

XV. Where any issue is or shall be joined in any cause, and the Plaintiff has neglected or shall neglect to bring such issue on to be tried at the first sittings of the Court then next following, whether the Plaintiff shall in the meantime have given notice of trial or not, the Defendant may give twenty days' notice to the Plaintiff to bring the issue on to be tried at the next sittings of the Court after the expiration of the notice; and if the Plaintiff afterwards neglects to give notice of trial for such sittings or to proceed to trial as required by the said notice given by the Defendant, the Defendant may suggest on the record that the Plaintiff has failed to proceed to trial, although duly required so to do, (which suggestion shall not be traversable, but only be subject to be set aside if untrue,) and may sign Judgment for his costs; provided that the Judge shall have power to extend the time for proceeding to trial with or without terms.

Where the Plaintiff neglects to bring the matter to trial; Plaintiff may apply, &c,

XVI. Upon the hearing of any motion or Summons, it shall be lawful for the Judge at his discretion, and upon such terms as he shall think reasonable, from time to time to order such documents as he may think fit to be produced, and such witnesses as he may think necessary, to appear and be examined *viduo* either before such Judge, or before the Clerk of the Court, and upon hearing such evidence or reading the report of the Clerk, to make such order as may be just.

Judge may require witnesses or documents, on hearing motions, &c,

XVII. It shall be lawful for any creditor who has obtained a Judgment in any County Court to apply to the Judge for a rule or order that the Judgment debtor should be orally examined as to any and what debts are owing to him before such Judge of any County Court or before any other person to be specially named, and the Judge may make such order for the examination of such Judgment debtor, and for the production of any books or documents and the examination shall be conducted in the same manner as in the case of an oral examination of an opposite party under this Act.

Judgment creditor may have his debtor examined as to his property.

And with respect to costs; Be it enacted:

XVIII. Until otherwise ordered by rule of Court made in pursuance of the "Common Law Procedure Act of 1856," the costs of Writs issued under the authority of this Act and of all other proceedings under the same, shall be and remain as nearly as the nature thereof will allow, the same as heretofore, but in no case greater than those already established, except that there shall be payable to the Clerks of the County Courts for and to form part of the general fee fund, the following fees, viz: for every Special Hearing before the Judge five shillings, and the sum of ten shillings for every day's sittings in taking examinations and evidence, and the like sum on every reference to the County Judge from the Superior Courts, together with one shilling per folio on the evidence taken before him, and five

Fees to remain as now until altered.

Exceptiona.