

Trial of Controverted Elections Act.

evidence shall be taken down in such manner as the Court shall direct; and a copy of the evidence taken shall accompany the Certificate made by the Judge to the Speaker; and the expenses incurred under this Section shall be deemed to be part of the expenses incurred in carrying out this Act.

24. The Judges of the Supreme Court may from time to time make, and may from time to time revoke, and alter General Rules and Orders (in this Act referred to as the Rules of the Court) for the effectual execution of this Act, and of the intention and object thereof, and the regulation of the practice, procedure, and costs of Election Petitions, and the trial thereof, and the certifying and reporting thereon. Rules to be made by Court.

Any General Rules and Orders made as aforesaid, shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if they were enacted in the body of this Act.

Any General Rules and Orders made in pursuance of this Section, shall be laid before the Legislative Council within Three Weeks after they are made if the Council be then sitting, and if the Council be not then sitting, within Three Weeks after the beginning of the then next Session of the Council.

25. Until Rules of Court have been made in pursuance of this Act, and so far as such Rules do not extend, the Rules framed in England under "The Parliamentary Election Act, 1868," and so far as such last mentioned Rules do not extend, the principles, practice, and rules on which Committees of the House of Commons in England had theretofore acted in dealing with Election Petitions, shall be observed so far as may be by the Court and Judge in the case of Election Petitions under this Act. Provisions until such Rules are made.

26. The duties to be performed by the prescribed Officer under this Act, shall be performed by the Registrar or Deputy Registrar of the Supreme Court as may be determined by the Chief Justice of the said Court; and there shall be awarded to such Registrar or Deputy Registrar, in addition to his existing Salary, such remuneration for the performance of the duties imposed on him in pursuance of this Act, as the Chief Justice of the said Court may, with the consent of the Governor in Council, determine; and the amount so awarded shall be deemed to be part of the expenses incurred in carrying out this Act. Performance of duties by prescribed Officer.
Remuneration.

27. On the trial of an Election Petition under this Act, the Judge shall, subject to the provisions of this Act, have the same powers, jurisdiction, and authority, as when sitting for the trial of civil or criminal cases, and the Court held by him shall be a Court of Record. Power of Judge.

28. The Judge shall be attended on the trial of an Election Petition under this Act, in the same manner, and shall have the same allowance for travelling and other expenses, from time to time, as if he were sitting for the trial of civil or criminal cases, and the expenses of such attendance, and the travelling and other expenses and allowances of the Judge shall be deemed to be part of the expenses incurred under this Act. Attendance on Judge.
Expenses, &c.

29. Witnesses shall subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in a trial of a civil case, and shall be subject to the same penalties for perjury. Summons of witnesses.

30. On the trial of an Election Petition under this Act, the Judge may, by order under his hand, compel the attendance of any person as a witness who appears to him to have been concerned in the Election to which the Petition refers; and any person refusing to obey such order shall be guilty of contempt of Court. Judge may summon and examine witnesses.

The Judge may examine any witness so compelled to attend, or any person in Court, although such witness is not called and examined by any party to the Petition. After the examination of a witness as aforesaid by a Judge, such witness may be cross-examined by or on behalf of the Petitioner and Respondent, or either of them.