

VIII. COMMISSION FOR THE EXAMINATION OF WITNESSES.

Commissioner
may issue
summons to
witnesses, and
when.

CXXVII. And be it enacted, That it shall and may be lawful for every such Commissioner, as well before as after he shall have held his first Sitting under his Commission, or have taken the oath of Office herein prescribed for him as such Commissioner, and he is hereby authorized and empowered by warrant under his hand and seal, directed to any one or more Constable or Constables, or to any of his Bailiffs in that behalf, or to any other person or persons specially appointed by such Commissioner, to summon and require the attendance of 5 any witness or witnesses or other person or persons, before him at the day and place to be mentioned in such Warrant.

Penalty on
witness as
failing to
attend when
summoned.

CXXVIII. And be it enacted, That if any person so summoned as a witness as aforesaid, shall neglect or refuse to attend without lawful excuse to be determined by the said Commissioner, or if any Witness before such Commissioner shall prevaricate or shall otherwise misbehave in giving or refusing to give evidence, or if any person shall be guilty of any contempt or misbehaviour 15 whatsoever of or towards the said Commissioner while sitting and acting in the execution of his said Commission, the said Commissioner shall, and he is hereby empowered, by a Warrant under his hand and seal, and directed to the Gaoler of the Common Gaol, of the County, City, 25 or place in which the said Commissioners shall sit, to commit such person, not being a Legislative Councillor of this Province, to the custody of the Gaoler, without bail or mainprize for any time, not exceeding six Calendar months. 30

As to sum-
moning any
Member of
Parliament.

CXXIX. And be it enacted, That in case it shall be requisite to summon any Member of either House of Parliament who shall be then attending his duty in Parliament, to give evidence before the said Commissioner, in such case the Commissioner shall certify the same to the 35 Speaker of the Commons House of Legislative Assembly, who shall report the same to the House for its direction thereupon.

Remuneration
of Commis-
sioner.

CXXX. And be it enacted, That *the said Commissioner* so to be appointed in manner aforesaid shall, 40 immediately after the Select Committee on the Petition in question shall have made their final Report to the House on the merits of the said Petition, be entitled to demand and receive from the party or parties interested or concerned in such Election Petition, upon whose ap- 45 plication to such Select Committee such Commissioner shall have been appointed, shillings for every day which such Commissioner shall have been necessarily