

any books, papers, or writings required by such summons to be produced, and also every person in Court called upon to give evidence, who shall refuse to be sworn and give evidence, shall forfeit and pay such fine not exceeding ten shillings as the Judge shall set on him or her; and such fine shall be recoverable in any Division Court (in whatever District it may be) in the Jurisdiction of which the party so refusing shall be; and the whole or any part of such fine, in the discretion of the Judge (after deducting the costs) shall be applicable towards indemnifying the party injured by such refusal or neglect, and the remainder thereof shall form part of the general fee fund before mentioned: Provided that no person shall be compelled to attend as a witness who shall dwell more than forty miles from the place where the Court is to be holden, at which he or she is summoned to attend.

Penalty on witnesses refusing to attend or to give evidence

Proviso.

XLIV. And be it enacted, that any fine imposed under the authority of this Act, may be levied by the same process as any debt recovered in the said Court, and shall be accounted for as herein provided.

How fines imposed under this Act may be levied.

XLV. And be it enacted, that no action brought in any Division Court holden according to the provisions of this Act, nor any order, verdict, Judgment or proceeding therein, shall be removed into any Superior Court by any writ or process whatsoever, but every such order, Verdict and Judgment made by the Judge in any Division Court shall be final and conclusive between the parties.

No suit brought in any Division Court to be removed.

Exception.

XLVI. And be it enacted, that the Clerk of each Division Court shall cause a note of all summonses, and of all orders, and of all judgments and Executions, and returns thereto, to be fairly entered from time to time in a book which shall be kept at his office; and the Clerk shall sign his name on every page of such book; and such entries in the said book so signed, or a copy thereof purporting to be signed and certified as a true copy by such Clerk, shall at all times be admitted in all Courts and places whatsoever, as evidence of such entry or entries and of the proceeding referred to by such entry or entries, without any further proof.

Certain process and proceedings to be entered by the Clerk.

Entries and copies thereof to be evidence.

XLVII. And be it enacted, that the Judge may make orders concerning the time or times, and the proportions in which any sum and costs recovered by judgment of the said Court, shall be paid, and at the request of the party entitled to the same, may order such sums to be paid into Court: Provided always, that in any such order for time, reference shall be had to the day on which the summons was served on the defendant, and issuing of execution shall not be postponed without the consent of the party entitled to the same, for a longer period than fifty days from the service of the summons.

Judge may grant delay for the payment of sums recovered by judgment.

Such delay not to exceed a certain time.

XLVIII. And be it enacted, that if there be cross judgments between the parties,

What shall be done when there are cross