

III. And be it enacted, That the common Gaol of the County of York shall be the prison of the said Court; provided always, That in case it shall be expedient and the ends of justice be thereby answered, any prisoner of the Court may be committed to the common gaol of any County within which he may have been arrested, in case the Court shall so order and direct.

York County Gaol to be the prison of the Court.

Exception.

IV. And be it enacted, That it shall be the duty of the Sheriffs in the several Counties to serve any writs of subpcena, or execute any process of this Court within their respective Counties that may be sent to them for that purpose, and they shall be entitled to the following fees and emoluments in respect of the same, that is to say: for the service of every subpcena to appear and answer, two shillings and six pence; for every arrest under a writ of attachment or other process, five shillings; and also the same allowance for travel and poundage as in case of process issuing out of Courts of Common Law: Provided always, That no charge for poundage shall be allowed except in case of monies actually received and paid over under process of this Court, and the amount of such poundage shall in such cases be levied and received in addition to the sum directed to be paid or levied by such process.

Sheriffs of the several Counties to serve writs, &c.

Fees.

V. And be it enacted, That all Sheriffs, Deputy Sheriffs, Gaolers, Constables and other Officers shall be aiding, assisting and obeying the said Court in the exercise of its jurisdiction whenever required so to do.

Sheriffs, &c. to be aiding the Court.

VI. And be it enacted, That in case the Plaintiff, in any suit commenced or to be commenced in the said Court, shall neglect to proceed in the same in due time, according to the practice of the said Court, the Bill may be ordered to be dismissed, and in case the Defendant shall neglect to appear in due time after service of process, or shall neglect to put in his answer, or to take any other necessary step in the cause, within the time in that behalf limited by the practice of the said Court, the Bill may be ordered to be taken against him as confessed, subject nevertheless to such regulations and restrictions as may be established and provided in that behalf by the rules and orders of the said Court.

If Plaintiff do not proceed in due time, Bill to be dismissed.

If Defendant do not appear and answer, Bill to be taken as confessed.

VII. And be it enacted, That the several Masters in ordinary in this Court now appointed, or hereafter to be appointed, shall have power to act as examiners in the said Court; and in any case where, from the remoteness of residence of any examiner from the place of residence of the witness, or other circumstance, it may be deemed expedient, the Chancellor or Master of the Rolls shall have full power and authority, by order of the said Court, specially to appoint some other person or persons *pro hac vice*, who shall have power to administer the oath to the witnesses and take the examination in such cause: Provided always, That no examination be taken by any examiner, until such examiner shall have been first duly sworn according to the rules and regulations of the said Court to be established in that behalf.

Masters in ordinary to act as Examiners.

Court may in certain cases appoint other persons.

Examiners to be sworn.

VIII. And be it enacted, That the examination of witnesses in matters pending in the said Court to such extent and subject to such rules and regulations as may in that behalf be prescribed and established, may be conducted on questions suggested and proposed at the time of examination, and be attended by the parties, their Solicitors and Counsel.

Examination of witnesses, how conducted.

IX. And be it enacted, That all monies that shall become subject to the control and distribution of this Court, shall be paid into the hands of such person or body corporate or politic as the Master of the Rolls shall from time to time direct, or be vested in such securities as the Master of the Rolls shall approve, and all interest or increase accruing thereon shall be added to the principal and distributed therewith to the person entitled to the same, subject to such rules and regulations as may be established in that behalf.

Money subject to the control of the Court to be vested as the Master of the Rolls shall approve.

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