

tion 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 judges of election shall have made known publicly the state of the polls, unless at a special election to fill a vacancy, when such notice shall be given within ten days after the state of the polls is announced by the judges of election.

1888, art. 33 sec 97. 1890. art 35, sec. 56. 1896, ch. 202. sec. 124.

**132.** Such notices shall be delivered in writing at the usual residences of the person returned, and, if he be absent, shall be left there.

Ibid. sec. 98. Ibid. sec 57 Ibid. sec. 125

**133.** The party intending to make examination shall, after such notice, apply to some justice of the peace of the county or 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.

Ibid sec. 99. Ibid. sec. 58. Ibid. sec. 126.

**134.** The justice in such cases shall have the usual power to coerce the attendance of witnesses.

Ibid. sec 100. Ibid. sec 59. Ibid. sec. 127.

**135.** The notice of the justice 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, and shall be served on the opposite party or his attorney at least ten days previous to the proposed examination.

Ibid. sec 101. Ibid. sec. 60. Ibid. sec. 128.

**136.** Every person deposing shall be examined on oath, and his testimony shall be reduced to writing, either by himself, in the presence of the justice, or by the justice, or by a clerk by him appointed and sworn fairly to write down and transcribe the depositions, and shall be transcribed by the deponent.

Ibid. sec. 102. Ibid. sec. 61. Ibid. sec. 129.

**137.** The depositions so taken, together with a certificate of the notices, and proof of service of them, shall be sealed up by the justice who took them, and transmitted to the presiding officer of the body in which the seat is contested.