

(b) Appeals under sub-clauses (e) and (f) of section 76 (1) of the Judicature Act, as amended by the aforesaid Act.

802 (2). In cases of appeal under sub-clause (c) of the aforesaid section 50 (2) only so much of the evidence and exhibits shall be printed as pertain to the questions involved in the appeal; and in the event of difference between the parties as to what the book should contain the same shall be settled by the trial Judges, or one of them, on application, of which 2 clear days' notice shall be given to the opposite party.

803. The Court of Appeal or a Judge thereof may order the appeal book in any of the cases specified in Rule 802 (1) or any of the documents, proceedings or other papers therein to be printed; and may under special circumstances dispense with printing in a case in which printing would otherwise be necessary.

1266. 940 (a) The Judge may also exercise the powers conferred upon the Court by Rules 200 and 201.

1267. Rule 1136 (1) is hereby repealed and the following substituted therefor:—

1136. (1) The costs of every interlocutory *viva voce* examination and cross-examination shall be borne by the party who examines, unless, as to the whole or part thereof, it be otherwise directed, in actions in the High Court by the Senior Taxing Officer on his appointment served, and in actions in a County Court by a Judge thereof. In actions in the High Court, if more than \$25.00 is claimed, besides the disbursements, in procuring the attendance of the person examined, the sum to be allowed for the examination or cross-examination shall be fixed by the Senior Taxing Officer on such appointment.

Any increase of costs occasioned by proceeding, without good reason, otherwise than as provided by Rule 447 (1) shall not be allowed.

PASSED DECEMBER 24, 1904.

1268. Ordered that Rule 881 as enacted by Rule 1252 be repealed and the following substituted therefor:—

881. Before the sale of lands under a writ of *fiery 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;