

Decision to be final,
and entered on
Journals, &c.

Committee may
report resolutions on
other points for
consideration of the
House.

Proviso.

Committee not
dissolved by
prorogation : but shall
proceed during the
next session.

person were duly returned or elected, or whether the election be void, or whether a new Writ ought to issue, which determination shall be final between the parties to all intents and purposes, and the House, on being informed thereof by the Committee, shall order such report to be entered on their Journals, and shall give the necessary directions for confirming or altering the Return, or for ordering a Return to be made, or for issuing a Writ for a new Election, or for carrying the said determination into execution, as the case may require.

XCIV. And be it enacted, That if any such Select Committee come to any resolution other than the determination above mentioned, they shall, if they think proper, report the same to the House for their opinion, at the same time that they inform the House of such determination, and the House may confirm or disagree with such resolution, and make such orders thereon as to them seems proper : Provided always, and it is hereby expressly declared, that the power conferred by this section upon the said House shall not extend or be construed to extend to the order or orders, resolution or resolutions, containing or declaring such determination of such Select Committee, or to any orders or resolutions of such Select Committee touching the delivery of lists of objected voters or the objections to such voters, the issue of Commissions for the examination of witnesses, or other matters arising in the course of the trial of such election, and relating merely to the conduct of such trial.

XCV. And be it enacted, That if the Parliament be prorogued after the appointment of any Select Committee for the trial of any Election Petition, and before they have reported to the House their determination thereon, such Committee shall not be dissolved by such prorogation, but shall be thereby adjourned to twelve o'clock on the day immediately following that on which Parliament meets again for the despatch of business (Sunday and all other Statutory Holidays always excepted), and all proceedings of such Committee and on any Commission to take evidence issued under the authority of such Committee, shall be of the same force and effect as if Parliament had not been so prorogued, and such Committee shall meet on the day and hour to which they are so adjourned, and shall thenceforward continue to sit from day to day in the manner hereinbefore provided, until they have reported to the House their determination on the merits of such Petition.

8. COMMISSION FOR THE EXAMINATION OF WITNESSES.

Committee may order
the appointment of a
commission to take
evidence.

XCVI. And be it enacted, That upon its appearing to any such Select Election Committee, from the nature of the case and the number of witnesses to be examined relative to any particular allegation or allegations in the said Petition, that the same cannot be effectually inquired into before such Committee, without great expense and inconvenience to the parties or either of them, it shall and may be lawful for the said Election Committee, upon application of any of the parties before the said Committee, at any period during the course of their proceedings upon such Petition, to make an order for the nomination and appointment of a Commission in manner herein directed.

Notice of application
for commission.

XCVII. And be it enacted, That every party intending to apply for the issue of such Commission, shall give to the opposite party or parties two full days' notice in writing exclusive of any intervening Sunday or other Statutory Holiday, (as on Monday for Thursday, or on Saturday for Wednesday,) of his intention to apply to the said Committee for such Commission as aforesaid.

Provisions as to the
appointment of a
commissioner.

XCVIII. And be it enacted, That whenever any such Select Election Committee shall think fit to make an order for the appointment of a Commission as aforesaid, it shall and may be lawful for such Committee, if they shall think fit so to do, to appoint such person to be such Commissioner as may be mutually agreed upon in writing by all the parties interested or concerned in such Election Petition, their Counsel or Agents, upon the written consent of such person to serve as such Commissioner, with an Affidavit of the due execution thereof, being laid before such Select Committee ; or in the event of all such parties not so agreeing as to the person to be appointed such

Commissioner,