

same manner as herein prescribed in the contested seats of the Senate and House of Delegates.

19-2. What elections to be decided by circuit courts.

All cases of contested elections of any of the officers not provided for in the Constitution or in Sections 19-1 and 19-4 of this Article, shall be decided by the judges of the several circuit courts, each in his respective circuits, or by the Superior Court of Baltimore City, in the City of Baltimore.

19-3. Procedure in court contests.

Each judge of the circuit court and of the Superior Court of Baltimore City may adopt such modes of proceeding and adjudging costs in cases of contested elections as to him shall seem most satisfactory, but the rules of taking testimony in such cases shall be the same as those which regulate the taking of testimony in contested election cases cognizable by the House of Delegates. Either party shall have a right of appeal to the Court of Appeals, as in other cases, said appeal to be taken within five days from the date of the decision complained of. The appeal shall be heard and decided by the Court of Appeals as soon after transmission of the record as may be practicable, and the testimony taken in such cases shall be sent up to the Court of Appeals as part of the record.

19-4. Contests for Senate or House of Delegates.

The party intending to contest an election for the Senate or House of Delegates shall give notice of such intention to the person elected, or, in case of a tie vote, to the person against whom the contest is to be instituted, within thirty days after the results of the canvass have become official. Such notices shall be delivered in writing at the usual residence of the person returned, and, if he be absent, shall be left there.

19-5. Examination of witnesses.

The party contesting the election shall, after such notice, apply to a judge of the circuit court of the county or the Superior Court of Baltimore City wherein the election is contested, and shall obtain a notice under his hand and seal, directed to the opposite party, requiring him to attend in person or by attorney and cross-examine witnesses. The judge in such cases shall have the usual power to compel the attendance of witnesses. The notice of the judge shall contain the names of the witnesses with the facts expected to be proved by them, and shall state the time and place of examination. It shall be served on the opposite party or his attorney at least ten days previous to the proposed examination. Every person deposing shall be examined on oath, and his testimony shall be reduced to writing, either by himself, in the presence of the judge, or by a court reporter by him appointed and sworn fairly to write down and transcribe the depositions. The depositions so taken together with a certificate of the notices, and proof of service of them, shall be sealed up by the judge, and transmitted to the presiding officer of the body in which the seat is contested. The examination of witnesses, taken in the manner herein prescribed and in no other, shall hereafter be admitted on trial of contested elections.