

85. Every election petition shall be tried in the same manner as an action in the Supreme Court by a Judge sitting alone. At the conclusion of the trial the Judge shall determine whether the member of the Council whose return or election is complained of or any, and what, other person was duly returned and elected, or whether the election was void, and shall certify such determination to the Commissioner, and, upon his certificate being given, such determination shall be final; and the return shall be confirmed or altered, or a writ for a new election issued, as the case may require, in accordance with such determination.

Trial of elec-
tion petitions.

86. At the trial of an election petition the Judge shall, subject to the provisions of this Ordinance, have the same powers, jurisdiction and authority, and witnesses shall be subpœnaed and sworn in the same manner, as nearly as circumstances admit, as in the trial of a civil action in the Supreme Court, and such witnesses shall be subject to the same penalties for perjury.

Powers of
Judge.

PART VI.

ELECTION OFFENCES.

87. (1) No intoxicating liquor shall be sold, offered for sale, or given away at any premises situate in any electoral district in which an election is being held, to which a licence issued under the Liquor Licences Ordinance, 1913, applies, at any time between the opening and the closing of the poll on polling day.

Intoxicating
liquor not to
be sold or
given on
polling day.

4/1913.

(2) Any person who contravenes the provisions of this section shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months.

88. (1) Every employer shall, on polling day, allow to every voter in his employ a reasonable period for voting, and no employer shall make any deduction from the pay or other remuneration of any such voter or impose upon or exact from him any penalty by reason of his absence during such period.

Employers
to allow em-
ployees time.