

1250. (439) Rule 439 is hereby repealed and the following substituted:

439. A party to an action or issue, whether plaintiff or defendant, may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest, and may be compelled to attend and testify in the same manner and upon the same terms and subject to the same rules of examination as a witness, except as hereinafter provided.

439 (a) In the case of a corporation any officer or servant of such corporation may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest to the corporation, and may be compelled to attend and testify in the same manner and upon the same terms and subject to the same rules of examination as a witness except as hereinafter provided; but such examination shall not be used as evidence at the trial.

(2) After the examination of an officer or servant of a corporation a party shall not be at liberty to examine any other officer or servant without an order of the Court or a Judge.

439 (b) An examination shall not take place during the long vacation without an order of the Court or a Judge.

1251. (461) Sub-sections 2 and 3 of Rule 461 are hereby repealed.

1252. (881) Rule 881 is hereby repealed and the following substituted:

881. Before the sale of lands under a writ of fieri facias, the sheriff shall publish once, not less than three months and not more than four months preceding the sale, an advertisement of sale in *The Ontario Gazette*, specifying:

- (a) The particular property to be sold;
- (b) The name of the plaintiff and defendant;
- (c) The time and place of the intended sale;
- (d) The name of the debtor whose interest is to be sold;

and he shall in each week, for four weeks next preceding the sale, also publish such advertisement in a public newspaper of the county or district in which the lands lie; and he shall also, for three months preceding the sale, put up and continue a notice of such sale in the office of the Clerk of the Peace, and on the door of the Court House or place in which the General Sessions of the Peace of the county or district is usually holden; but nothing herein contained shall be taken to prevent an adjournment of the sale to a future day.

1253. (1146) Rule 1146 is hereby amended by adding thereto:

(2) Where an order or judgment in any such action or proceeding by any form of words directs that the costs thereof be taxed, it shall be taken to mean the allowance of commission and disbursements, in accordance with sub-s. 1, unless it is otherwise expressly provided by the order or judgment, or unless the Court or a Judge of the High Court otherwise directs.

1254. (406) (2) When money is required to be paid into Court to the credit of the Assurance Fund, established under the Land Titles Act, the direction to receive the money, if the same is payable into a bank in Toronto, shall be obtained from the Master of Titles, and if payable into a bank outside of Toronto the direction shall be obtained from the proper Local Master of Titles.

1255. 818 (a) Upon the filing of the order of His Majesty in his Privy Council, made upon an appeal to His Majesty in Council, with the officer of the High Court, with whom the judgment or order appealed from was entered, he shall thereupon cause the same to be entered in the proper book, and all subsequent proceedings may be taken thereupon as if the decision had been given in the Court below.