

AMENDMENTS TO ADMINISTRATION OF JUSTICE ACT.

8. In case it shall at any time appear to the Court or Judge that it will be conducive to the ends of justice that a suit or action depending on the Superior Courts of Law or Equity, or certain issues therein, should be tried and determined before a Judge sitting in open Court under section nineteen of the Administration of Justice Act, 1874, the said Court or Judge may direct such suit or action or issues where the venue is laid in the County of York or City of Toronto, to be set down or entered for trial, and notice of hearing or trial to be served upon all proper parties; and thereupon such suit or action, or the issues therein, shall be tried and witnesses examined before such Judge without a jury, and such Judge shall possess in respect of such trial all the powers, authority and jurisdiction of a Court of Assize and of a Judge presiding thereat; and such decree or judgment shall be pronounced or verdict entered as shall be just; and such further or other proceedings shall thereafter be taken thereon, as if such suit or action had been tried or heard at a Court of Assize or sittings of the Court of Chancery.

9. The Court of Chancery, during each rehearing term or at any sitting of the full Court, shall have and possess all the powers and jurisdiction of the Superior Courts of Common Law to hear and dispose of applications for rules for new trials in cases depending in the said Superior Courts of Common Law; and all such proceedings in relation thereto shall be entitled in the Court in which the action is depending, and in the said Court of Chancery, and the Judges and officers of such Court shall have the same powers and perform the same duties in relation thereto until rules as hereinafter provided are promulgated; and the practice and rules of the said Superior Courts of Common Law shall, as nearly as may be, apply to such applications as if the said Court of Chancery was the Court of Common Law in which such suit or action had been commenced: But the said Court of Chancery shall have power to make rules regulating the practice of such Court in respect of such applications.

10. It shall be lawful for the Chancellor, and the Chief Justices of each of the Superior Courts of Common Law, or in case of their absence or inability to act, then of the senior Vice-Chancellor, or senior Puisne Judge of each Superior Court of Law, or a majority of them, as the case may be, in case of pressure of business in Courts of Queen's Bench, Chancery or Common Pleas, and to transfer causes or motions for rules for new trials standing on the new trial list of any one of the said Courts, to another of

the said Courts, to be heard and disposed of by such Court; and such causes or motions or rules for new trials shall be heard and disposed of by the Court to which the transfer is made, and such Court, and the Judges and officers thereof, shall have the same powers and jurisdiction, and shall perform the same duties in respect of such causes or motions or rules for new trials, as the Court from which such transfer has been made.

11. No term of the Superior Courts of Law, shall end on the day fixed by law, nor until all the rules nisi for new trials granted during the first week of such term are disposed of by argument or otherwise, unless the Judges of the Superior Courts, or a majority of them, otherwise determine not later than the second Monday in such term.

12. Trinity Term shall commence on the last Monday in August, and the Courts of Queen's Bench and Common Pleas shall dispose of all business, whether enlarged from previous terms or not, which may be brought before them; but the said Courts may, by general rules, from time to time determine the business to be done in the said Courts during such term.

13. So much of section 17 of the Administration of Justice Act, 1874, as provides that there shall be no appeal to the Court of Error and Appeal from the judgment, decree, rule or order of a single Judge, until after a rehearing before the full Court is hereby repealed, and it shall not hereafter be necessary to rehear any cause or matter in law or equity, or any judgment, decree, rule or order of a single Judge, prior to an appeal to the Court of Error and Appeal, but nothing herein shall be construed to repeal section twenty of the said Act.

14. Where, in any suit or other proceeding, it is made to appear that a deceased person who was interested in the matters in question has no legal personal representative, the Court or a Judge may either proceed in the absence of any person representing the estate of the deceased person, or may 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 may think fit, either specially or by public advertisement, and notwithstanding that the estate in question may have a substantial interest in the matters, or that there may be active duties to perform by the person so appointed, or that he may represent interests adverse to the plaintiff, or that there may be embraced in the matter an administration of the estate where representation is sought; and the order so made, and