

Court effectually and completely to adjudicate upon and settle all the questions involved in the action, be added, whether as plaintiff or defendant.

27. No person shall be added as a plaintiff without his own consent.

28. Infants and lunatics may sue and be sued by a guardian *ad litem* admitted for that purpose by the Court.

29. A guardian *ad litem* may be removed by the Court upon sufficient cause being shown.

30. In case of the death, retirement, or removal of a guardian *ad litem* a fresh guardian shall be appointed by the Court.

31. A guardian *ad litem* shall not be permitted to retire without the leave of the Court.

32. The guardian *ad litem* shall be liable for the costs of the action.

33. In an action against an infant or a lunatic the statement of claim may be filed before the appointment of a guardian *ad litem*, but no further steps in the action shall be taken until such appointment has been made.

34. A summons to a witness in any civil proceeding may be in Form 2 in the Second Schedule hereto.

35. Any such summons may be served either by the proper officer of the Court or by the party at whose instance the witness is summoned or his agent.

36. Without the leave of the Court no such summons shall be issued requiring any witness to attend at any place outside the island in which he is resident or present at the date of the issue of the summons.

37. Witnesses in civil proceedings, whether summoned or not, shall be entitled to such payment in respect of their expenses and loss of time as the Court awards.

38. If the claim in any action is for a sum of money the defendant may, before trial of the action, pay into Court a sum of money by way of satisfaction, and give notice of such payment to the plaintiff.

39. Any money paid into Court as aforesaid may be paid out to the plaintiff or his duly authorized agent, but the receipt thereof shall not affect the right of the plaintiff to proceed with the action for the recovery of any further sum claimed and not so paid into Court.

40. The fact that money has been so paid into Court shall be taken into consideration in the award of costs as between the plaintiff and defendant.

41. The plaintiff may at any time before trial discontinue his action, either wholly or as to any cause of action, by filing in Court a memorandum of discontinuance.

42. A copy of such memorandum shall be served upon the defendant.

43. On any such discontinuance the Court may award to the defendant such costs of the action as it thinks fit.

44. The discontinuance of an action shall not be a defence to any subsequent action on the cause of action discontinued, provided that the costs of the previous action so awarded have been paid.

45. No judgment shall be given in any action by default, and every action shall be heard and determined in the ordinary course whether the defendant appears on the trial thereof or not.

46. If on the trial of any action the plaintiff does not appear, the Court may either adjourn the trial, or give judgment for the defendant, or nonsuit the plaintiff.

47. The plaintiff in any action may at any time before judgment elect to be nonsuited, and the Court may nonsuit the plaintiff without his consent.

48. After a nonsuit the plaintiff shall not be debarred from commencing a further action on the same cause of action, all the costs of the first action having been first paid.

49. No action shall be tried by a jury.

50. The parties to any action may concur in stating the questions of law arising in the action in the form of a special case for the opinion of the Court.

51. Every such special case shall concisely state such facts and documents as may be necessary for the decision of the questions raised therein.

52. On the argument of the special case the Court shall be at liberty to draw from the facts and documents so stated any inference of fact which might have been drawn therefrom if proved at the trial.