

set off, the Statute of Limitations, or any other defence requiring notice to the Plaintiff under the XLIII Section, the Forms of Notice Nos. VII and VIII in the Schedule may be used, to be served in manner directed by the Act : Provided always, that where such Notice shall not have been given, the Judge in his discretion, and on such terms as he shall think fit, may adjourn the hearing of the cause to enable the Defendant to give such Notice, such number of days (being at least six) before the day to which the hearing may be adjourned, as the Judge may think proper.

13TH RULE.—[Not approved.]

14TH RULE.—With a view to save unnecessary expense in proof, the Defendant (or Plaintiff) shall be at liberty to give the Plaintiff (or Defendant) a Notice, in writing, that he will admit on the trial of the cause any part of the claim or set off, or any facts which would otherwise require proof; and after such notice given the Plaintiff (or the Defendant) shall not be allowed any expense incurred for the purpose of such proof. The Notice to be according to the Form No. X in the Schedule, or to the like effect, and served on the Plaintiff (or Defendant) or left at his usual place of abode, at least six days before the trial or hearing.

15TH RULE.—Every confession or acknowledgment of Debt, taken before suit commenced, must show the particulars of the claim or demand for which it is given with the same fulness and certainty as would be required if such claim or demand was sued on in the ordinary manner, and unless application for judgment on such confession shall be made to the Judge, at the Sittings of the Court next after the same is taken, no execution shall be issued on the Judgment rendered without an affidavit from the Plaintiff, or his Agent, that the sum confessed, or some, and what part thereof, remains justly due. And the numbering of Judgments entered on such confession shall begin after the number of the last suit entered for trial at the Court; and applications for Judgments shall be made at the Court holden for the Division wherein, if the claim was sued upon, suit would be triable.

16TH RULE.—Every affidavit in any proceeding in the Court must be entitled in the cause (if a cause has been commenced,) stating the Christian and Surname of the parties at length, and also that of the Deponent, and his place of abode and addition. And if an affidavit be sworn by an illiterate person, the Jurat must contain a Certificate of the Clerk, or Commissioner, administering the Oath, that the affidavit was read in his presence to the party making the same, and that such party seemed perfectly to understand it; and there shall be no erasure or interlineation in any Jurat, but the Judge shall not be bound to reject, as insufficient, any affidavit not complying with the above requisites, or any of them, but may, in his discretion, receive the same when the defect shall not seem to him to affect necessarily the validity of the proceedings.

17TH RULE.—Every Judgment, Order and Decree of the Court shall be drawn up by the Clerk, according to the Form given in the Schedule, or to the like effect; and when any Order is made for the payment of any Debt, Damages, Costs or other sum of Money, the same shall be payable at the Office of the Clerk of the Court at such periods as the Court shall order.