

the margin thereof with the name of the Master responsible for such Order.

#### Order LVI.

##### References in Admiralty Actions.

9.—(1) This Order shall apply to references by the Court or a Judge or by Agreement of Reference to the Admiralty Registrar, whether the reference be to the Registrar alone or to the Registrar assisted by one or more merchants or other assessor.

(2) Within 21 days from the day when the order for the reference is made, or an agreement for a reference is filed, the claimant shall file the claim and vouchers, and affidavits, if any, and, except in a limitation action, serve copies thereof on the opposite party; failing which the Court may, on the application of any other party, dismiss the claim.

(3) The claimant shall, except in a limitation action, after the filing of the claim and vouchers, obtain a day for the reference either by summons or by agreement, and when such day has been obtained he shall lodge in the Registry a notice praying to have the reference placed in the list for hearing with the stamps for the reference affixed thereto.

(4) In a limitation action the day for the reference will, after the expiration of the time limited by the Court for the filing of claims, be appointed by the Registrar; and upon receiving notice thereof, the plaintiff shall place the reference in the list for hearing by lodging a notice as mentioned in Rule 3.

(5) At the time appointed for the reference, if the counsel or solicitor for any party be present, the reference may be proceeded with, but the Registrar may adjourn the reference from time to time, as he may deem proper.

(6) Evidence may be given *vivâ voce* or by affidavit, or in such other manner as may be agreed upon, and the evidence may, on the application of either party, but at the expense in the first instance of the party on whose behalf the application is made, be taken down by a shorthand writer appointed by the Court, and in such case a transcript of the shorthand writer's notes, certified by him to be correct, shall be admitted to prove the oral evidence of the witnesses on an objection to the Registrar's Report.

(7) Counsel may attend the hearing of a Reference, but the expenses attending the employment of Counsel shall not be allowed on taxation, unless the Taxing Officer shall be of opinion that the attendance of Counsel was necessary.

(8) The Registrar shall in his report make such order as he shall think fit, as to the costs of the Reference.

(9) The claimant, or in a limitation action the plaintiff, who has received notice from the Registry that the report is ready, shall, within six days from the time when he has received such notice, file the report and serve a notice of such filing on the opposite party, or in a limitation action on the claimants.

(10) If the claimant shall not take the steps prescribed in Rule 9, the opposite party may take up and file the report, and apply for its confirmation, or may apply to the Court to have the claim dismissed with costs. In a limitation action, if the plaintiff shall not take the steps prescribed in Rule 9, a claimant may take up and file the report and apply for its confirmation.

(11) A party who intends to object to the Registrar's report shall, within 14 days from

the notice of the filing of the report, file in the Registry a notice that he objects to the report, and a copy thereof shall be served on the opposite party.

(12) An objection to a report shall be brought before the Court either by motion, or on petition in objection to the report, and an answer thereto. A notice of motion in objection to a report shall be filed within ten days from the filing of the notice of objection, and a petition shall be filed within the same time, and served on the opposite party, and the answer thereto shall be filed within ten days from the service of the petition, and a copy served on the opposite party.

(13) All the Rules respecting the pleadings and proofs in an action, and the printing thereof, shall, so far as they are applicable, apply to the pleadings, proofs, and printing in an objection to a report of the Registrar.

(14) This Order shall apply to References in District Registries, as well as to References in the Principal Registry.

#### Order LXII, Rule 5.

10. Order LXII, r. 5, shall be read as if the word "three" were substituted for the word "seven" therein.

#### Order LXII, Rule 14a.

11. Every judgment or order shall unless otherwise ordered be drawn up and entered within 14 days from the date thereof, and if any judgment or order shall not have been drawn up and entered within the time aforesaid the Registrar responsible for the drawing up of such order shall report to the Judge in writing as to the reason why the provisions of this rule have not been complied with and whether in his opinion any and which of the parties or their Solicitors are responsible for the delay, and thereupon the Judge may direct such parties or Solicitors to attend before him and may unless a satisfactory explanation be forthcoming make such order as to the payment of all or any part of the costs of drawing up and entering the judgment or order as he shall think fit. He may also direct that as against any party responsible for such delay the time for appealing from such judgment or order shall run as from the date when the same ought to have been drawn up and entered in accordance with this rule.

#### Order LXII, Rule 14b.

12. In all actions or matters tried in the Chancery Division with witnesses the judgment or order shall unless the judge for some special reason otherwise direct be drawn up without entering the evidence.

#### Order LXII, Rule 14c.

13. If any judgment or order as last aforesaid be appealed, it shall be the duty of the appellant within 4 days after service of the notice of appeal to take an appointment before the Registrar for the purpose of settling a schedule of the evidence used at the hearing. In settling such schedule the same procedure shall be followed as hereinbefore provided with regard to the drawing up of orders. If there shall be any dispute between the parties as to what evidence shall be entered as read, the matter shall be adjourned to the judge before whom the action or matter was tried and he shall decide the question in dispute and may give such directions as to the costs of the adjournment as he may think fit. Subject to such direction (if any) the costs of settling the said