the office of such Circuit or County Judge, in all Courts and on all occasions wherein such Judge by or under his Commission as such Judge, or otherwise according to Law, may be required or have occasion to sit or hold any Court whatsoever, or any Sittings or Sessions of any such Court or any other Court, or otherwise to act either singly or with others, and either at Chambers or elsewhere, in the discharge of any of the duties, whether judicial or of any other character, which by the Commission of such Judge as such Circuit or County Judge belong or by law attach to his office as such Circuit or County Judge; and all judgments, decisions, decrees and acts pronounced, given, made or done by such person during such time, shall be as valid and effectual in law to all intents and purposes whatsoever, as if the same had been so pronounced, given, made or done by such Judge himself: Provided always nevertheless, firstly, That in all cases in which the Governor shall annul any such nomination as aforesaid, all such judgments, decisions, decrees and acts pronounced, given, made or done by the person whose nomination shall have been so annulled previous to his receiving notice of such nomination

Proviso.

having