

SUPREME COURT OF ONTARIO

RULE PASSED SEPT. 15, 1913

773. It is ordered that the following amendments be made in the Consolidated Rules and Tariff of Costs:—

"The prefatory note to tariff B., p. 208, is amended so as to read as follows: 'payable in stamps, except where the officer is not paid by salary, or has not commuted his fees, or unless otherwise expressly provided,' and by adding thereto the following items: 'on renewal of writs, one dollar,' and 'to special examiners, marking exhibits, twenty cents:' these amendments to be retroactive and to be deemed to have been in force since the 1st of September instant;

"And that the form for the endorsement of specially endorsed writs (No. 5) be amended by adding thereto, following the specific claim, the words 'and the plaintiff further claims \$ for costs;' and that to the form for the statement of claim (No. 10) be added the following note 'the date of the writ should be given at the head of the statement of claim, thus, Writ issued

, 19 .'

"And that form No. 60 be amended by striking out the figures 285 to 295 where they occur on page 175, and substituting the figures 280 to 290;

(2) "That Rules 609 and 615, subsection 2, be amended by inserting in each rule after the word 'infant' the words 'or lunatic who has no committee except the Inspector of Prisons and Public Charities,' and by adding to each of the said rules the words 'notice of such application shall, unless otherwise ordered, also be given to such lunatic.'

RULES PASSED DEC. 1, 1913

That Rule 494 be amended by inserting in the fourth line, in lieu of the words "a copy" the words "five copies," and in the fifth line, after the word "thereof," the words "and of the reasons therefor, unless reported."

In Rule 477, line 5, substitute the word "directions" for "tions."

In form 3, the last line but one, substitute "defence" for "offence."

In the County Court Tariff, page 207, amend item 20 by striking out the word "senior."

In the County Court Tariff, page 207, amend item 18 by adding after the word "Judge" the words and figures "not exceeding \$15.00."

In the Tariff of Disbursements (page 210) after the items relating to Commissioners add the words 'upon every commission appointing a commissioner to take affidavits, etc., \$5.00.'

In Rule 677 add clause 677 (1) as follows:—

"Where the amount realized is small the taxing officer may fix a lesser sum than would be allowed upon taxation."

In Rule 760 insert after the word "assigned" in the second line the words "or of the office being vacant."

In the Tariff of Fees, add a note following item 25, p. 205. "The Judge or officer hearing any motion may allow a smaller fee than above provided."

AMENDMENTS OF RULES PASSED DEC. 24, 1913

56. (6) An affidavit shall not be necessary where an appearance is entered by the Official Guardian for an infant or lunatic.

66. (2) On the signing of default judgment the officer signing judgment may fix and ascertain costs without taxation.

112. (3) Where a defendant who has appeared to a writ which is specially indorsed and filed the affidavit required by Rule 56 does not file a statement of defence within the time limited, his affidavit shall stand as his defence and notice of trial may be at once served.

The tariff of disbursements is amended as follows: On page 210, item, "fees to witnesses residing over three miles from the Court House," strike out figures "1.25" and insert "per diem 1.50."

Amend items relating to fees payable to professional witnesses by striking out the figure "4" where it appears, and insert after the words "per diem" in each item, the words and figures "Unless otherwise provided by Statute, \$5.00."

Add to the item relating to witnesses the words: "A reasonable sum may be allowed for the preparation of any plan, model, or photograph, when necessary for the due understanding of the evidence."