

time for the hearing of the application, and notice shall be served on the opposite party, in the Form No. 60, two clear days before the time so fixed. Upon hearing the parties the Court may make an order, either dismissing the application or granting the rehearing, and fixing the time for the same, upon such terms as may seem just and reasonable, and the order shall be entered in the minute-book. The order for rehearing may be in the Form No. 61.

*30. Notice of Grant of a New Hearing to be given.*

Where a new hearing is granted under section 104 of the Act, a notice in the Form No. 55, or to the like effect, shall be served on or sent to the plaintiff by the defendant, and, if more than one, to each plaintiff, two clear days at least before the time appointed for the new hearing, unless the Court otherwise orders.

*31. Satisfaction of Judgment.*

The Clerk shall enter on the plaint-note in each action, as well as in the civil record-book, the satisfaction of the judgment therein; and where the judgment debt is payable by instalments he shall attach to the plaint-note a sheet in Form No. 56, and shall enter thereon each payment as made by the judgment debtor. Where the judgment debtor in any action applies for satisfaction to be entered, but the full amount of the judgment and costs has not been paid into the Court, the Clerk shall not enter such satisfaction until a memorandum of consent, in the Form No. 123, has been filed, signed by the judgment creditor, and witnessed by any Clerk, Justice of the Peace, or solicitor.

*32. Proceedings by Infants.*

Where an infant desires to commence an action (other than an action under section 47 of the Act), or is a claimant in an interpleader proceeding, he shall procure the attendance of a next friend at the office of the Clerk at the time of entering the plaint, or delivering the particulars of the goods and chattels claimed. No plaint shall be entered or statement of claim received until the next friend has undertaken, according to the Form No. 76, to be responsible for costs. The action or interpleader proceeding shall proceed in the name of the infant by such next friend, and the undertaking shall be filed by the Clerk; and the Court may at the hearing admit the person so undertaking to act as next friend, or make such order in reference thereto as it may think fit.

*33. Guardian ad litem.*

An order for the appointment of a guardian *ad litem* to an infant defendant shall be entered in the minute-book. No such order shall be made in the absence of the said guardian unless he shall have signed a consent in Form No. 75.

*34. Joinder of Parties.*

No person shall be added as a plaintiff without his own consent; and every person whose name is added as a defendant, if not present, shall be entitled to notice in the Form No. 62, which shall be served together with a copy of the summons and statement of claim in the action two clear days before the time at which the hearing is to be proceeded with, or at such longer interval as the Court may order.

*35. Change of Parties.*

When any application is made to the Court for an order for change of parties pursuant to section 63 of the Act, notice of such application shall be given to the opposite party, and a copy filed with the Clerk. Such notice shall be in the Form No. 63, and shall set out the facts on which the applicant relies, and shall name the time when the applicant intends to apply to the Court, and shall be served two clear days before such day of hearing of the application. On the day named in the notice, or on any subsequent day, the Court may make such order in the matter as it thinks fit, a memorandum of which shall be made on the plaint-note and in the minute-book, and all subsequent proceedings shall be carried on under the altered title.

*36. Change of Venue.*

When an application is made to change the venue, notice of such application shall be in Form No. 64, and shall be served on the plaintiff or defendant, as the case may be, and a copy filed with the Clerk two clear days before the day on which the application is to be made. The application may be made to the Court on any convenient day to be fixed by the Clerk. An order changing the venue shall be in the Form No. 65, and shall be entered in the minute-book, and endorsed on the plaint-note.

*37. Examination of Judgment Debtor as to Debts due to him.*

Where a plaintiff is desirous that the defendant, if judgment is given against him, shall be orally examined forthwith after the judgment has been given as to what debts are due, owing, or accruing to him, the plaintiff shall, before the action is called on, lodge with the Clerk a notice in the Form No. 66; and the Court, after judgment is given, may order the immediate examination of the defendant, and he may then be examined as to any debts due, owing, or accruing to him; and if the sub-debtor is present in Court he may be required forthwith, if he admits the debt, to show cause why he should not be ordered to pay into Court, for the benefit of the judgment creditor, such debt, or so much thereof as will satisfy the judgment, and such order shall be entered in the minute-book, and may be enforced in manner provided by the Act.