

tained by the commissioners, which allowance shall be paid by the party summoning or requesting such witness to attend, and shall be taxed in the bill of costs as aforesaid.

SEC. 17. *And be it enacted*, That the chancellor shall have full power and authority to appoint, during his pleasure, a person of integrity, judgment and skill in accounts, to be auditor for the chancery court, who shall, before he enters upon the duties of his appointment, take an oath, to be administered by the chancellor, well and faithfully to execute the duties of his office, without favour, affection, partiality or prejudice; and all accounts directed to be stated, audited or settled, by order of the chancellor, shall be referred for such purpose to the auditor, who shall have power and authority to administer an oath to all witnesses and persons proper to be examined upon such account, and shall audit, state and settle, such accounts agreeably to the order of the chancellor, and shall return the same to the chancellor, to be done with as the chancellor shall think just; and the said auditor shall be allowed thirty-five shillings current money per day for every day he shall reasonably be employed in stating, auditing and settling, any account, to be paid by the party desiring such account to be stated, audited and settled, and taxed in the bill of costs as aforesaid.

Chancellor may appoint an auditor, &c.

By 1825, ch. 175, on appeals in which accounts have been stated by the auditor, no exceptions to such accounts shall be permitted, which were not made in the court below.

SEC. 18. *And be it enacted*, That payment of the allowances to commissioners, witnesses, and the auditor aforesaid, may be compelled by order of the chancellor, and process of contempt for disobedience to such order may be issued as in other cases.

Payment may be compelled, &c.

SEC. 19. *And be enacted*, That if any defendant, being of full age and regularly summoned to appear to any bill or petition in chancery, shall refuse or neglect to appear thereto at the return court, and thereupon shall stand out the process of attachment of contempt, and attachment with proclamations, and do not appear and put in a good and sufficient answer to the said bill or petition by the fourth day of the court to which the said attachment with proclamations is returnable, or being served after appearance with, and brought into court upon, any process of contempt, for not answering the bill or petition filed, the said defendant, so brought into court, shall and may, upon motion, stand committed by order of the court for the same until discharged by the further order thereof; and if the defendant in the case first mentioned shall not appear and answer as aforesaid, by the fourth day of the court to which the attachment with proclamation is returnable, or if the defendant so committed for not answering as aforesaid shall not put in a good and sufficient

Defendants refusing, &c. shall stand committed, &c.