

## AMENDMENT OF RULES.

### ORDER.

IT IS ORDERED that paragraph 3 of Rule 48 of the Rules of this Court be amended to read as follows:

“When a public officer is a party to a proceeding here in his official capacity and during its pendency dies, resigns, or otherwise ceases to hold office, the action does not abate and his successor is automatically substituted as a party. Proceedings following the substitution shall be in the name of the substituted party, but any misnomer not affecting the substantial rights of the parties shall be disregarded. An order of substitution may be entered at any time, but the omission to enter such an order shall not affect the substitution.”

IT IS FURTHER ORDERED that a new paragraph 4 be added to Rule 48, reading as follows:

“When a public officer is a party in a proceeding here in his official capacity, he may be described as a party by his official title rather than by name; but the Court may require his name to be added.”

IT IS FURTHER ORDERED that these amendments to Rule 48 shall take effect on July 19, 1961.

JUNE 19, 1961.

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[REPORTER'S NOTE: On April 17, 1961, the Court entered orders amending the Federal Rules of Civil Procedure, certain forms used in connection therewith and the Rules of Practice in Admiralty and Maritime Cases. On May 29, 1961, it entered an order amending the General Orders in Bankruptcy and certain forms used in connection therewith. All of these amendments became effective on July 19, 1961. They will be published in 368 U. S.]

