

PETER HUNTER ESQUIRE, LIEUTENANT GOVERNOR.

in his Majesty's Court of King's Bench in this Province, in any cause there depending.

Costs to be allowed by the Commissioners to witnesses, & how to be recovered.

XII. *And be it further Enacted by the Authority aforesaid,* That in all cases in which witnesses shall have duly appeared, to give evidence before such Commissioners, either voluntarily or in obedience to such summons as aforesaid, it shall and may be lawful to and for said Commissioners, to order and direct the party or parties who shall have produced such witness or witnesses, to pay such witness or witnesses, for his, her, or their loss of time and expences, such sum or sums of money as the said Commissioners in their judgment shall deem equitable and just, which order the party or parties, upon whom the same shall be made, is, and are, and he, she, and they, is and are hereby required and enjoined to obey, and such sum or sums of money, shall and may be recovered, and recoverable, under and by the authority of this Act, by action or suit in any of his Majesty's Courts of justice in this Province, due regard being had to their respective jurisdictions.

Clerk to be appointed by the Commissioners.

XIII. *And be it further Enacted by the Authority aforesaid,* That the said Commissioners shall have power and authority to employ some fit and proper person as Clerk to the said Commission, and that such Clerk shall be authorized to ask and receive for setting down, for hearing any claim, and for making up a report of the same, the sum of five shillings.

Fees allowed to the Clerk.

For a copy of the order respecting each claim, two shillings and six-pence.

For every summons signed by one or more Commissioner or Commissioners for the attendance of any witness or witnesses, two shillings and six pence.

For every Commission for the examination of witnesses, twenty shillings.

Act to be read at the General Quarter Sessions of the Peace.

XIV. *And be it further Enacted by the Authority aforesaid,* That this Act shall be read by the Clerk of the Peace, at the opening of every General Quarter Sessions of the Peace, which shall be held in each and every District of this Province, during the term for which it shall continue to be in force.

Continuance of the Act.

XV. *And be it further Enacted by the Authority aforesaid,* That this Act shall continue and remain in force until the first day of April in the year of our Lord one thousand eight hundred and eight and no longer.

### CHAP. III.

*An ACT to Regulate the Trial of Controverted Elections, or Returns of Members to serve in the House of Assembly.*

[Passed 2d March, 1805-

Preamble.

**W**HEREAS the present mode of decision in this Province, upon Petitions complaining of undue Elections, or Returns of Members to serve in the Parliament thereof, is defective, for want of those sanctions and solemnities which are established by Law in other trials, and is attended with many inconveniences: