

may be examined also on his own behalf, in respect to any matter pertinent to the issue, provided that if such party testify to any new matter not responsive to the enquiries put to him by the adverse party such adverse party may offer himself, and shall be allowed to give evidence as a witness in his own behalf in respect to such new matter;—And provided further, that the examination or evidence of any party to be taken under the provisions of this section may be rebutted by adverse testimony.

be also examined on his own behalf.

Proviso: if he testify to new matter.

Proviso: examination may be rebutted.

10 XIV. And be it enacted, That any party liable to be examined under the next preceding section of this Act upon interrogatories, shall be entitled to four days previous notice of the time and place of such intended examination; and upon his neglect or refusal to attend and testify accordingly, it shall be the duty of the Court in which the action is pending, or of any Judge thereof, if in vacation, or at the trial, if application be then made, of the Judge before whom the trial may be intended to be had, upon proof of the facts by affidavit or otherwise, to the satisfaction of the Court or Judge, to make such order for the attainment of justice in the premises, as shall seem meet, either by staying proceedings or rejecting or striking out the particular pleading with reference to which such refusal or neglect to give testimony may occur.

Notice to be given to party to be examined.

Proceedings in case of his refusal to attend.

25 XV. And be it enacted, That any person or party who shall refuse to attend, and testify at the trial, after being duly subpoenaed for that purpose, shall and may be punished by the Court, as for a contempt in other cases.

Refusal to attend punishable as a contempt.

30 XVI. And be it enacted, That any person or party examined under the provisions of this Act, who shall wilfully swear, or affirm falsely in giving his testimony, shall be liable to all the pains and penalties incident to the crime of wilful and corrupt perjury, and shall and may be indicted, tried, convicted and punished therefor before 35 any Court of competent jurisdiction.

False swearing by such party to be perjury.

XVII. And be it enacted, That after verdict the Attorney of the successful party, or entitled to the *postea* in the cause, shall prepare the same, which together with the judgment, shall be added or annexed to the Record, and that the Record, *postea* and judgment thus made up, shall form and constitute the Judgment Roll, and shall answer and be treated as such for all purposes, and no other Judgment Roll in any such case shall be required.

Who shall prepare the *postea*, and what shall form the Judgment-roll.

45 XVIII. And be it enacted, That from and after the passing of this Act, all writs of execution against goods and chattels shall be tested on the day of the issuing thereof, and be and be made returnable in thirty days from the delivery thereof to the Sheriff to be executed, and that all writs of execution against lands to be issued after the passing of

On what day writs of execution against goods or lands shall be tested.