SCHEDULE (B.)

The several CEMETERIES established under the several Acts herein-after mentioned; viz.—

An Act for establishing a General Cemetery for the Interment of the Dead in the Neighbourhood of the Metropolis: 2 & 3 W. 4. c. cx.

An Act for establishing a Cemetery for the Interment of the Dead Southward of the Metropolis, to be called the "South Metropolitan Cemetery:" 6 & 7 W. 4. c. cxxix.

An Act for establishing Cemeteries for the Interment of the Dead, Northward, Southward, and Eastward of the Metropolis, by a Company to be called "The London Cemetery Company:" 6 & 7 W. 4. c. cxxxvi.

An Act for establishing a Cemetery for the Interment of the Dead Westward of the Metropolis, by a Company to be called "The West of London and Westminster Cemetery Company:" And 1 Vict. c. cxxx.

An Act to establish a General Cemetery for the Interment of the Dead in the Parishes of Saint Dunstan Stepney and Saint Leonard Bromley in the County of Middlesex. 4 & 5 Vict. c. lxiii.

The Victoria Park Cemetery in the Parish of Saint Matthew Bethnal Green in the County of Middlesex: And

The Abney Park Cemetery in the Parish of Saint Mary Stoke Newington in the County of Middlesex.

CAP. LXXXVI.

An Act to amend the Practice and Course of Proceeding in the High Court of Chancery. [1st *July* 1852.]

'WHEREAS it is expedient to amend the Practice and Course of Proceeding in the 'High Court of Chancery:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Time herein-after appointed for the Commencement of this Act, the Practice of engrossing on Parchment Bills of Complaint or Claims to be filed in the said Court, and of filing such Engrossment, shall be discontinued; and the Clerks of Records and Writs of the said Court shall receive and file a printed Bill of Complaint or Claim, in lieu of an Engrossment thereof, in like Manner as they now receive and file such Engrossment. Bills engrossed on Parchment discontinued, and a printed Bill to be filed instead.

II. The Writ of Subpœna to appear to and answer a Bill of Complaint in the said Court, and the Writ of Summons upon a Claim, shall respectively be abolished. Writs of Subpœna and Summons abolished.

III. In lieu of serving the Defendant to a Bill of Complaint in the said Court with a Writ of Subpœna to appear to and answer the same, and in lieu of serving the Defendant to a Claim in the said Court with a Writ of Summons upon such Claim, in the Mode and according to the Practice now adopted in the said Court with reference to such Writs respectively, the Defendant shall be served with a printed Bill of Complaint or Claim, with an Endorsement thereon, in the Form or to the Effect set out in the Schedule to this Act, with such Variations as Circumstances may require, such printed Bill of Complaint or Claim so to be served being previously stamped with a proper Stamp by One of the Clerks of Records and Writs, indicating the filing of such Bill of Complaint or Claim, and the Date of the filing thereof. Defendants to be served with a printed Bill in lieu of the Writs of Subpœna and Summons.

IV. The filing of a printed Bill of Complaint or Claim in the said Court shall have the same Effect as the filing of a Bill of Complaint or Claim in the same Court, and the issuing of a Subpœna or Writ of Summons thereon respectively, now have, and the Service upon the Defendant of a printed Bill of Complaint or of a Claim so filed, with such Endorsement thereon, The filing and Service of a printed Bill or Claim to have the same Effect

as the filing and issuing of Writs of Subpœna and Summons.

thereon, so stamped as aforesaid, shall have the same Effect as the Service on him of a Writ of Subpœna or Writ of Summons respectively now has, and shall entitle the Plaintiff in such Suit to such Remedies for Default of Appearance and otherwise as he is now entitled to in case of due and proper Service of a Subpœna to appear to and answer a Bill of Complaint or of a Writ of Summons upon a Claim.

As to Service of printed Bill.

V. The Service upon any Defendant of a printed Copy of a Bill of Complaint or of a Claim in the said Court shall be effected in the same Manner as Service of a Writ of Subpœna to appear to and answer a Bill of Complaint is now effected, save only that it shall not be necessary to produce the original Bill or Claim, which will be on the Files of the Court; provided that the Court shall be at liberty to direct substituted Service of such printed Bill or Claim, in such Manner and in such Cases as it shall think fit.

Written Copies of Bills may be served in certain Cases, upon Plaintiff undertaking to file a printed Copy in 14 Days.

VI. Notwithstanding the Provisions herein-before contained, the Clerks of Records and Writs of the said Court may receive and file a written Copy of any Bill of Complaint praying a Writ of Injunction or a Writ of Ne exeat regno, or filed for the Purpose either solely or among other things of making an Infant a Ward of the said Court, upon the personal Undertaking of the Plaintiff or his Solicitor to file a printed Copy of such Bill within Fourteen Days, and every Bill of Complaint so filed shall be deemed and taken to have been filed at the Time of filing the written Copy thereof; and a written Copy of any such Bill of Complaint, stamped as aforesaid, and with such Endorsement thereon as aforesaid, may be served on any Defendant thereto, and such Service shall have the same Effect as the Service of a printed Copy.

Plaintiff to deliver printed Copies of Bill or Claim at Rate prescribed by Lord Chancellor.

VII. The Plaintiff in any Suit to be commenced in the said Court after the Time herein-after appointed for the Commencement of this Act shall be bound to deliver to the Defendant or his Solicitor, upon Application for the same, such a Number of printed Copies of his Bill of Complaint or Claim as he shall have Occasion for, upon being paid for the same at such Rate as shall be prescribed by any General Order of the Lord Chancellor in that Behalf.

Provisions as to filing, &c. Prints of original Bill extended to Amendments. In certain Cases a printed Bill may be wholly or partially amended.

VIII. Upon the Amendment of any Bill of Complaint or Claim to be filed in the said Court after the Time herein-after appointed for the Commencement of this Act, the Provisions herein-before contained with respect to filing and serving and delivering printed Copies thereof shall, so far as may be, extend and be applicable to the Bill or Claim as amended: Provided that where, according to the present Practice of the said Court, an Amendment of a Bill or Claim may be made without a new Engrossment thereof, or under such other Circumstances as shall be prescribed by any General Order of the Lord Chancellor in that Behalf, a Bill or Claim may be wholly or partially amended by written Alterations in the printed Bill of Complaint or Claim so to be filed as aforesaid.

Power to Lord Chancellor to revive present Practice as to filing of Bills, &c.

IX. It shall be lawful for the Lord Chancellor from Time to Time to make any Order or Orders directing that the Provisions herein-before contained as to printing or otherwise shall be discontinued or suspended until further Order, and to direct that all or any of the present Practice as to the filing of Bills and Claims, and the issuing and Service of Subpœnas and Writs of Summons, may be revived and come into operation as if this Act had not passed.

Bills of Complaint to contain concise Narratives of material Facts, &c., divided into numbered Paragraphs, but not to contain Interrogatories.

X. Every Bill of Complaint to be filed in the said Court after the Time herein-after appointed for the Commencement of this Act shall contain as concisely as may be a Narrative of the material Facts, Matters, and Circumstances on which the Plaintiff relies, such Narrative being divided into Paragraphs numbered consecutively, and each Paragraph containing, as nearly as may be, a separate and distinct Statement or Allegation, and shall pray specifically for the Relief which the Plaintiff may conceive himself entitled to, and also for general Relief; but such Bill of Complaint shall not contain any Interrogatories for the Examination of the Defendant.

Next Friend of any Infant, &c. to sign a written Authority.

XI. Before the Name of any Person shall be used in any Suit to be instituted in the said Court as Next Friend of any Infant, married Woman, or other Party, or as Relator in any Information, such Person shall sign a written Authority to the Solicitor for that Purpose, and such Authority shall be filed with the Bill, Information, or Claim.

XII. Within

Interrogatories to be filed in Record Office by Plaintiff within Time prescribed.

XII. Within a Time to be limited by a General Order of the Lord Chancellor in that Behalf, the Plaintiff in any Suit in the said Court commenced by Bill may, if he requires an Answer from any Defendant thereto, file in the Record Office of the said Court Interrogatories for the Examination of the Defendant or Defendants, or such of them from whom he shall require an Answer, and deliver to the Defendant or Defendants so required to answer, or to his or their Solicitor, a Copy of such Interrogatories, or of such of them as shall be applicable to the particular Defendant or Defendants; and no Defendant shall be called upon or required to put in any Answer to a Bill unless Interrogatories shall have been so filed, and a Copy thereof delivered to him or his Solicitor, within the Time so to be limited, or within such further Time as the Court shall think fit to direct.

Defendants may answer without Leave within the Time now allowed, though not required so to do by Plaintiff; but after that Time Defendant must have Leave.

XIII. Whether the Plaintiff in any Suit in the said Court commenced by Bill does or does not require any Answer from the Defendant or any One or more of the Defendants to the Bill, such Defendant or Defendants may, without any Leave of the Court, put in a Plea, Answer, or Demurrer to the Plaintiff's Bill within the Time now allowed to the Defendant for demurring alone to a Bill, or within such other Time as shall be fixed by any General Order of the Lord Chancellor in that Behalf; but after that Time a Defendant or Defendants not required to answer the Plaintiff's Bill shall not be at liberty to put in a Plea, Answer, or Demurrer to the Bill, without Leave of the Court; provided that the Power of the Court to grant further Time for pleading, answering, or demurring to any Bill, upon the Application of any Defendant or Defendants thereto, whether required to answer the Bill or not, shall remain in full Force, and shall not be in anywise prejudiced or affected; provided also, that if the Court shall grant any further Time to any Defendant for pleading, answering, or demurring to the Bill, the Plaintiff's Right to move for a Decree under the Provisions herein-after contained shall in the meantime be suspended.

Defendant's Answer may contain Answer to Interrogatories, and Statements material to his his Case.

XIV. The Answer of the Defendant to any Bill of Complaint in the said Court may contain, not only the Answer of the Defendant to the Interrogatories so filed as aforesaid, but such Statements material to the Case as the Defendant may think it necessary or advisable to set forth therein, and such Answer shall also be divided into Paragraphs numbered consecutively, each Paragraph containing as nearly as may be a separate and distinct Statement or Allegation.

Plaintiff may, on Expiry of Time for answering, but before Replication, move for a Decree or Decretal Order. Affidavits may be filed.

XV. The Plaintiff in any Suit commenced by Bill shall be at liberty, at any Time after the Time allowed to the Defendant for answering the same shall have expired (but before Replication), to move the Court, upon such Notice as shall in that Behalf be prescribed by any General Order of the Lord Chancellor, for such Decree or Decretal Order as he may think himself entitled to; and the Plaintiff and Defendant respectively shall be at liberty to file Affidavits in support of and in opposition to the Motion so to be made, and to use the same on the Hearing of such Motion; and if such Motion shall be made after an Answer filed in the Cause, the Answer shall, for the Purposes of the Motion, be treated as an Affidavit.

Court may refuse or grant such Motion, or make Order for further Prosecution, &c.

XVI. Upon any such Motion for a Decree or Decretal Order it shall be discretionary with the Court to grant or refuse the Motion, or to make an Order giving such Directions for or with respect to the further Prosecution of the Suit as the Circumstances of the Case may require, and to make such Order as to Costs as it may think right.

Practice of excepting to Bills, Answers, &c. for Impertinence abolished. Proviso as to Costs.

XVII. The Practice of excepting to Bills, Answers, and other Proceedings in the said Court for Impertinence shall be and the same is hereby abolished: Provided always, that it shall be lawful for the Court to direct the Costs occasioned by any impertinent Matter introduced into any Proceeding in the said Court to be paid by the Party introducing the same, upon Application being made to the Court for that Purpose.

Court or Judge may order Defendant to produce Documents, &c. on Oath.

XVIII. It shall be lawful for the Court, upon the Application of the Plaintiff in any Suit in the said Court, whether commenced by Bill or by Claim, and as to a Suit commenced by Bill, whether the Defendant may or may not have been required to answer the Bill, or may or may not have been interrogated as to the Possession of Documents, to make an Order for the Production by any Defendant, upon Oath, of such of the Documents in his Possession or Power relating to Matters in question in the Suit, as the Court shall think right; and

and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

In certain Cases Defendant, after Answer, may file Interrogatories for Examination of Plaintiff.

XIX. It shall be lawful for any Defendant in any Suit, whether commenced by Bill or by Claim, but in Suits commenced by Bill which the Defendant is required to answer, not until after he shall have put in a sufficient Answer to the Bill, and without filing any Cross Bill of Discovery, to file in the Record Office of the said Court Interrogatories for the Examination of the Plaintiff, to which shall be prefixed a concise Statement of the Subjects on which a Discovery is sought, and to deliver a Copy of such Interrogatories to the Plaintiff or his Solicitor; and such Plaintiff shall be bound to answer such Interrogatories, in like Manner as if the same had been contained in a Bill of Discovery filed by the Defendant against him on the Day when such Interrogatories shall have been filed, and as if the Defendant to such Bill of Discovery had on the same Day duly appeared; and the Practice of the Court with reference to excepting to Answers for Insufficiency, or for Scandal, shall extend and be applicable to Answers put in to such Interrogatories; provided that in determining the Materiality or Relevancy of any such Answer, or of any Exception thereto, the Court is to have regard, in Suits commenced by Bill, to the Statements contained in the original Bill, and in the Answer which may have been put in thereto by the Defendant exhibiting such Interrogatories for the Examination of the Plaintiff, and in Suits commenced by Claim, to the Statements therein, and in any Affidavits which may have been filed either in support thereof or in opposition thereto: Provided also, that a Defendant, if he shall think fit so to do, may exhibit a Cross Bill of Discovery against the Plaintiff, instead of filing Interrogatories for his Examination.

Defendant may exhibit a Cross Bill instead of filing Interrogatories.

Upon Application of Defendant after Answer, Plaintiff may be required to produce Documents on Oath.

XX. It shall be lawful for the Court, upon the Application of any Defendant in any Suit, whether commenced by Bill or by Claim, but as to Suits commenced by Bill where the Defendant is required to answer the Plaintiff's Bill, not until after he has put in a full and sufficient Answer to the Bill, unless the Court shall make any Order to the contrary, to make an Order for the Production by the Plaintiff in such Suit, on Oath, of such of the Documents in his Possession or Power relating to the Matters in question in the Suit, as the Court shall think right; and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

Practice of issuing Commissions to take Answers, &c. within the Jurisdiction of the Court abolished.

XXI. The Practice of the said Court, of issuing Commissions to take Pleas, Answers, Disclaimers, and Examinations in Causes and Matters pending in the said Court shall, with respect to Pleas, Answers, Disclaimers, and Examinations taken within the Jurisdiction of the Court, be and the same is hereby abolished; and any such Plea, Answer, Disclaimer, or Examination may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit.

Pleas, Declarations, &c. in Chancery, how to be sworn and taken in Scotland, Ireland, the Channel Islands, &c.

XXII. All Pleas, Answers, Disclaimers, Examinations, Affidavits, Declarations, Affirmations, and Attestations of Honour in Causes or Matters depending in the High Court of Chancery, and also Acknowledgments required for the Purpose of enrolling any Deed in the said Court, shall and may be sworn and taken in *Scotland* or *Ireland*, or the *Channel Islands*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and the Judges and other Officers of the said Court of Chancery shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, Person, Consul, or Vice-Consul attached, appended, or subscribed to any such Pleas, Answers, Disclaimers, Examinations, Affidavits, Affirmations, Attestations of Honour, Declarations, Acknowledgments, or other Documents to be used in the said Court.

Penalty for falsely swearing, &c.

XXIII. All Persons swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer Oaths and take Declarations, Affirmations, or Attestations of Honour shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein as if the

the Matter sworn, declared, affirmed, or attested had been sworn, declared, affirmed, or attested before any Court or Persons now by Law authorized to administer Oaths, and take Declarations, Affirmations, or Attestations upon Honour.

Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.

XXIV. If any Person shall forge the Signature or the Official Seal of any such Judge, Notary Public, or other Person lawfully authorized to administer Oaths under this Act, or shall tender in Evidence any Plea, Answer, Disclaimer, Examination, Affidavit, or other judicial or official Document with a false or counterfeit Signature or Seal of any such Judge, Court, Notary Public, or other Person authorized as aforesaid attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Admission in Evidence of certain official and other Documents.*

Answers, &c. to be filed without Oath of Messenger.

XXV. Pleas, Answers, Disclaimers, or Examinations, whether taken by Commission out of the Jurisdiction of the said Court or otherwise, may be filed without the Oath of a Messenger, and any Alterations made therein previously to the taking thereof shall be authenticated according to the Practice now in use with respect to Affidavits.

Issue may be joined by filing Replication as at present.

XXVI. In Suits in the said Court commenced by Bill, where Notice of Motion for a Decree or Decretal Order shall not have been given, or, having been given, where a Decree or Decretal Order shall not have been made thereon, Issue shall be joined by filing a Replication in the Form or to the Effect of the Replication now in use in the said Court; and where a Defendant shall not have been required to answer and shall not have answered the Plaintiff's Bill, he shall be considered to have traversed the Case made by the Bill.

Defendant not having been required to answer, &c. may move for Dismissal of Bill.

XXVII. Where a Defendant to a Suit in the said Court commenced by Bill shall not have been required to answer the Bill and shall not have answered the same, such Defendant shall be at liberty to move to dismiss the Bill for Want of Prosecution, at such Times, and under such Circumstances, and subject to such Restrictions as shall be in that Behalf prescribed by any General Order of the Lord Chancellor.

Practice of Court as to, and Mode of examining Witnesses, abolished.

Court may order particular Witnesses to be examined upon Interrogatories as now practised.

XXVIII. The Mode of examining Witnesses in Causes in the said Court, and all the Practice of the said Court in relation thereto, so far as such Practice shall be inconsistent with the Mode herein-after prescribed of examining such Witnesses, and the Practice in relation thereto, shall, from and after the Time appointed for the Commencement of this Act be abolished: Provided always, that the Court may, if it shall think fit, order any particular Witness or Witnesses within the Jurisdiction of the said Court, or any Witness or Witnesses out of the Jurisdiction of the said Court, to be examined upon Interrogatories in the Mode now practised in the said Court, and that with respect to such Witness or Witnesses the Practice of the said Court in relation to the Examination of Witnesses shall continue in full Force, save only so far as the same may be varied by any General Order of the Lord Chancellor in that Behalf, or by any Order of the Court with reference to any particular Case.

Plaintiff, where Suits by Bill at issue, may give Notice to Defendant to adduce Evidence orally or by Affidavit.

XXIX. When any Suit commenced by Bill shall be at issue, the Plaintiff shall, within such Time thereafter as shall be prescribed in that Behalf by any General Order of the Lord Chancellor, give Notice to the Defendant that he desires that the Evidence to be adduced in the Cause shall be taken orally or upon Affidavit, as the Case may be; and if the Plaintiff shall desire the Evidence to be adduced upon Affidavit, and the Defendant, or some or One of the Defendants, if more than One, shall not, within such Time as shall be prescribed in that Behalf by any General Order of the Lord Chancellor, give Notice to the Plaintiff or his Solicitor that he or they desire the Evidence to be oral, the Plaintiff and Defendants respectively shall be at liberty to verify their respective Cases by Affidavit.

Evidence may be taken orally if required, but Court may in certain Cases make an Order, &c.

XXX. When any of the Parties to any Suit commenced by Bill desires that the Evidence should be adduced orally, and gives Notice thereof to the opposite Party as herein-before provided, the same shall be taken orally, in the Manner herein-after provided; provided, that if the Evidence be required to be oral merely by a Party without a sufficient

Interest in the Matters in question, the Court may, upon Application in a summary Way, make such Order as shall be just.

Witnesses to be examined by One of the Examiners of the Court in the Presence of the Parties.

XXXI. All Witnesses to be examined orally under the Provisions of this Act shall be so examined by or before One of the Examiners of the Court, or by or before an Examiner to be specially appointed by the Court, the Examiner being furnished by the Plaintiff with a Copy of the Bill, and of the Answer, if any, in the Cause; and such Examination shall take place in the Presence of the Parties, their Counsel, Solicitors, or Agents, and the Witnesses so examined orally shall be subject to Cross-examination and Re-examination; and such Examination, Cross-examination, and Re-examination shall be conducted as nearly as may be in the Mode now in use in Courts of Common Law with respect to a Witness about to go abroad, and not expected to be present at the Trial of a Cause.

Depositions to be taken down in Writing and read over to the Witness, who shall sign the same in Presence of the Parties, but if he refuse to sign, Examiner may, and state any special Matter he may think fit.

XXXII. The Depositions taken upon any such oral Examination as aforesaid shall be taken down in Writing by the Examiner, not ordinarily by Question and Answer, but in the Form of a Narrative, and when completed shall be read over to the Witness, and signed by him in the Presence of the Parties, or such of them as may think fit to attend: Provided always, that in case the Witness shall refuse to sign the said Depositions, then the Examiner shall sign the same, and such Examiner may, upon all Examinations, state any special Matter to the Court as he shall think fit: Provided also, that it shall be in the Discretion of the Examiner to put down any particular Question or Answer, if there should appear any special Reason for doing so; and any Question or Questions which may be objected to shall be noticed or referred to by the Examiner in or upon the Depositions, and he shall state his Opinion thereon to the Counsel, Solicitors, or Parties, and shall refer to such Statement on the Face of the Depositions, but he shall not have Power to decide upon the Materiality or Relevancy of any Question or Questions; and the Court shall have Power to deal with the Costs of immaterial or irrelevant Depositions as may be just.

If Parties refuse to be sworn or to answer any lawful Questions, the same Course to be pursued as is now adopted.

Proviso as to Witness demurring to Questions.

XXXIII. If any Person produced before any such Examiner as a Witness shall refuse to be sworn, or to answer any lawful Question put to him by the Examiner, or by either of the Parties, or by his or their Counsel, Solicitor, or Agent, the same Course shall be adopted with respect to such Witness as is now pursued in the Case of a Witness produced for Examination before an Examiner of the said Court, upon written Interrogatories, and refusing to be sworn, or to answer some lawful Question: Provided always, that if any Witness shall demur or object to any Question or Questions which may be put to him, the Question or Questions so put, and the Demurrer or Objection of the Witness thereto, shall be taken down by the Examiner, and transmitted by him to the Record Office of the said Court, to be there filed; and the Validity of such Demurrer or Objection shall be decided by the Court; and the Costs of and occasioned by such Demurrer or Objection shall be in the Discretion of the Court.

Original Depositions to be transmitted to the Record Office, and filed.

XXXIV. When the Examination of Witnesses before any Examiner shall have been concluded, the original Depositions, authenticated by the Signature of such Examiner, shall be transmitted by him to the Record Office of the said Court, to be there filed, and any Party to the Suit may have a Copy thereof or of any Part or Portion thereof upon Payment for the same in such Manner as shall be provided by any General Order of the Lord Chancellor in that Behalf.

Commission for Examination of Witnesses dispensed with; Examiner to administer Oaths.

XXXV. It shall not be necessary to sue out any Commission for the Examination of any Witnesses within the Jurisdiction of the said Court; and any Examiner appointed by any Order of the Court shall have the like Power of administering Oaths as Commissioners now have under Commissions issued by the Court for the Examination of Witnesses.

Affidavits as to particular Facts, &c. may be used.

XXXVI. Notwithstanding that the Plaintiff or the Defendant in any Suit in the said Court may have elected that the Evidence in the Cause should be taken orally, Affidavits by particular Witnesses, or Affidavits as to particular Facts or Circumstances, may, by Consent, or by Leave of the Court obtained upon Notice, be used on the Hearing of any Cause, and such Consent, with the Approbation of the Court, may be given by or on the Part of married Women or Infants or other Persons under Disability.

XXXVII. Every

XXXVII. Every Affidavit to be used in the said Court shall be divided into Paragraphs, and every Paragraph shall be numbered consecutively, and, as nearly as may be, shall be confined to a distinct Portion of the Subject. Affidavits to be divided into Paragraphs numbered.

XXXVIII. The Evidence on both Sides in any Suit in the said Court, whether taken orally or upon Affidavit, shall be closed within such Time or respective Times after Issue joined as shall in that Behalf be prescribed by any General Order of the Lord Chancellor, but with Power to the Court to enlarge the same as it may see fit; and after the Time fixed for closing the Evidence no further Evidence, whether oral or by Affidavit, shall be receivable, without special Leave of the Court previously obtained for that Purpose: Provided always, that any Witness who has made an Affidavit filed by any Party to a Cause shall be subject to oral Cross-examination within such Time after the Time fixed for closing the Evidence as shall be prescribed in that Behalf by any Order of the Lord Chancellor, by or before an Examiner, in the same Manner as if the Evidence given by him in his Affidavit had been given by him orally before the Examiner, and after such Cross-examination may be re-examined orally by or on the Part of the Party by whom such Affidavit was filed; and such Witness shall be bound to attend before such Examiner to be so cross-examined and re-examined, upon receiving due and proper Notice, and Payment of his reasonable Expenses, in like Manner as if he had been duly served with a Writ of Subpœna ad testificandum before such Examiner; and the Expenses attending such Cross-examination and Re-examination shall be paid by the Parties respectively, in like Manner as if the Witness so to be cross-examined were the Witness of the Party cross-examining, and shall be deemed Costs in the Cause of such Parties respectively, unless the Court shall think fit otherwise to direct.

Evidence oral or by Affidavit, on both Sides, to be closed as prescribed by General Order.

Witnesses by Affidavit may be orally cross-examined, and afterwards re-examined.

Witnesses bound to attend.

As to Expenses attending Cross-examinations, &c.

XXXIX. Upon the Hearing of any Cause depending in the said Court, whether commenced by Bill or by Claim, the Court, if it shall see fit so to do, may require the Production and oral Examination before itself of any Witness or Party in the Cause, and may direct the Costs of and attending the Production and Examination of such Witness or Party, to be paid by such of the Parties to the Suit or in such Manner as it may think fit.

Court may require oral Examination before itself of Witness, &c., and determine as to Costs.

XL. Any Party in any Cause or Matter depending in the said Court may, by a Writ of Subpœna ad testificandum or Duces tecum, require the Attendance of any Witness before an Examiner of the said Court, or before an Examiner specially appointed for the Purpose, and examine such Witness orally, for the Purpose of using his Evidence upon any Claim, Motion, Petition, or other Proceeding before the Court, in like Manner as such Witness would be bound to attend and be examined with a view to the Hearing of a Cause; and any Party having made an Affidavit to be used or which shall be used on any Claim, Motion, Petition, or other Proceeding before the Court shall be bound on being served with such Writ to attend before an Examiner, for the Purpose of being cross-examined: Provided always, that the Court shall always have a discretionary Power of acting upon such Evidence as may be before it at the Time, and of making such interim Orders, or otherwise, as may appear necessary to meet the Justice of the Case.

Any Party in a Cause may by Subpœna require Attendance of any Witness before an Examiner.

XLI. In Cases where it shall be necessary for any Party to any Cause depending in the said Court to go into Evidence subsequently to the Hearing of such Cause, such Evidence shall be taken as nearly as may be in the Manner herein-before provided with reference to the taking of Evidence with a view to such Hearing.

How any subsequent Evidence is to be taken

XLII. It shall not be competent to any Defendant in any Suit in the said Court to take any Objection for Want of Parties to such Suit, in any Case to which the Rules next hereinafter set forth extend; and such Rules shall be deemed and taken as Part of the Law and Practice of the said Court, and any Law or Practice of the said Court inconsistent therewith shall be and is hereby abrogated and annulled.

Defendant not to take Objection for Want of Parties in any Case to which Rules herein set forth shall extend.

Rule 1. Any Residuary Legatee or Next of Kin may, without serving the remaining Residuary Legatees or Next of Kin, have a Decree for the Administration of the Personal Estate of a deceased Person.

Rule 2. Any Legatee interested in a Legacy charged upon Real Estate, and any Person interested in the Proceeds of Real Estate directed to be sold, may, without serving any other Legatee or Person interested in the Proceeds of the Estate, have a Decree for the Administration of the Estate of a deceased Person.

Rule 3. Any Residuary Devisee or Heir may, without serving any Co-residuary Devisee or Co-heir, have the like Decree.

Rule 4. Any One of several Cestuisque Trust under any Deed or Instrument may, without serving any other of such Cestuisque Trust, have a Decree for the Execution of the Trusts of the Deed or Instrument.

Rule 5. In all Cases of Suits for the Protection of Property pending Litigation, and in all Cases in the Nature of Waste, One Person may sue on behalf of himself and of all Persons having the same Interest.

Rule 6. Any Executor, Administrator, or Trustee may obtain a Decree against any One Legatee, Next of Kin, or Cestuique Trust for the Administration of the Estate, or the Execution of the Trusts.

Rule 7. In all the above Cases the Court, if it shall see fit, may require any other Person or Persons to be made a Party or Parties to the Suit, and may, if it shall see fit, give the Conduct of the Suit to such Person as it may deem proper, and may make such Order in any particular Case as it may deem just for placing the Defendant on the Record on the same Footing in regard to Costs as other Parties having a common Interest with him in the Matters in question.

Rule 8. In all the above Cases the Persons who, according to the present Practice of the Court, would be necessary Parties to the Suit, shall be served with Notice of the Decree, and after such Notice they shall be bound by the Proceedings in the same Manner as if they had been originally made Parties to the Suit, and they may by an Order of Course have Liberty to attend the Proceedings under the Decree; and any Party so served may, within such Time as shall in that Behalf be prescribed by the General Order of the Lord Chancellor, apply to the Court to add to the Decree.

Rule 9. In all Suits concerning Real or Personal Estate which is vested in Trustees under a Will, Settlement, or otherwise, such Trustees shall represent the Persons beneficially interested under the Trust, in the same Manner and to the same Extent as the Executors or Administrators in Suits concerning Personal Estate represent the Persons beneficially interested in such Personal Estate; and in such Cases it shall not be necessary to make the Persons beneficially interested under the Trusts Parties to the Suit; but the Court may, upon Consideration of the Matter, on the Hearing, if it shall so think fit, order such Persons, or any of them, to be made Parties.

Setting down Cause on Objection for Want of Parties abolished.

XLIII. The Practice of the said Court of setting down a Cause merely on an Objection for Want of Parties to the Suit shall be abolished.

Court may proceed in any Suit, &c. without Representative of deceased Person, or may appoint one.

XLIV. If in any Suit or other Proceeding before the Court it shall appear to the Court that any deceased Person who was interested in the Matters in question has no legal personal Representative, it shall be lawful for the Court either to proceed in the Absence of any Person representing the Estate of such deceased Person, or to appoint some Person to represent such Estate for all the Purposes of the Suit or other Proceeding, on such Notice to such Person or Persons, if any, as the Court shall think fit, either specially or generally by public Advertisements; and the Order so made by the said Court, and any Orders consequent thereon, shall bind the Estate of such deceased Person in the same Manner in every respect as if there had been a duly constituted legal personal Representative of such deceased Person, and such legal personal Representative had been a Party to the Suit or Proceeding, and had duly appeared and submitted his Rights and Interests to the Protection of the Court.

Creditor, &c. may summon Executor, &c. to show Cause why an Order for Administra-

XLV. It shall be lawful for any Person claiming to be a Creditor, or a specific pecuniary or residuary Legatee, or the next of Kin, or some or One of the next of Kin, of a deceased Person, to apply for and obtain as of course, without Bill or Claim filed, or any other preliminary Proceedings, a Summons from the Master of the Rolls or any of the Vice Chancellors requiring the Executor or Administrator, as the Case may be, of such deceased Person,

Person, to attend before him at Chambers, for the Purpose of showing Cause why an Order for the Administration of the Personal Estate of the deceased should not be granted; and upon Proof by Affidavit of the due Service of such Summons, or on the Appearance in Person or by his Solicitor or Counsel of such Executor or Administrator, and upon Proof by Affidavit of such other Matters, if any, as such Judge shall require, it shall be lawful for such Judge, if in his Discretion he shall think fit so to do, to make the usual Order for the Administration of the Estate of the Deceased, with such Variations, if any, as the Circumstances of the Case may require; and the Order so made shall have the Force and Effect of a Decree to the like Effect made on the Hearing of a Cause or Claim between the same Parties; provided that such Judge shall have full discretionary Power to grant or refuse such Order, or to give any special Directions touching the Carriage or Execution of such Order, and in the Case of Applications for any such Order by Two or more different Persons or Classes of Persons, to grant the same to such One or more of the Claimants or of the Classes of Claimants as he may think fit; and if the Judge shall think proper, the Carriage of the Order may subsequently be given to such Party interested, and upon such Terms as the Judge may direct.

tion of Personal Estate should not be granted. Power to Judge to order Administration of such Estate.

XLVI. A Duplicate or Copy of such Summons shall, previously to the Service thereof, be filed in the Record Office of the said Court; and no Service thereof upon any Executor or Administrator shall be of any Validity unless the Copy so served shall be stamped with a Stamp of such Office indicating the filing thereof; and the filing of such Summons shall have the same Effect with respect to Lis pendens as the filing of a Bill or Claim.

Copy of Summons to be filed in Record Office of Court.

XLVII. It shall be lawful for any Person claiming to be a Creditor of any deceased Person, or interested under his Will, to apply for and obtain in a summary Way, in the Manner herein-before provided with respect to the Personal Estate of a deceased Person, an Order for the Administration of the Real Estate of a deceased Person where the whole of such Real Estate is by Devise vested in Trustees who are by the Will empowered to sell such Real Estate, and authorized to give Receipts for the Rents and Profits thereof, and for the Produce of the Sale of such Real Estate; and all the Provisions herein-before contained with respect to the Application for such Order in relation to the Personal Estate of a deceased Person, and consequent thereon, shall extend and be applicable to an Application for such Order as last herein-before mentioned with respect to Real Estate.

Creditor, &c. may obtain an Order for Administration of Real Estate.

XLVIII. It shall be lawful for the Court in any Suit for the Foreclosure of the Equity of Redemption in any mortgaged Property, upon the Request of the Mortgagee, or of any subsequent Incumbrancer, or of the Mortgagor, or any Person claiming under them respectively, to direct a Sale of such Property, instead of a Foreclosure of such Equity of Redemption, on such Terms as the Court may think fit to direct, and if the Court shall so think fit, without previously determining the Priorities of Incumbrances, or giving the usual or any Time to redeem; provided that if such Request shall be made by any such subsequent Incumbrancer, or by the Mortgagor, or by any Person claiming under them respectively, the Court shall not direct any such Sale, without the Consent of the Mortgagee or the Persons claiming under him, unless the Party making such Request shall deposit in Court a reasonable Sum of Money, to be fixed by the Court, for the Purpose of securing the Performance of such Terms as the Court may think fit to impose on the Party making such Request.

Court may direct Sale of mortgaged Property instead of a Foreclosure on such Terms as it may think fit.

XLIX. No Suit in the said Court shall be dismissed by reason only of the Misjoinder of Persons as Plaintiffs therein, but wherever it shall appear to the Court that, notwithstanding the Conflict of Interest in the Co-Plaintiffs, or the Want of Interest in some of the Plaintiffs, or the Existence of some Ground of Defence affecting some or One of the Plaintiffs, the Plaintiffs, or some or One of them, are or is entitled to Relief, the Court shall have Power to grant such Relief, and to modify its Decree, according to the special Circumstances of the Case, and for that Purpose to direct such Amendments, if any, as may be necessary, and at the Hearing, before such Amendments are made, to treat any One or more of the Plaintiffs as if he or they was or were a Defendant or Defendants in the Suit, and the remaining or other Plaintiff or Plaintiffs was or were the only Plaintiff or Plaintiffs on the Record; and where there is a Misjoinder of Plaintiffs, and the Plaintiff having an Interest shall have died leaving a Plaintiff on the Record without an Interest, the Court may, at the Hearing of the Cause,

Suit not to be dismissed for Misjoinder of Plaintiffs, but Court may modify its Decree according to special Circumstances.

Cause, order the Cause to stand revived as may appear just, and proceed to a Decision of the Cause, if it shall see fit, and to give such Directions as to Costs or otherwise as may appear just and expedient.

No Suit to be objected to if only declaratory Order sought.

L. No Suit in the said Court shall be open to Objection on the Ground that a merely declaratory Decree or Order is sought thereby, and it shall be lawful for the Court to make binding Declarations of Right without granting consequential Relief.

Court may decide between some of the Parties without making others interested Parties to the Suit.

LI. It shall be lawful for the Court to adjudicate on Questions arising between Parties notwithstanding that they may be some only of the Parties interested in the Property respecting which the Question may have arisen, or that the Property in question is comprised with other Property in the same Settlement, Will, or other Instrument, without making the other Parties interested in the Property respecting which the Question may have arisen, or interested under the same Settlement, Will, or other Instrument, Parties to the Suit, and without requiring the whole Trusts and Purposes of the Settlement, Will, or other Instrument to be executed under the Direction of the Court, and without taking the Accounts of the Trustees or other accounting Parties, or ascertaining the Particulars or Amount of the Property touching which the Question or Questions may have arisen: Provided always, that if the Court shall be of opinion that the Application is fraudulent or collusive, or for some other Reason ought not to be entertained, it shall have Power to refuse to make the Order prayed.

Proviso.

In case of Abatement, &c. of Suit an Order may be made, which shall have same Effect as a Bill of Revivor.

LII. Upon any Suit in the said Court becoming abated by Death, Marriage, or otherwise, or defective by reason of some Change or Transmission of Interest or Liability, it shall not be necessary to exhibit any Bill of Revivor or Supplemental Bill in order to obtain the usual Order to revive such Suit, or the usual or necessary Decree or Order to carry on the Proceedings; but an Order to the Effect of the usual Order to revive or of the usual Supplemental Decree may be obtained as of course upon an Allegation of the Abatement of such Suit, or of the same having become defective, and of the Change or Transmission of Interest or Liability; and an Order so obtained, when served upon the Party or Parties who according to the present Practice of the said Court would be Defendant or Defendants to the Bill of Revivor or Supplemental Bill, shall from the Time of such Service be binding on such Party or Parties in the same Manner in every respect as if such Order had been regularly obtained according to the existing Practice of the said Court; and such Party or Parties shall thenceforth become a Party or Parties to the Suit, and shall be bound to enter an Appearance thereto in the Office of the Clerks of Records and Writs, within such Time and in like Manner as if he or they had been duly served with Process to appear to a Bill of Revivor or Supplemental Bill filed against him; provided that it shall be open to the Party or Parties so served, within such Time after Service as shall be in that Behalf prescribed by any General Order of the Lord Chancellor, to apply to the Court by Motion or Petition to discharge such Order on any Ground which would have been open to him on a Bill of Revivor or Supplemental Bill, stating the previous Proceedings in the Suit and the alleged Change or Transmission of Interest or Liability, and praying the usual Relief consequent thereon: Provided also, that if any Party so served shall be under any Disability other than Coverture, such Order shall be of no Force or Effect as against such Party until a Guardian or Guardians ad litem shall have been duly appointed for such Party, and such Time shall have elapsed thereafter as shall be prescribed by any General Order of the Lord Chancellor in that Behalf.

New Facts, &c. after Commencement of Suit to be introduced as Amendments to Bill, &c.

LIII. It shall not be necessary to exhibit any Supplemental Bill in the said Court for the Purpose only of stating or putting in Issue Facts or Circumstances which may have occurred after the Institution of any Suit; but such Facts or Circumstances may be introduced by way of Amendment into the original Bill of Complaint in the Suit if the Cause is otherwise in such a State as to allow of an Amendment being made in the Bill, and if not, the Plaintiff shall be at liberty to state such Facts or Circumstances on the Record, in such Manner and subject to such Rules and Regulations with respect to the Proof thereof, and the affording the Defendant Leave and Opportunity of answering and meeting the same as shall in that Behalf be prescribed by any General Order of the Lord Chancellor.

LIV. It

Where Account required to be taken, Court may give special Directions as to the Mode of taking same.

LIV. It shall be lawful for the Court, in any Case where any Account is required to be taken, to give such special Directions, if any, as it may think fit with respect to the Mode in which the Account should be taken or vouched, and such special Directions may be given, either by the Decree or Order directing such Account, or by any subsequent Order or Orders, upon its appearing to the Court that the Circumstances of the Case are such as to require such special Directions; and particularly it shall be lawful for the Court, in Cases where it shall think fit so to do, to direct that in taking the Account the Books of Account in which the Accounts required to be taken have been kept, or any of them, shall be taken as *primâ facie* Evidence of the Truth of the Matters therein contained, with liberty to the Parties interested to take such Objections thereto as they may be advised.

Court may order Real Estate to be sold, if required.

LV. If after a Suit shall have been instituted in the said Court in relation to any Real Estate it shall appear to the Court that it will be necessary or expedient that the said Real Estate or any Part thereof should be sold for the Purposes of such Suit, it shall be lawful for the said Court to direct the same to be sold at any Time after the Institution thereof, and such Sale shall be as valid to all Intents and Purposes as if directed to be made by a Decree or Decretal Order on the Hearing of such Cause; and any Party to the Suit in possession of such Estate, or in receipt of the Rents and Profits thereof, shall be compelled to deliver up such Possession or Receipt to the Purchaser or such other Person as the Court shall direct.

Before Sale of Estate Abstract of Title to be laid before some Conveyancing Counsel.

Time for Delivery of Abstract to be specified in Conditions.

LVI. Before any Estate or Interest shall be put up for Sale under a Decree or Order of the Court of Chancery, an Abstract of the Title thereto shall, with the Approbation of the Court, be laid before some Conveyancing Counsel to be approved by the Court, for the Opinion of such Counsel thereon, to the Intent that the said Court may be the better enabled to give such Directions as may be necessary respecting the Conditions of Sale of such Estate or Interest, and other Matters connected with the Sale thereof; and when an Estate or Interest shall be so put up for Sale, a Time for the Delivery of the Abstract of Title thereto to the Purchaser or his Solicitor shall be specified in the said Conditions of Sale.

Where Real or Personal Property is the Subject of Proceedings, Court may allow to Parties Part or the whole of the annual Income.

LVII. Where any Real or Personal Property shall form the Subject of any Proceedings in the Court of Chancery, and the Court shall be satisfied that the same will be more than sufficient to answer all the Claims thereon which ought to be provided for in such Suit, it shall be lawful for the said Court at any Time after the Commencement of such Proceedings to allow to the Parties interested therein, or any One or more of them, the whole or Part of the annual Income of such Real Property, or a Part of such Personal Property, or a Part or the whole of the Income thereof, up to such Time as the said Court shall direct, and for that Purpose to make such Orders as may appear to the said Court necessary or expedient.

Practice as to Injunctions to stay Proceedings and Special Injunctions assimilated.

LVIII. The Practice of the Court of Chancery with respect to Injunctions for the Stay of Proceedings at Law shall, so far as the Nature of the Case will admit, be assimilated to the Practice of such Court with respect to Special Injunctions generally, and such Injunctions may be granted upon interlocutory Applications supported by Affidavit, in like Manner as other Special Injunctions are granted by the said Court.

Answer of Defendant, on Motion for Injunction or Receiver, &c., to be regarded as an Affidavit.

LIX. Upon Application by Motion or Petition to the Court in any Suit depending therein for an Injunction or a Receiver, or to dissolve an Injunction, or discharge an Order appointing a Receiver, the Answer of the Defendant shall, for the Purpose of Evidence on such Motion or Petition, be regarded merely as an Affidavit of the Defendant, and Affidavits may be received and read in Opposition thereto.

If Directions as to Practice, &c. not followed, Court may make Order and award Costs.

LX. In case any of the Directions herein contained with respect to the Practice and Course of Proceeding in the said Court of Chancery shall by Mistake of Parties fail to be followed in any Suit or Proceeding in the said Court, it shall be lawful for the said Court, if it shall think fit, upon Payment of such Costs as such Court shall direct, to make such Order giving effect to and rectifying such Proceedings as may be justified by the Merits of the Case.

LXI. It

Court not to direct Cases to be stated for Opinions of Law Courts, but to decide the same.

LXI. It shall not be lawful for the said Court of Chancery, in any Cause or Matter, to direct a Case to be stated for the Opinion of any Court of Common Law, but the said Court of Chancery shall have full Power to determine any Questions of Law, which in the Judgment of the said Court of Chancery shall be necessary to be decided previously to the Decision of the Equitable Question at issue between the Parties.

Court may determine legal Title without requiring Parties to proceed to Law.

LXII. In Cases where, according to the present Practice of the Court of Chancery, such Court declines to grant equitable Relief until the legal Title or Right of the Party or Parties seeking such Relief shall have been established in a Proceeding at Law, the said Court may itself determine such Title or Right without requiring the Parties to proceed at Law to establish the same.

Lord Chancellor and Judges to make General Rules and Orders for carrying Purposes of this Act into effect.

LXIII. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice Chancellors, or any Three of them, may and they are hereby required from Time to Time to make General Rules and Orders for carrying the Purposes of this Act into effect, and for regulating the Times and Form and Mode of Procedure, and generally the Practice of the said Court, in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to all Officers of the said Court and Solicitors thereof in respect to such Matters, and, so far as may be found expedient, for altering the Course of Proceeding herein-before prescribed in respect to the Matters to which this Act relates, or any of them; and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority; and all such Rules and Orders shall take effect as General Orders of the said Court.

Such General Rules and Orders to be laid before Parliament.

LXIV. All General Rules and Orders of the Lord Chancellor, with such Advice and Assistance as aforesaid, shall immediately after the making and issuing thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, within Five Days after the next Meeting thereof: Provided always, that if either of the Houses of Parliament shall, by any Resolution passed within Thirty-six Days after such Rules or Orders have been laid before such Houses of Parliament, resolve that the whole or any Part of such Rules or Orders ought not to continue in force, in such Case the whole, or such Part thereof as shall be so included in such Resolution, shall, from and after such Resolution, cease to be binding.

Power to Lord Chancellor to increase Salaries of Examiners.

LXV. 'And whereas the present Examiners of the Court have been heretofore appointed 'for the Purpose only of taking the Depositions of Witnesses in private, and upon written 'Interrogatories prepared by Counsel: And whereas the public Examination of Witnesses 'orally, under the Provisions of this Act, will materially alter the Nature of the Duties and 'increase the Responsibility of the said Examiners:' Be it therefore enacted, That it shall be lawful for the Lord Chancellor and he is hereby empowered to order and direct a Sum to be paid to each of the said Examiners, out of the Fund intituled "The Suitors Fee Fund," from and after the First of *November* One thousand eight hundred and fifty-two, such a Sum as shall together with the Sums now payable make up the annual Sum of One thousand five hundred Pounds: Provided always, that if either of the present Examiners should feel himself unable or should decline to continue his Services in the same Office upon the Conditions provided under this Act, it shall be lawful for the Lord Chancellor to order to be paid to such Examiner retiring an Annuity of an Amount not exceeding Three Fourths of the Salary which he has hitherto received.

If Examiner decline to continue, Lord Chancellor may order a certain Annuity to be paid to him.

Construction of Terms.

LXVI. In the Construction of this Act the Words "Bill of Complaint" shall mean also and include Information; the Word "Affidavit" shall mean also and include Affirmation; the Expression "Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners of the Great Seal of the United Kingdom for the Time being; and the Expression "General Order of the Lord Chancellor" shall mean General Order of the Lord Chancellor with such Advice and Assistance as aforesaid.

Commencement of Act.

LXVII. This Act shall commence and take effect from and after the First Day of *November* One thousand eight hundred and fifty-two; provided that it shall be lawful for the

the Lord Chancellor, with such Advice and Assistance as aforesaid, to make and issue any such General Rules or Orders as aforesaid at any Time after the passing of this Act, so as the same be not made to take effect before the Time appointed for the Commencement of this Act.

SCHEDULE.

Form of Indorsement on Bill of Complaint.

VICTORIA R.

To the within-named Defendant *C.D.*, greeting.

WE command you ["and every of you," *where there is more than One Defendant*], that within Eight Days after Service hereof on you, exclusive of the Day of such Service, you cause an Appearance to be entered for you in Our High Court of Chancery to the within Bill of Complaint of the within-named *A.B.*, and that you observe what Our said Court shall direct. Witness Ourself at Westminster, the Day of in the Year of Our Reign.

Note.—If you fail to comply with the above Directions you will be liable to be arrested and imprisoned.

Appearances are to be entered at the Record and Writ Clerks Office, Chancery Lane, London.

Form of Indorsement on Claim.

VICTORIA R.

To the within-named Defendant *C.D.*, greeting.

WE command you ["and every of you," *where there is more than One Defendant*], that within Eight Days after Service hereof on you, exclusive of the Day of such Service, you cause an Appearance to be entered for you in Our High Court of Chancery to the within Claim of the within-named *A.B.*; and further, that on the Fourteenth Day after the Service hereof, or on the Seal or Motion Day then next following, you do personally or by Counsel appear in the Court of Our Lord Chancellor before the Vice Chancellor [*naming him*] [*or*, in the Court of Our Master of the Rolls], at Ten of the Clock in the Forenoon, and then and there show Cause if you can why the said *A.B.* should not have such Relief against you as is within claimed, or why such Order as shall be just with reference to the Claim should not be made. Witness Ourself at Westminster the Day of in the Year of Our Reign.

Note.—Appearances are to be entered at the Record and Writ Clerks Office, Chancery Lane, London; and if you neglect to enter your Appearance, and either personally or by your Counsel to appear in the High Court of Chancery at the Place and on the Day and Hour above mentioned, you will be subject to such Order as the Court may think fit to make against you in your Absence for Payment or Satisfaction of the said Claim, or as the Nature and Circumstances of the Case may require.

CAP. LXXXVII.

An Act for the Relief of the Suitors of the High Court of Chancery.

[1st *July* 1852.]

'WHEREAS several of the Officers of the Court of Chancery have from Time to Time 'received and do now receive for their own Use various Fees and Emoluments for 'Business done and transacted by them in or by virtue of their respective Offices: And