

rice of the peace, of all such parts of all books or writings in their possession or power as contain evidence pertinent to the issue, or to answer any bill for discovery only which may be filed by the second court after the appearance court, in cases and under circumstances where they might be compelled to produce the said original books or writing, or answer such bill of discovery by the ordinary rules of proceeding in chancery, and if a plaintiff shall fail to comply with any such order to produce such books or writings, or answer such bill of discovery, it shall be lawful for the said courts, on motion, to give the like judgment for the defendant as in cases of non-suit; and if a defendant shall fail to comply with such order to produce books or writings, or to answer any bill for discovery only, it shall be lawful for the said courts on motion as aforesaid, to give judgment against him, her or them, by default, provided, that any plaintiff or defendant may, in compliance with any rule for producing extracts of such books or papers, bring into court the original books or paper.—*ibid.* § 7.

46. Neither the chief justice of any district, or any of the associate justices, shall, after their appointment and qualification, act as an attorney or solicitor in any court of law or equity in this state during the time they shall respectively act as such.—*ibid.* § 8.

47. All causes, pleas, process and proceedings, relative to any cause, civil or criminal, which shall be returnable to, or depending before, the several county courts of this state, when this act shall commence, shall be returned to the several county courts constituted by this act, at the times herein before appointed for the holding of each court, and shall be heard, tried and determined therein, in the same manner as if no change had been made in the said courts; and all writs issuing out of any of the said county courts shall be tested in the name of the chief justice, and in case of his death, resignation or disqualification, before a new appointment, in the name of the associate justice first named in the commission; and all writs shall be returnable on the day appointed by this act.—*ibid.* § 9.

48. All commitments and recognizances for all felonies, crimes, offences or misdemeanours, committed in the several counties, and triable by law in the county courts, shall be returned to the justices appointed in virtue of this act by the justice making such commitment, or taking such recognizance, on the first day of holding the county court of their county; and all sheriffs, clerks, and all other civil officers, shall execute and perform the same offices and duties, under the same penalties as they are now obliged by law to perform and execute them in the county courts as now established.—*ibid.* § 10.

49. No action, to be commenced in any county court appointed in virtue of this act, shall continue longer than the end of the first court after the imparlance court, unless by consent of parties, at the discretion of the