

# VIII. COMMISSION FOR THE EXAMINATION OF WITNESSES.

Penalty for acting before taking oath.

the same shall be noted in the minutes of such Commission, and if any person shall act as a Commissioner in the execution of this Act without having first taken and subscribed such Oath, he shall for such offence forfeit and pay the sum of *one hundred* pounds.

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Sittings of the Commissioner.

As to adjournments of such sittings.

CXIII. And be it enacted, That the said Commissioner shall sit every day, Sunday and the Statutory Holidays only excepted, from the hour of ten in the morning till four in the afternoon, and shall never adjourn except by the consent in writing of all the parties to such Election Petition or their Agents, or by permission of the Select Committee appointed for the trial of such Election Petition, or in the case provided for by the next section of this Act, for a longer time than twenty-four hours, unless Sunday or some other Statutory Holiday or Holidays shall intervene, and in case of such intervention, every sitting or adjournment shall be within twenty-four hours from the time of appointing or fixing the same, exclusive of such Sunday or other Holiday or Holidays as aforesaid.

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In case of sickness, accident, &c., report to be made to the Committee, and verified by affidavit.

Penalty for omitting to sit without lawful excuse.

CXIV. And be it enacted, That the said Commissioner shall not, except as before excepted, omit such daily sittings except in cases of sudden accident or necessity, or in case of illness; and that such cases of sudden accident or necessity shall forthwith be specially reported to the said Select Committee by such Commissioner, and be verified upon the Oath of the said Commissioner, and also in case of sickness by the Oath of the Physician, if any there be attending such Commissioner, or if there be no physician in attendance, then by the Oath of some third party who shall be cognizant of the fact, which Oaths shall be made before one of Her Majesty's Justices of the Peace; and that any Commissioner who shall so omit such daily sittings without such lawful excuse, shall, for every day on which he shall so absent himself, forfeit and pay the sum of *twenty-five* pounds.

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Proceedings to be had by the Committee on such report.

CXV. And be it enacted, That upon every such Special Report from such Commissioner, the said Select Committee shall be ordered to meet as is provided upon the transmission of his final report and return, and the said Select Committee shall thereupon proceed to hear the parties interested or concerned in such Election Petition, or such of them as shall choose to attend for that purpose, their counsel or agent, upon such Special Report, and if it appear to such Select Committee upon the facts laid before them upon affidavit, either in such Special Report, or by the parties or any of them, either that the Commissioner is dead, or that he will be unable to complete the duties imposed upon him by the said Com-

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