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No. 218.

3d Session, 3d Parliament, 13 & 14 Victoria, 1850.

BILL.

An Act to facilitate the issue of Commissions for the Examination of Witnesses, and for the taking of Evidence in Suits at Law pending and to be brought in the Courts of Upper Canada.

Received and Read a first time, Thursday, 25th
July, 1850.

Second Reading, Friday, 26th July, 1850.

Mr. LYON.

BILL.

An Act to facilitate the issue of Commissions for the examination of witnesses, and the taking of evidence in suits at law, pending and to be brought in the Courts of Upper Canada.

E it enacted, &c.,

That, from and after the passing of this Act, it shall be the duty of any Judge of the Court of Queen's Bench or Com-
 5 mon Pleas for Upper Canada, upon application made to such Judge by any party to a suit now pending or hereafter to be brought, to issue a Commission for the examination of any witness or witnesses in such suit, in Lower Canada.

Commissions to issue for examination of witnesses in L. C.

10 II. And be it enacted, That upon such Commission being issued, it shall be the duty of any witness referred to be examined before such Commissioners as may be
 15 appointed, upon being summoned by such Commissioners or any one of them to give evidence in such suit, to attend the same at the day and place in such summons to be named, to give evidence in such matters, upon being
 20 paid or tendered his reasonable expenses for such attendance, and that each such witness shall be entitled to receive the sum of *five shillings* for every such day's attend-
 20 ance to give such evidence, and *five shillings* for every twenty miles travel in travelling to and returning from such place as he may be required to attend at.

Witnesses must attend;

Allowance to them.