

sonally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written contracts for the faithful performance of the work, in the time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of the said Commissioners to agree with fit and proper persons to perform the same by days' labour, provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of such moneys, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers of such payments, and render an account thereof in duplicate, upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer), one copy of which, with vouchers, to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session, and the other copy to be filed in the office of the Clerk of the Peace in their respective Counties for public information.

3. The Commissioners appointed by the Municipalities of York, Carleton, and Sunbury, when any of the aforementioned sums of money appropriated for Roads and Bridges are issued to such Municipality, shall account for the moneys granted to the said Municipalities in the same manner as the Commissioners appointed by the Governor in Council.

4. The before mentioned sums of money shall be paid by the Treasurer out of the moneys in the Treasury, or as payment may be made at the same, by Warrant of the Governor in Council.

5. The said Commissioners entrusted with the expenditure of the said several and respective sums of money shall, for their time and labour, be allowed to retain at and after the rate of five per centum out of the said money so entrusted to them respectively, together with a reasonable compensation for actual labour and work performed by them on the said several Roads and Bridges, where such moneys are expended on Roads or Bridges.

6. The said Commissioners for the expenditure of money on Roads or Bridges shall expend the said several and respective sums of money on the Roads on or before the first day of October; provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending moneys after the first day of October, when it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees, or other obstructions.

7. None of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

8. Every person who may be appointed a Commissioner for the expenditure of money hereinbefore granted, before entering upon the duties of his office, shall respectively enter into a bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Executive Government, for the due performing his duty as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

CAP. III.

An Act to compel the attendance of Witnesses under Commissions from other Countries, and in further amendment of the Law of Evidence.

Section.

1. Authority for order to attend and produce papers.
2. Summons to shew cause for neglect to appear.
3. Attachment on failure to shew good cause.
4. Certain Acts of State extended to Acts of Legislature.

Section.

5. Authentication of acts done by Mayor, &c. of Cities.
6. Testimony, when admissible from a Judge's Notes.
7. Copies, without proof of official character of the Certifier, admissible in evidence.

Passed 12th March 1858.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Whenever any Commission or Commissions shall be issued from any Court of any other Province, State, or Kingdom, for the examination of any Witness or Witnesses in this Province, by any Commissioner or Commissioners named in such Commission, it shall be lawful for such Commissioner or Commissioners to make an order for the attendance of such Witness or Witnesses, with such books, papers, documents, or writings of any kind as may be in the custody, power or possession of such Witness or Witnesses, to be mentioned in such order, at such time and place as such Commissioner or Commissioners shall appoint.

2. If after any such order shall have been served on any such Witness or Witnesses, and reasonable expenses tendered in the manner prescribed by Law or the practice of the Supreme Court of this Province, for the service of subpoenas in actions depending in the said Court, such Witness or Witnesses shall not attend in obedience to such order, and produce and give in evidence such books, papers, documents, or writings, or having attended shall without sufficient cause neglect or refuse to give evidence of the matters in question, such Commissioner or Commissioners, or any of them, or the Attorney or Agent of any of the parties to the action, proceeding or suit in which such Commission shall be issued, may apply to a Judge of the said Supreme Court, who shall forthwith, upon an affidavit of such service, refusal, or default, order such Witness or Witnesses to appear before him at such time and place as he shall appoint, to shew cause why an attachment should not be issued against him or them for such neglect, refusal, or default.

3. Such Judge shall have full power and authority to issue such attachment, and is hereby required to issue the same, unless good and sufficient cause be shewn to the contrary, and to make such further order in the matter with reference to such Witness or Witnesses and such examination, and the costs and expenses thereof, and of such neglect, refusal, or default, as he may deem proper, and may order such Witness or Witnesses to pay all costs and expenses incurred by such neglect, refusal, or default, and enforce such payment by attachment.

4. All Acts of State of any Foreign State or British Colony, mentioned in the fifth Section of the Act of Assembly passed in the nineteenth year of the Reign of Her present Majesty, intituled *An Act in further amendment of the Law*, shall be held to extend to all Acts or Statutes of any Legislature, or other governing body of such Foreign State or British Colony, and to all written enactments or Laws of the same; and all the provisions of the said fifth Section of the said Act shall be applicable to this Section as fully as if the same were hereby re-enacted.

5. Whenever it may be necessary to authenticate any act