

Recognizances to be entered into under this Act, and shall be accompanied by Affidavits of the sufficiency of the sureties as is provided with respect to the same, or a deposit of money may be made in lieu of such Recognizance, or a deposit of money in lieu of some part of the amount required to be so secured, and a Recognizance for the residue thereof shall be made and entered into as is hereby provided with respect to such other Recognizance, and such Recognizance may be in the form or to the like effect as is set forth in the Schedule to this Act annexed marked A (2), with such alteration as may be necessary to adapt such form to the circumstances of the case.

Parties entering into
recognizances to
justify their
sufficiency on oath.

XII. And be it enacted, That any person who enters into any such Recognizance shall testify upon oath in writing, to be sworn at the time of entering into the said Recognizance, and before the same person by whom his Recognizance is taken, that he is seized or possessed of real or personal estate (or both) above what will satisfy all his just debts, of double the clear value of the sum for which he is bound by his said Recognizance, and every such Affidavit shall be endorsed upon or annexed to the Recognizance, and such Affidavit may be in the form or to the like effect as is set forth in the Schedule to this Act annexed marked A (4), with such alterations as may be necessary to adapt such form to the circumstances of the case.

Sureties to be
mentioned by their
names and additions.

XIII. And be it enacted, That in every such Recognizance and Affidavit of sufficiency of sureties, shall be mentioned the christian and surnames in full, and the usual places of residence or business of the persons becoming sureties as aforesaid, with such other description of the sureties as may be sufficient to identify them easily.

Recognizances to be
entered into before
the Speaker, or a
Justice of the Peace,
&c.

XIV. And be it enacted, That every Recognizance hereinbefore required, shall be entered into, and every Affidavit of sufficiency of sureties hereinbefore required shall be sworn before the Speaker of the said House, or a Justice of the Peace; and the said Speaker, and also every Justice of the Peace, is hereby empowered to take the same, and every such Recognizance and Affidavit taken before a Justice, being duly certified under the hand of such Justice, shall be delivered to the said Speaker, who shall thereupon cause the same, as well as all such Recognizances and Affidavits taken before himself, to be filed in the office of the Chief Clerk of the said House, for the information of the House and its Committees, and of all parties concerned or interested in the same.

Money may be
deposited instead of
giving recognizance.

XV. And be it enacted, That any person by whom an Election Petition is signed, or any such sitting Member by whom an application for the issue of a Commission to take evidence as aforesaid is about to be made, may, instead of procuring a Recognizance for the amount or the full amount of the sums of Two Hundred Pounds and one Hundred Pounds respectively hereinbefore required for such purpose, pay into the hands of the Chief Clerk of the Commons House of Legislative Assembly of this Province, for the like purposes for which such Recognizance is hereinbefore required, either the whole or any part of such Two Hundred or One Hundred Pounds, as the case may be, which he thinks fit, not being less than Fifty Pounds, and in such case such person shall, if the whole of such sum be paid in, be required to find no sureties for such purpose, and if a part only of such sum be paid in, he shall then be required to find sureties for so much only of the said sum of Two Hundred Pounds or of One Hundred Pounds respectively, as the sum paid into the hands of such Chief Clerk as aforesaid falls short of such Two Hundred Pounds or One Hundred Pounds, as the case may be; and every sum so paid into the hands of such Chief Clerk as aforesaid, shall be carried by him to the credit of an account to be opened by him with the Speaker of the said House by his name of office, and shall be paid out by such Chief Clerk for the time being, from time to time, in discharge of such Warrants as may from time to time be issued for that purpose upon him by the Speaker of the said House for the time being, in pursuance of the provisions of this Act; and the said Chief Clerk shall preserve in his books a remembrance of the Petition upon which every such sum of money shall have been paid into his hands as aforesaid, as the same shall have been stated by the party paying in the same, and shall grant to such party a receipt or certificate for the same, and no money shall be deemed for the purposes of this Act to have been paid into the hands of such Chief Clerk until such receipt or certificate shall be procured and delivered

How such money
shall be dealt with.