

XXII.—WITNESSES.

Summoned by
Order of the
House.

239. Witnesses are summoned by the House in order to be examined at the bar of the House, or before a Committee of the whole House, or a Select Committee, by Orders of the House signed by the Clerk.

Witness in
custody.

240. Where a witness is in the custody of the keeper of any prison, such keeper is ordered to bring the witness in safe custody, in order to his being examined, and so from time to time as often as his attendance shall be thought necessary; and Mr. Speaker is ordered to issue his Warrant accordingly.

Summoned by
Committees.

241. A Committee having power to send for persons, papers, and records, summons witnesses by its own Orders, signed by the Chairman.

When witness
does not attend
a Committee.

242. If any witness should not attend pursuant to the order of a Committee his absence is reported, and the House orders him to attend the House; but such Order is usually discharged in case the witness shall have attended the Committee before the time appointed for his attending the House.

Neglect or re-
fusal to attend.

243. In any case, the neglect or refusal of a witness to attend in obedience to an Order of the House, or of a Committee having power to summon witnesses, or in obedience to a warrant of Mr. Speaker, will be censured or otherwise punished, at the pleasure of the House.

Attendance of
Members to be
examined.

244. When the attendance of a Member is desired, to be examined by the House, or a Committee of the whole House, he is ordered to attend in his place.

By a Committee.

245. If a Committee desire the attendance of a Member as a witness the Chairman writes to request him to attend.

If Members re-
fuse to attend.

246. If any Member of the House refuse, upon being sent for, to come to give evidence or information as a witness to a Committee, the Committee ought to acquaint the House therewith, and not summon such Member to attend the Committee.

Committee to
acquaint House
of charges
against Mem-
bers.

247. If any information come before any Committee that chargeth any Member of the House the Committee ought only to direct that the House be acquainted with the matter of such information, without proceeding further thereupon.

Message for
attendance of
Legislative
Councillors.

248. When the attendance of a Member of the Legislative Council, or of one of its Officers, is desired, to be examined by the House, or any Committee thereof (not being a Committee on a Private Bill), a Message is sent to the Legislative Council requesting it to give leave to such Member or Officer to attend, in order to his being examined accordingly upon the matters stated in such Message.

Witnesses ex-
amined pursuant
to "Parliament-
ary Privileges
Act, 1865."

249. Witnesses may be examined by the House, or any Committee thereof, pursuant to "The Parliamentary Privileges Act, 1865."

Tampering with
witnesses.

250. If it shall appear that any person hath been tampering with any witness in respect of his evidence to be given to this

House, or any Committee thereof, or directly or indirectly hath endeavoured to deter or hinder any person from appearing or giving evidence, the same is declared to be a high crime and misdemeanour; and this House will proceed with the utmost severity against such offender.

251. If it shall appear that any person hath given false evidence in any case before this House, or any Committee thereof, this House will proceed with the utmost severity against such offender. False evidence.

252. All witnesses examined before this House, or any Committee thereof, are entitled to the protection of this House in respect of anything that may be said by them in their evidence. Witnesses entitled to protection.

253. No Clerk or officer of this House, or shorthand writer employed to take minutes of evidence before this House, or any Committee thereof, may give evidence elsewhere in respect of any proceedings or examination had at the Bar, or before any Committee of this House, without the special leave of the House. Evidence of proceedings not to be given without leave.

254. When the evidence of a witness examined before a Select Committee is taken down in shorthand and ordered to be printed a copy of his own examination is sent to each witness for his revision, with an instruction that he can only make verbal corrections, as corrections in substance can only be effected by re-examination. The corrected copy, signed by the witness, should be returned without delay to the Committee Clerk, who will submit it to the Chairman, and, if the corrections are approved by him, it will be retained by the Clerk as record copy of the evidence. What corrections may be made in evidence of witnesses.

255. When a witness is to be examined by the House Mr. Speaker conducts the examination, the Mace being on the Table; and any questions addressed by Members are taken to be put through Mr. Speaker. Examined by the House.

256. In Committee of the whole House, any Member may put questions directly to the witness. By Committee of the whole House.

257. When a witness is in custody at the Bar, the Mace being on the Serjeant's shoulder, he is examined by Mr. Speaker alone, and no member is to speak. Witness in custody.

258. If any question be objected to, or other matter arise, the witness is ordered to withdraw while the same is under discussion. Witness withdraws if question objected.

259. A Member of the House is examined in his place. Member examined in his place.

260. Legislative Councillors and Judges are introduced by the Serjeant, and have chairs placed for them within the Bar. Legislative Councillors and Judges, how examined.

XXIII.—MESSAGES BETWEEN THE TWO HOUSES.

261. Bills and Messages from the Legislative Council may be received from any Member of the Council by the Speaker in full House, or at the Bar of the House by a Clerk of the House, through a Clerk of the Council. Messages from Legislative Council, how received.