

# VIII. COMMISSION FOR THE EXAMINATION OF WITNESSES.

- sioner, separately and apart from all other evidence before the said Commissioner, and a copy thereof, with a statement of the purpose to or for which the said witness or evidence was produced, and by whom the same was produced, shall be signed and sealed by the said Commissioner in the nature of a Bill of exceptions to evidence, and the same shall be transmitted by the said Commissioner, together with all the other proceedings before him in manner herein mentioned; and if the Select Committee for the trial of such Election Petition, shall be of opinion, that the tendering and offering of such witness or evidence was frivolous or vexatious, or that the testimony of such witness or the purport of such evidence was impertinent or irrelevant to the matter at issue before the said Commissioner, the said Committee shall report such their opinion to the House, together with their opinion on the other matters relating to the said Petition, and the party who shall before the said Commissioner have opposed the examining, hearing or receiving of such witness or evidence shall be entitled to receive from the person or persons who shall have produced such witness or evidence, the full costs and expenses which such party or parties shall have incurred in opposing the same, or by reason of the same being received in manner aforesaid, which costs and expenses shall be ascertained and recovered in the same manner as by this Act is or hereafter may be provided by law for the recovery of costs and expenses in case of frivolous or vexatious Petitions, or frivolous or vexatious opposition to such Petitions.
- 30 CXXI. And be it enacted, That within *two* days after the copy of the said proceedings before the said Commission shall be received by the Speaker of the Commons House of Legislative Assembly, the said Speaker shall issue a Warrant under his hand and seal, directing the Select Committee upon the Petition in question to re-assemble and to meet again within the space of *fourteen* days from the date of such Warrant, provided Parliament shall be then sitting and in case Parliament shall not be then sitting to meet within *one* month after the commencement of the next Session of Parliament; and that the said Select Committee shall accordingly re-assemble and meet again, and shall take the proceedings of the said Commissioner into consideration, and shall proceed to try and determine the merits of the said Petition; but such Select Committee shall not call for or receive any other or further evidence written or parole respecting any matters or things which shall have been tried and examined by the said Commissioner in manner aforesaid, except when the power to do so shall have been specially reserved and the points to which such new evidence should be

Committee to determine as to relevancy of such evidence.

As to costs; if the evidence be rejected

When the return of the Commissioner is received, Speaker to direct the Committee to re-assemble.

Their proceedings when so re-assembled.

Effect of evidence returned.