

ORDER OF COURT.

ORDERED, That the following supplemental rules be added to the rules heretofore adopted by this court, for regulating proceedings in admiralty.

RULE No. 52.

When the defendant, in his answer, alleges new facts, these shall be considered as denied by the libellant, and no replication, general or special, shall be allowed. But within such time after the answer is filed as shall be fixed by the district court, either by general rule or by special order, the libellant may amend his bill, so as to confess and avoid, or explain or add to the new matters set forth in the answer; and within such time as may be fixed in like manner, the defendant shall answer such amendments.

RULE No. 53.

The clerks of the district courts shall make up the records to be transmitted to the circuit courts, on appeals, so that the same shall contain the following:—

1. The style of the court.
2. The names of the parties, setting forth the original parties, and those who have become parties, before the appeal, if any change has taken place.
3. If bail was taken, or property was attached or arrested, the process of arrest or attachment, and the service thereof, all bail and stipulations, and, if any sale has been made, the orders, warrants, and reports relating thereto.
4. The libel, with exhibits annexed thereto.

5. The pleadings of the defendant, with the exhibits annexed thereto.

6. The testimony on the part of the libellant, and exhibits not annexed to the libel.

7. The testimony on the part of the defendant, and any exhibits not annexed to his pleadings.

8. Any order of the court to which exception was made.

9. Any report of an assessor or assessors, if excepted to, with the orders of the court respecting the same, and the exceptions to the report. If the report was not excepted to, only the fact that a reference was made and so much of the report as shows what results were arrived at by the assessor, are to be stated.

10. The final decree.

11. The prayer for an appeal and the action of the district court thereon, and no reasons of appeal shall be filed or inserted in the transcript.

The following shall be omitted.

1. The continuances.

2. All motions, rules, and orders not excepted to, which are merely preparatory for trial.

3. The commissions to take depositions, notices therefor, their captions and certificates of their being sworn to, unless some exception to a deposition in the district court was founded on some one or more of these; in which case so much of either of them as may be set out. In all other cases it shall be sufficient to give the name of the witness, and to copy the interrogatories and answers, and to state the name of the commissioner, and the place where, and the date when, the deposition was sworn to. And in copying all depositions taken on interrogatories, the answer shall be inserted immediately following the question.

The clerk of the district court shall page the copy of the record thus made up, and shall make an index thereto; and he shall certify the entire document, at the end thereof, under the seal of the court, to be a transcript of the record of the district court in the cause named at the beginning of the copy made up, pursuant to this rule; and no other certificate of the record shall be needful or inserted.

It is further ordered, that these rules be published in the next volume of the reports of the decisions of this court, and that the

clerk cause them to be forthwith printed and transmitted to the several district courts.

January 22, 1856.

AMENDMENT OF THE 67TH CHANCERY RULE.

Ordered, that the sixty-seventh rule, governing equity practice, be so amended as to allow the presiding judge of any court exercising jurisdiction, either in term-time or vacation, to vest in the clerk of said court general power to name commissioners to take testimony in like manner that the court or judge thereof can now do by the said sixty-seventh rule.

APPOINTMENT OF CRIER.

It is now here ordered by the court, that George W. Phillips, Esq., of the city of Washington, and District of Columbia, be, and he is hereby appointed the crier of this court, with all the rights, privileges, and emoluments thereunto by law belonging.