

manner as the Court shall by any general or special order from time to time direct, and for that purpose the Court shall have and exercise all the powers it now possesses by law: Provided that the said Court may dispense with such service altogether in case it shall seem  
5 necessary or expedient so to do.

57. The Court may if it think fit order the attendance of the petitioner or respondent, and may examine him or her, or permit him or her to be examined or cross-examined on oath on the hearing of any petition, but no such petitioner shall be bound to answer any  
10 question tending to show that he or she has been guilty of adultery.

58. The Court may from time to time adjourn the hearing of any such petition, and may require further evidence thereon if it see fit so to do.

59. The witnesses in all proceedings before the Court, where  
15 their attendance can be had, shall be sworn and examined orally in open Court, and such attendance and the production of documents by them shall be compelled in the same manner as in an action at law, but the parties shall be at liberty to verify their respective cases in whole or in part by his or her own affidavit, but so that the  
20 deponent in every such affidavit shall, on the application of the opposite party or by direction of the Court, be subject to be cross-examined by or on behalf of the opposite party orally in open Court, and, after such cross-examination, may be re-examined orally in open Court as aforesaid on his or her own behalf.

60. It shall be lawful for the Court or a Judge to order the examination of witnesses, and also to order a commission to issue for the examination of witnesses, in the same way to all intents as if the matter before it were an action pending in the ordinary jurisdiction.

61. Subject to the foregoing provisions of this Act relating to  
30 costs, the Court, on the hearing of any suit, proceeding, or petition under this Act, may make such order as to costs as to such Court may seem just.

62. All decrees and orders to be made by the Court in any suit, proceeding, or petition to be instituted under authority of this Act  
35 shall be enforced and put in execution in the same or in the like manner as other judgments, orders, and decrees of the said Court may be now enforced and put in execution.

63. The Governor in Council may fix from time to time the fees payable on all proceedings under this Act, but the Court may nevertheless make rules and regulations for enabling persons to sue in the  
40 said Court under this Act *in formâ pauperis*.

64. All rules and regulations concerning the practice, pleading, or procedure, and all orders fixing the fees payable under this Act, shall be laid before the Legislative Council and House of Representatives within one month after the meeting thereof if Parliament be then sitting, or, if Parliament be not then sitting, within one month after the commencement of the then next session of Parliament.

65. On any petition presented by a wife praying that her marriage may be dissolved by reason of her husband having been guilty  
50 of adultery coupled with cruelty, or of adultery coupled with desertion, the husband and wife respectively shall be competent and compellable to give evidence of or relating to such cruelty or desertion.

Examination of petitioner.  
1867, No. 94, sec. 44

Adjournment.  
Ibid, sec. 45

Mode of taking evidence.  
Ibid, sec. 46

Commissions or orders for the examination of witnesses.  
Ibid, sec. 47

Costs.  
Ibid, sec. 48

Enforcement of orders and decrees.  
Ibid, sec. 49

Fees to be regulated.  
Ibid, sec. 50

Order fixing fees to be laid before Parliament.  
Ibid, sec. 51

Husband and wife competent to give evidence.  
Ibid, sec. 52