

# VIII. COMMISSION FOR THE EXAMINATION OF WITNESSES.

witness requiring him to attend before the Commissioner, such Bailiff or other Officer unless the same be specially directed by the said Commissioner in writing under his hand to be served at the expense of all the parties interested or concerned in such Election Petition, shall be 5 entitled to receive his fees for the service thereof, only from the party who shall employ such Bailiff or other Officer to serve the same: And provided also, secondly, that such Commissioner shall not require the daily attendance of any such Bailiff or other Officer upon him at the 10 time of his holding such sittings, unless he shall find it necessary to do so, in every which case he shall in his Report state the grounds upon which he acted in so requiring the attendance of such Bailiff or other Officer as aforesaid. 15

Provido.

Commissioner, &c., to have remedy on recognizance.

CXXXIII. And be it enacted, That every such Commissioner and Clerk, Bailiff or other Officer, shall have the like remedy upon the recognizance required to be entered into by every petitioner under this Act, as hereinbefore provided, for the recovery of what shall be due 20 to them respectively, for their services in the execution of such Commission as is hereby given to any persons summoned as Witnesses by such Petitioner.

## IX. COSTS.

As to costs on frivolous or vexatious petition.

CXXXIV. And be it enacted, That whenever any Select Committee appointed to try an Election Petition, re- 25 ports to the House that such Petition was frivolous or vexatious, the parties, if any, who have appeared before the Committee in opposition to such Petition, shall be entitled to recover from the persons, or any of them, who signed such Petition, the full costs and expenses which 30 such parties have incurred in opposing the same, such costs and expenses to be ascertained in the manner hereinafter directed.

As to costs on frivolous or vexatious opposition.

CXXXV. And be it enacted, That whenever such Committee reports to the House, that the opposition made 35 to any such Petition by any party appearing before them, was frivolous or vexatious, the persons who signed such Petition shall be entitled to recover from the party with respect to whom such report is made, the full costs and expenses which such Petitioners have incurred in prose- 40 cuting their Petition, such costs and expenses to be ascertained in the manner hereinafter directed.

As to costs where there is no opposition.

CXXXVI. And be it enacted, That whenever no party has appeared before any such Committee in opposition 45 to such Petition, and such Committee reports to the