

VIII. COMMISSION FOR THE EXAMINATION OF WITNESSES.

His Clerk to
make copies of
evidence,
minutes, &c.

shall from time to time make or cause to be made true copies of the minutes of all the proceedings before the said Commissioner, and of all such evidence as shall be given or produced before him, and shall give one such copy to each of the parties interested, or his or their agent, or to such of them as shall demand the same, on being paid for each folio of the said copy consisting of one hundred words the sum of *six-pence*: and within *ten* days after the evidence before the said Commissioner shall be closed, touching the matters and things referred to him, the said Commissioner shall cause a copy of the minutes of all his proceedings to be made, and shall examine the same with the said minutes, and shall sign and seal the said copy, and shall transmit the same by his Clerk, through the Post Office, in the manner hereinafter prescribed for the transmission to the proper Court, of Recognizances taken and estreated or otherwise proceeded upon under this Act, to the Speaker of the Commons House of Legislative Assembly of this Province, who shall accordingly communicate the same to the said House, and upon the transmission of the said copy, the said Commissioner shall adjourn in order to receive such further orders from the Select Committee upon the Petition in question as such Committee may from time to time think requisite and necessary.

Fee.

Return to be
made by Com-
missioner, to
the Speaker.

No Barrister
or Counsel,
allowed to
plead, &c., be-
fore Commis-
sioner.

CXIX. And be it enacted, That the said Commissioner shall not permit or suffer any Barrister or Counsel to plead before him, or to examine or cross-examine any of the Witnesses; but that the said Commissioner shall himself examine and cross-examine all the Witnesses that shall be produced before him.

Evidence
tendered be-
fore Com-
missioner,
may be
received by
him condi-
tionally, if he
doubts
whether it
ought to be
taken.

CXX. And be it enacted, That in case at any time in the course of the said proceedings before the said Commissioner, any of the said parties shall tender or offer to produce to the said Commissioner any Witness or evidence to, of or concerning any matter or thing whatsoever in issue before the said Commissioner, which Witness or evidence the said Commissioner shall be of opinion ought not be examined, heard or received, the said Commissioner shall state in writing the reasons and grounds upon which he has rejected the said evidence, and enter the same upon the minutes of his proceedings, and it shall and may be lawful to and for the party tendering or offering to produce such Witness or evidence, to require of the said Commissioner that the said Witness or evidence shall be examined, heard and received by and before him *de bene esse*, and the testimony of such Witness or the purport of such evidence shall accordingly be taken down in writing by the Clerk to the said Commis-