

nevertheless may act upon the evidence before it at the time, and may make such order as appears necessary to meet the justice of the case."

1346. RULE 601 is amended by adding thereto the following clause :

"(a) Provided that the Commissioner or Commissioners, if the examining party desires to have such examination taken in shorthand, may take the same in shorthand or employ a shorthand writer, approved by him or them and duly sworn, in which case the examination may be taken down by question and answer; and it shall not be necessary for the depositions to be read over or signed by the person examined unless any of the parties so desire; and a copy of the depositions so taken, certified by the Commissioner or Commissioners, or in case the same shall have been taken in shorthand by some person employed for the purpose as aforesaid, certified by such shorthand writer as correct and signed by the Commissioner or Commissioners, shall, for all purposes, have the same effect as the original depositions in all cases."

(b) Form No. 118 is amended by inserting after clause six the following words :

"But where the examination is taken in shorthand it is not necessary for the depositions to be read over or signed by the witness or witnesses, *unless any of the parties so desire*; but in such case a copy of the depositions in long hand certified by the shorthand writer as correct is to be attached to the Commission and signed by the Commissioner or Commissioners who shall have taken the depositions."

1347. RULE 611 is amended by inserting after the words "Court or a Judge," the words "or officer before whom the affidavit is to be used."

1348. RULE 647 is rescinded and the following substituted therefor :

"647. If the pleadings are closed six weeks before the commencement of any sittings of the High Court for which the plaintiff might give notice of trial, and he does not give notice of trial therefor and proceed to trial pursuant to such notice, the action may be dismissed for want of prosecution."

1349. RULE 718 is rescinded and the following substituted therefor :

"718. Where the defendant does not appear, or by his statement of defence admits the execution of the mortgage and other facts, if any, entitling the plaintiff to a judgment, or where the defendant disclaims any interest in the mortgaged premises, or where no statement of defence is delivered, or where notice is filed and served disputing the amount of the plaintiff's claim only, the plaintiff is, on *præcipe* to the Registrar, or Deputy or Local Registrar, or Deputy Clerk of the Crown in whose office the appearance of the defendant was required to be entered, to be entitled to judgment including, where prayed for, the relief for which a claim may be indorsed upon the writ under Rule 248."

(a) The reference in such cases, when required by the practice, shall be to the Master-in-Ordinary or a Local Master.

(b) Such a judgment may be granted, notwithstanding that the defendant has been served by publication, or otherwise, or is a corporation, provided always that where the writ has not been personally served, the claim of the plaintiff shall be duly verified by affidavit.

(c) This rule shall apply to actions for redemption, as well as to actions for foreclosure or sale.