

petitioner in respect of the election to which the petition relates, may apply to the Election Court or Judge, in and at the prescribed manner, time and place, to be substituted as a petitioner :

The Court or Judge may, if it or he think fit, substitute as a <sup>Substitution of</sup> petitioner, any such applicant who is desirous of being substituted <sup>new petitioner.</sup> and on whose behalf security to the same amount is given as is required in the case of a new petition.

**45.** If before or during the trial of any election petition under this Act, any of the following events happen in the case of the <sup>Effect of death</sup> respondent (that is to say) : of respondent.

(1.) If he dies ;

(2.) If the House of Commons has resolved that his seat is vacant ;

(3.) If he gives notice to the Election Court or to the Judge in and at the prescribed manner and time, that he does not intend to oppose, or further to oppose the petition ;

(4.) If he is summoned to Parliament as a member of the Senate,— <sup>Notice of such event to be made.</sup> notice of such event having taken place shall be given in the electoral district to which the petition relates; and within the prescribed time after the notice is given, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the Court or Judge, to be admitted as a respondent to oppose the petition, or so much thereof as may remain undisposed of; and such person shall, on such application, be admitted accordingly, to oppose such petition or such portion thereof, either with the respondent, if there be one, or in place of the respondent ; and any number of persons not exceeding three, may be so admitted ; and if either of such events happen during the trial, the Judge shall adjourn the same, in order to the giving <sup>Admission of new respondent.</sup> of notice that such event has happened, as herein provided ; and <sup>Adjournment during trial.</sup> the person or persons so admitted shall have the same liability as <sup>Liability of new respondent.</sup> the respondent with respect to any costs thereafter incurred.

**46.** A respondent who has given the prescribed notice that he <sup>Respondent not opposing petition not to act as a party, nor to vote or sit.</sup> does not intend to oppose or further oppose the petition, shall not be allowed to appear or act as a party against such petition in any proceedings thereon, and shall not vote or sit in the House of Commons until the House has been informed of the report on the petition ; and the Election Court or the Judge shall, in all cases in which such notice has been given in the prescribed time and manner, report the same to the Speaker.

**47.** When an election petition under this Act complains of a <sup>Case of double return, and respondent not opposing petition.</sup> double return, and the respondent has given notice in the prescribed time and manner that it is not his intention to oppose the petition, and no party has been admitted, in pursuance of this Act, to oppose the petition, then the petitioner, if there be no <sup>petition</sup>