

Court to require notice of such application to be given to such person, if any, as the Court shall think fit.

VI. In any case in which any such order as aforesaid shall have been made by the said Court in the matter of any infant, without notice to the guardian of the infant, it shall be lawful for the said Court, if it shall think fit so to do, to discharge such order upon the application of such guardian, by motion or petition, and the said Court, if it shall think fit, may thereupon appoint some other fit person to be the special guardian of such infant, for the purpose of such special case, and may also give such directions as may be necessary for substituting, in such special case, either the name of the guardian so applying or of the special guardian so appointed in lieu of the name of the special guardian so displaced: Provided always that the discharge of any order appointing a special guardian shall not invalidate any thing which shall, in the meantime, have been done by such special guardian, unless the Court shall upon notice to all parties specially so direct.

VII. Every such special case shall be entitled as a cause between some or one of the parties interested, or claiming to be interested, as complainants or plaintiffs, and the others or other of them as defendants or defendant, and that in the title to such cases lunatics and infants shall be described as such, and their committees, guardians, or special guardians named; and that where in any such case a married woman is named as a complainant or plaintiff and her husband as a defendant thereto a next friend of such married woman shall be named in the title to such case.

VIII. Every such special case shall concisely state such facts and documents as may be necessary to enable the Court to decide the question raised thereby, and that upon the hearing of such case the Court and the parties shall be at liberty to refer to the whole contents of such documents; and the Court shall be at liberty to draw from the facts and documents stated in any such special case any inference which the Court might have drawn therefrom if proved in a cause.

IX. Every such special case to which an infant or lunatic is a party, by his guardian or special guardian, shall also state how such

guardian or special guardian was constituted, and that where any married woman, having or claiming any interest distinct from her husband, is a party to such case, it shall be stated therein that she concurs in such case in her own right.

X. Every such special case shall be signed by counsel for all parties, and shall be filed in the same manner as bills are filed; and the defendants may appear thereto in the same manner as defendants appear to bills; and that no defendant shall be required to take an office copy of the special case, but an office copy thereof shall be taken by the plaintiff.

XI. After a special case shall have been filed, and the defendant shall have appeared thereto, all the parties to such special case shall be subject to the jurisdiction of the Court, in the same manner as if the complainant or plaintiff in the special case had filed a bill against the parties named as defendants thereto, and such defendants had appeared to such bill, and upon the special case being filed and appearances entered thereto, as aforesaid; all parties to such special case, other than married women, infants and lunatics, shall for the purposes of such special case be bound by the statements therein, and that married women, infants and lunatics, made parties to a special case, shall be, for the purposes of such special case, bound by the statements therein, when, and not before, leave shall have been given by the Court to set down such special case in manner hereinafter provided

XII. So soon as all the defendants shall have appeared to the special case the same may be subject to the provisions hereinafter contained, and be set down for hearing according to the practice of the said Court.

XIII. When any married woman, infant or lunatic is party to a special case, application may be made to the Court by motion for leave to set down the same, of which motion notice shall be given to every party to such case in whom, as executor, administrator or trustee, any property in question therein is or is alleged to be vested in trust for or for the benefit of such married woman, infant or lunatic; and also if such application be not made by or on behalf of such married woman, infant or lunatic to such married woman and her husband, or to such infant or to such lunatic