

42. Costs shall be taxed by the Clerk of the Court, or by his Deputy specially appointed, upon the Rule of Court or Judge's Order by which the costs are payable; and costs when taxed may be recovered by attachment or execution issued upon the Rule of Court ordering them to be paid. If payable by order of a Judge, then by making such order a Rule of Court in the ordinary way, and issuing an attachment or execution upon such rule against the person by whom the costs are ordered to be paid, or against his goods and chattels; or, in case there be money in Court available for the purpose, then to the extent of such money, by order of the Election Court, or one of the Election Judges. The office fees payable for inspection, office copies, enrolment, and other proceedings under the Act and these Rules, shall be the same as those payable for like proceedings in the Supreme Court.

43. Writs of Subpoena *ad testificandum* and *duces tecum*, under the Seal of the Election Court, may be issued at any time by the Clerk of the Court, which Writs may be in the following form:—

IN THE ELECTION COURT.

Dominion of Canada.	}	Victoria, by the Grace of God, etc.
Province of New Brunswick.		
To-wit .		

To \_\_\_\_\_  
 We command you that, all excuses being laid aside, you and every of you be and appear before our Election Judge, assigned to try the Election Petition for [name the County], at \_\_\_\_\_, in the County of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, by \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, and so from day to day until the said Election Petition shall be tried, or otherwise disposed of; to testify what you (or, either of you) know in the matter of the said Petition, wherein \_\_\_\_\_ is (or, are) Petitioner, and \_\_\_\_\_ is (or, are) Respondent, on the part of the \_\_\_\_\_ and at the Court for the trial of the said Election Petition for [name the County], at \_\_\_\_\_ aforesaid, to be tried. [In case of a subpoena *duces tecum*, add: ]—And also, that you bring with you and produce at the time and place aforesaid [describing what is to be produced in the ordinary way].

[If the subpoena is to attend before the Election Court: ]— Before our said Election Court for the Province of New Brunswick, at Fredericton, on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, by \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to testify all and singular those things which you, or either of you, know in the matter of an Election Petition depending in our said Court at Fredericton [describing the Petition as above, or other the matter in which the witness is called, as the case may be]; and also that you bring with you and produce at the time and place aforesaid [describing what is to be produced as aforesaid], and this you, or any of you, shall by no means omit, under the penalty upon each of you of one hundred pounds.

Witness the Honorable [the senior Election Judge], one of the Judges of our Election Court at Fredericton, the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.  
 (Signed) \_\_\_\_\_ A. B.,  
 Clerk of the Election Court.