

examination and the witnesses examined, shall extend and be applicable to the Court and to the examination of witnesses under the commissions and orders of the said Court, and to the witnesses examined, as if such Court were one of the Superior Courts of Law at Toronto, and 5 the matter before it were an action pending in such Court.

XLIII. The rules of evidence observed in the Superior Courts of Common Law at Toronto shall be applicable to and observed in the trial of all questions of fact in the Court.

Rules of evidence to be those observed in Superior Courts.

XLIV. The Court may, under its seal, issue writs of subpoena, or 10 subpoena *duces tecum*, commanding the attendance of witnesses at such time and place as shall be therein expressed; and such writs may be served in any part of the Province of Canada, and every person served with such writ shall be bound to attend, and besworn and give evidence, in obedience thereto, in the same manner as if it had been a writ subpoena, 15 or subpoena *duces tecum*, issued from any of the said Superior Courts of Common Law, in a cause pending therein, and served in any part of the said Province of Canada, as the case may be: Provided always, that any petitioner required to be examined, or any person called as a witness, or required or desiring to make an affidavit or deposition, under 20 or for the purposes of this Act, shall be permitted to make his solemn affirmation or declaration instead of being sworn, in the circumstances and manner in which a person called as a witness, or desiring to make an affidavit or deposition, would be permitted so to do, under the "Common Law Procedure Act, 1854," in cases within the provisions of 25 that Act.

Court may order the issue of subpoenas *duces tecum*.

XLV. All persons wilfully deposing or affirming falsely in any proceeding before the Court, shall be deemed to be guilty of perjury, and shall be deemed to be guilty of perjury, and shall be liable to all the pains and penalties attached thereto.

Witnesses deposing falsely guilty of perjury.

XLVI. The Court, on the hearing of any suit, proceeding, or petition, under this Act,—the Court of Appeal in Upper Canada, and the *House of Lords* in England, on the hearing of any appeal under this Act,—may make such order as to costs as to such Court or *House* respectively may seem just: Provided always, that there shall be no 30 appeal on the subject of costs only.

Court to make order as to costs—No appeal as to such order.

XLVII. All decrees and orders to be made by the Court, in any suit, proceeding, or petition to be instituted under the authority of this Act, shall be enforced and put in execution in the same or the like manner as the judgments, orders, and decrees of the Court of Chancery may be 40 now enforced and put in execution.

Decrees of Court to be executed as decrees of Court of Chancery.

XLVIII. The Court shall make such rules and regulations concerning the practice and procedure under this Act as it may from time to time consider expedient, and shall have full power from time to time to revoke or alter the same.

Court to make rules of practice.

XLIX. The Court shall have full power to fix and regulate, from time to time, the fees payable upon all proceedings before it, all which fees shall be received, paid, and applied as herein directed: Provided always, that the said Court may make such rules and regulations as it may deem 45

And regulate fees.

Proviso as to suits in *forma pauperis*.