

Parties or their Attornies may attend at the examination of witnesses, &c.

XLII. Provided also, and be it further enacted by the authority aforesaid, that nothing contained in the foregoing section shall extend or be construed to extend, to empower such Commissioners to prevent any of the parties concerned, or their Attornies or Agents, from attending such meeting, and being present at such examination of witnesses or interrogations, or the giving of such counsel, and there representing the said parties and acting for them, as to Law and Justice shall appertain.

Qualification of the Commissioners.

XLIII. And be it further enacted by the authority aforesaid, that no person shall be appointed a Commissioner for the purposes and according to the meaning of this Act, unless he have gone through a course of Study in this Province, of the Laws of this Country, with an Advocate or Notary, during the time required for admission to practice either of those professions, and have received a Commission in consequence, according to the Laws and usages at present in force in this Province.

Commissioners not to be elected Members of the Assembly.

XLIV. And be it further enacted by the authority aforesaid, that no person who shall so be appointed a Commissioner to take evidence or receive meetings of relations or friends for the election of Tutors or Curators, by virtue of this Act, shall in any manner be elected to sit and vote as a Member of the Assembly in the Provincial Parliament, while he shall so be Commissioner, and shall not in any manner meddle with the elections of Members of the said Assembly, directly or indirectly, under a penalty of currency, besides the loss of his commission, and incapacity to hold any office or employment under His Majesty's Government in this Province; one moiety of the said penalty to belong to the person who shall sue for the same in any Court of competent jurisdiction, and the other moiety to His Majesty, His Heirs or Successors, for the public uses of this Province.

Nor meddle with Election of Members.

Penalty.

Writs of Certiorari, &c. how proceeded in.

XLV. And be it further enacted by the authority aforesaid, that in all cases where a Writ (or Order) of Appeal, or of Revision by *Certiorari* or in Error, may issue respecting proceedings which may be had before Justices of the Peace, in Quarter Session of the Peace, or before other inferior Judges or Tribunals, and respecting proceedings, judgments or orders by them judicially made, the said Civil Superior Court, on the juridical days hereby established, shall be entitled to order by such Writ, (or Order) that the said proceedings, judgments or orders be returned before them for such proceedings thereon, in the manner and to such