



Common Law Procedure Act 1854

1854 CHAPTER 125

LI Power to deliver written Interrogatories to opposite Party.

In all Causes in any of the Superior Courts, by Order of the Court or a Judge, the Plaintiff may, with the Declaration, and the Defendant may, with the Plea, or either of them by Leave of the Court or a Judge may, at any other Time, deliver to the opposite Party or his Attorney (provided such Party, if not a Body Corporate, would be liable to be called and examined as a Witness upon such Matter) Interrogatories in Writing upon any Matter as to which Discovery may be sought, and require such Party, or in the Case of a Body Corporate any of the Officers of such Body Corporate, within Ten Days to answer the Questions in Writing by Affidavit, to be sworn and filed in the ordinary Way; and any Party or Officer omitting, without just Cause, sufficiently to answer all Questions as to which a Discovery may be sought within the above Time, or such extended Time as the Court or a Judge shall allow, shall be deemed to have Committed a Contempt of the Court, and shall be liable to be proceeded against accordingly.