

or in writing. A defendant, having failed to file notice of his intention to defend an action, shall not be allowed to do so except by leave of the Court, upon special grounds which shall be stated in the application in the Form No. 125.

Notice of the intended application shall be filed with the Clerk on or before the day appointed for the hearing of the action, and a copy thereof served on the plaintiff in the Form No. 126.

If leave is granted to defend the action the order may be in the Form No. 127, and if dismissed the order may be in the Form No. 128, or to the like effect.

Where a defendant desires to set up a defence of infancy, coverture, the Statute of Limitations, or a discharge in bankruptcy he shall give notice, in the Form No. 36, to the plaintiff at least twenty-four hours before the time appointed for the hearing.

9. *Record of Foreign Processes.*

Whenever a summons is required to be sent to a foreign Court for service, the Clerk shall enter in the plaint-book, in the columns for the purpose, the date and the name of the foreign Court to which it is sent.

Whenever any warrant is required to be sent to a foreign Court for execution, the Clerk shall enter in the warrant-book (Form No. 3) the date and the name of the foreign Court to which it is sent.

The Clerk shall keep a book in the Form No. 4, in which he shall enter all processes received from foreign Courts for service or execution.

10. *Civil Record-book.*

The Clerk shall, previous to every sitting of the Court, enter in the civil record-book in the Form No. 2, in their numerical order, every case the hearing of which is fixed for or stands adjourned to that day. A memorandum of the decision of the Court shall be entered in the civil record-book opposite each case, and the Magistrate or Justices hearing each case shall subscribe his or their signature or signatures thereto.

11. *Minute-book.*

The Clerk shall keep a book to be known as the "Minute-book," in which shall be entered minutes of proceedings and orders of an interlocutory nature, of applications to the Magistrate, under the Infants Act, 1908, the Local Elections and Polls Act, 1908, or any other Act for the time being in force, and of all miscellaneous matters. The applications, motions, summonses, or other documents shall be numbered in every year according to the order in which they are entered and the page of the minute-book (e.g., M.B. No. 21/1920
Folio 3). The minute-book shall be demy size, ruled faint blue, and shall be pagged and indexed in the Form No. 129.

Where the proceeding or matter of which minute is made relates to an action which commenced with entering a plaint under the Act, such minute shall be headed with the plaint number, and a memorandum shall be made on or attached to the plaint-note of the proceeding or matter, and showing the page of the book where minute of such proceeding or matter is entered.

Where an order is made or proceeding taken under any special Act, the said order or proceeding shall be indexed under heading of such Act.

Every minute or order entered in the minute-book shall be signed by the Magistrate or Justices before whom the proceeding is taken, or by whom the order is made.

12. *Warrant-book.*

The Clerk shall keep a book in the Form No. 3, in which he shall enter the particulars as therein provided of all warrants under civil process issued to the Bailiff of his Court, or forwarded to any foreign Court for execution, and in which he shall enter the amounts respectively received on such warrants.

13. *Search-book.*

The Clerk shall keep a book in the Form No. 5, to be called the "Search-book." Every application for a search shall be entered therein, and signed by the applicant, who may upon payment of the prescribed fee make the necessary search. The stamp denoting the fee for such search shall be affixed in the search-book and cancelled by the Clerk.

14. *Issue of Summons where more than One Defendant.*

Where a summons is issued, and there is more than one defendant, it shall be sufficient to issue one Court copy for the purpose of affidavit of service containing the names of all the defendants, except where the defendants reside in different places, in which case a Court copy for purpose of affidavit shall be sent to each place. If there is more than one defendant, the names of all the defendants shall be included in each summons.

15. *Summons to be served and returned without Delay.*

The Bailiff or other person who serves any summons shall forthwith make an affidavit showing the true place, time, and mode of service, and return the Court-copy