

IX. COSTS.

House, that the Election or Return, or the omission or insufficiency of a Return complained of in such Petition, was vexatious or corrupt, the persons who signed such Petition shall be entitled to recover from the sitting member (if any) whose Election or Return is complained of in such Petition, (such sitting Member not having given notice as aforesaid of their intention not to defend the same) or from any other persons admitted by the House as aforesaid to oppose such Petition, the full costs and expenses which such Petitioners have incurred in prosecuting their Petition, such costs and expenses to be ascertained in the manner hereinafter directed.

CXXXVII. And be it enacted, That if any ground of objection be stated against any voter in any list of voters intended to be objected to as hereinbefore provided, and if such Select Committee be of opinion, that such objection was frivolous or vexatious, they shall report the same to the Commons House of Legislative Assembly, together with their opinion on the other matters relating to the said Petition, and the opposite party shall in such case be entitled to recover from the party on whose behalf any such objections were made, the full costs and expenses incurred by reason of such frivolous or vexatious objections, such costs and expenses to be ascertained in the manner hereinafter directed.

As to costs on frivolous or vexatious objections.

CXXXVIII. And be it enacted, That if either party make before the said Select Committee any specific allegation with regard to the conduct of the other party or his agents, and either bring no evidence in support thereof, or such evidence that the Committee is of opinion that such allegation was made without any reasonable or probable ground, the Committee may make such orders as to them seem fit for the payment by the party making such unfounded allegation to the other party, of all costs and expenses incurred by reason of such unfounded allegation, such costs and expenses to be ascertained in the manner hereinafter directed.

As to costs on unfounded allegations.

CXXXIX. And be it enacted, That the costs and expenses adjudged by any such Select Committee as aforesaid, to be paid, or which otherwise may become payable under the provisions of this Act, to any party prosecuting or opposing or preparing to oppose any Election Petition, or to any Witness summoned to attend before any Committee, under the provisions of this Act, shall be ascertained in manner following, (that is to say) : on application made to the Speaker of the Commons House of Legislative Assembly, by any such Petitioner, party or Witness for ascertaining such costs and expenses, not later than *three* calendar months after the determination

How the costs and expenses payable under this Act, shall be ascertained.