

3. The claimant shall, after the filing of the claim and vouchers, obtain a day for the reference either by summons or by agreement, and when such day has been obtained he shall lodge in the Registry a notice praying to have the reference placed in the list for hearing with the stamps for the reference affixed thereto.

4. At the time appointed for the reference, if any party be present, the reference may be proceeded with, but the Registrar may adjourn the reference from time to time as he may deem proper.

5. Evidence may be given *viva voce* or by affidavit or by documents, and the evidence shall, on the application of either party, but at the expense in the first instance of the party on whose behalf the application is made, be taken down by a shorthand-writer appointed by the Court, and a transcript of the shorthand-writer's notes, certified by him to be correct, shall be admitted to prove the oral evidence of the witnesses on an objection to the Registrar's report.

6. When a reference has been heard the Registrar shall draw up a report in writing of the result of the reference, showing any further particulars and reasons that may be necessary. The Registrar shall report whether any and what part of the costs of the reference should be allowed and to whom.

The report shall be in the Form No. 44 of Appendix A, or in such other form as the circumstances of the case may require.

7. The claimant, who has received notice from the Registry that the report is ready, shall, within six days from the time when he has received such notice, file the report and serve a notice of such filing on the opposite party, and shall forthwith apply for an order (Appendix A, Form No. 45) confirming the report.

8. If the claimant shall not take the steps prescribed in the last preceding rule the adverse party may take up and file the report, and apply for its confirmation, or may apply to the Judge to have the claim dismissed.

9. A party intending to object to the Registrar's report shall, within fourteen days from the filing of the report, file in the Registry a notice (Appendix A, Form No. 46) that he objects to the report, and a copy thereof shall be served on the adverse party.

10. An objection to a report shall be brought before the Judge by motion, or on pleadings consisting of a petition in objection to the report and an answer thereto. A notice of motion in objection to a report shall be filed within ten days from the filing of the notice of objection, and a copy shall be served on the adverse party, and a petition shall be filed within the same period, and a copy served on the adverse party, and the answer thereto shall be filed within ten days from the service of the petition, and a copy served on the adverse party.

Forms of notice of motion and of pleadings respectively will be found in Appendix A, Nos. 47 and 13 (iv).

#### ORDER XVIII.

##### COSTS AND SECURITY FOR COSTS.

1. The costs of and incident to all prize proceedings shall, except when otherwise provided by any agreement, or by statute, be in the discretion of the Judge.

2. Any person instituting a proceeding, other than a cause for condemnation, or making a claim, and being ordinarily resident out of the jurisdiction of the Court, may be ordered to give security for costs, though he may be temporarily resident within the jurisdiction of the Court, and the proceedings may be stayed until such security is given.

3. In any cause in which security for costs is required, the security shall be of such amount, and be given at such times and in such manner or form, as by bond, payment into Court or otherwise, as the Judge shall direct.

#### ORDER XIX.

##### TAXATION OF COSTS.

1. A party desiring to have a bill of costs taxed either between party and party or between solicitor and client, shall file the bill in the Registry.