

*Witnesses.*

107. A summons to witnesses shall be in the Form No. 52, and may be addressed to any number of persons not exceeding three.

108. Service of a summons shall be personal, but a Judge may direct that service in any particular case may be made in such other manner as will, in his opinion, be sufficient to bring the summons to the knowledge of the witness whose attendance is required.

109. Personal service may be effected by leaving with the witness a copy of the summons, sealed with the seal of the Court; but it shall not be necessary to show the original summons.

110. If proof of service is required, the person effecting service of a summons shall forward the original summons to the Judge who signed the same, with a statement of the manner and of the time and place of service endorsed thereon, and signed by that person, with the addition of his place of residence.

111. The expenses of witnesses summoned to attend may be allowed according to the scale in the Second Schedule.

112. A warrant of commitment under section 21 of the Act shall be in the Form No. 53.

113. A summons to a witness to show cause under section 21 of the Act shall be in the Form No. 54, and shall be served personally, or in such manner as a Judge may direct.

114. An order imposing a penalty on a witness may be in the Forms No. 55 or No. 56.

*Orders.*

115. Four copies of all orders of Court affecting title to land shall be prepared and duly authenticated.

116. No freehold order or partition order shall be signed and sealed unless the plan upon which such order is based has been signed as "approved" by a Judge, and a diagram in accordance therewith has been endorsed on the order.

117. No order shall be delivered to the person entitled thereto, or forwarded for inclusion in the Land Transfer Register, until all fees (if any) due to the Court in respect thereof have been paid.

118. When any partition order is transmitted to the District Land Registrar it shall be the duty of the Registrar of the district to forward a memorandum setting forth what survey liens and other charges (if any) are due in respect of the land comprised therein.

119. An order under section 29 of the Act may be in Form No. 57.

*Rehearings.*

120. An application for rehearing under section 28 of the Act may be made to the Judge in open Court, or in writing, lodged with the Clerk of the Court, in Form No. 58.

121. The Judge may require notice of the application to be given in such manner and to such persons as he thinks fit.

122. If the application is granted, the rehearing may take place either before the same or any other Judge, and either at the same sitting at which the original hearing took place, or at any adjournment thereof, or at any other sitting of the Court; but in the last case only on notification of the rehearing being made in the same manner as in the case of an original hearing.

## THE NATIVE APPELLATE COURT.

*Leave to Appeal from Provisional Orders.*

123. An application to the Court for leave to appeal to the Appellate Court under section 49 of the Act may be made in open Court, or in writing lodged with the Clerk of the Court. Every such application shall be made within two days, or such further time not exceeding seven days as the Court on special grounds may allow, after the date of the determination appealed from.

124. Leave to appeal may be granted on such terms as to costs as the Court thinks fit.

125. If leave to appeal is granted, notice of appeal shall be given and all further proceedings taken as in the case of an appeal (otherwise than by leave of the Chief Judge) from a final order of the Court.

*Notice of Appeal.*

126. A notice of appeal from a final order of the Court may be in the Form No. 59, and shall embody or be accompanied by a statement setting forth the grounds of the appeal. The notice and the statement shall be signed by the appellant, or by his solicitor, and shall be lodged with the Registrar within six weeks after the date of the minute of the order appealed from.

127. If the appellant by whom the notice and statement are so signed is a Native, his signature shall be attested in manner required by section 420 of the Act in the case of instruments executed by way of security, and there shall be written on the notice and statement the like certificate of an attesting witness as is required by that section.