

vided that if there shall be no sitting of the Appeal Court within six months from the date of a final judgment, and notice to move the Appeal Court shall have been given within such period, the motion may be dealt with, and leave to appeal granted at the next sitting of the Appeal Court whenever the same may be held.

Execution.

7. An Appeal shall not operate as a stay of execution or of proceedings under the decision appealed from, except so far as the Court below or the Appeal Court may order; and no intermediate act or proceeding shall be invalidated, except so far as the Court below may direct.

Grounds of Appeal to be Filed.

8. The Appellant shall, within seven days after obtaining leave to appeal, file in the Court below the grounds of his appeal, and shall cause a copy of such grounds of appeal to be served on the Respondent.

9. On the Appellant failing to file such grounds of appeal within the prescribed time, unless the time for so doing shall have been extended by the Appeal Court or the Court below, he shall be deemed to have abandoned the Appeal.

Appeal Court may Amend.

10. The Appellant may at any time, by leave of the Appeal Court, amend or add to the grounds of his Appeal.

Record of Appeal.

11. On the expiration of fourteen days after leave to appeal has been given, the Court below shall, without the application of any party, make up the Record of Appeal, which shall consist of the Writ of Summons, the Pleadings (if any), a certified copy of all documents admitted as evidence or tendered as evidence and rejected, and of the Court's Notes of Evidence, and the Grounds of Appeal. The several pieces shall be consecutively numbered and fastened together, and, along with a list thereof, authenticated by the signature of the Judge of the Court below, shall be forthwith forwarded by that Court to the Registrar of the Appeal Court.

Appeal Case.

12. Along with the Record of Appeal the Court below shall transmit to the Appeal Court a case, which may be agreed on between the parties, but shall be settled by the Court. The case shall state the cause of action, the facts found by the Court, and the Court's determination thereon in point of law.

Original Documents.

13. The Court below shall not, except for some special cause, take upon itself the charge of transmission of original letters or documents produced in evidence. They shall be returned to the parties producing them, and they must be prepared to produce the originals, if required by the Appeal Court, before or at the hearing of the Appeal.

Control over Suit while Appeal pending.

14. Notwithstanding that the Record of Appeal has been transmitted to the Appeal

Court, until the Appeal is disposed of, every application in the suit or matter shall be made to the Court below: Provided that after the sitting during which the Appeal is set down for hearing has commenced to be held, then the Appeal Court shall be in possession of the whole suit or matter as between the parties to the Appeal, and every application in the suit or matter shall be made to the Appeal Court and not to the Court below.

Additional Security.

15. The Appeal Court may, where requisite require security for costs or for performance of the Orders to be made on Appeal, in addition to what the Court below has thought fit to direct, and may make any interim order or injunction which the Court below is authorised to make, and which may be necessary.

Notice to Parties in Interlocutory Appeals.

16. If the Appeal is from an interlocutory order, the Court shall not cause notice to be given to the parties of the day when the Appeal will be disposed of, unless under special circumstances it thinks fit to do so; but where a party to the Appeal notifies to the Court below his desire to attend, he shall be at liberty to do so, and to be heard, and shall be entitled to have not less than twenty-one days' notice through the Court below of the date of the Session of the Appeal Court at which the Appeal will be set down for hearing.

Notice in Appeals on Merits.

17. If the Appeal is from a final decision or Order after trial or hearing of any suit or matter, the Registrar of the Appeal Court shall, after receiving the Record of Appeal, give not less than twenty-one days' notice through the Court below to the parties to the Appeal of the date of the commencement of the Session of the Appeal Court at which the Appeal will be set down for hearing.

Appearance of Parties.

18. The Appeal Court may, if it thinks fit, require the parties to an Appeal to appear personally before it on the hearing of the Appeal, or on any occasion pending the Appeal; other-wise personal appearance shall not be obligatory.

Evidence.

19. It is not open as of right to any party to an Appeal to adduce new evidence in support of his original case; but for the furtherance of justice the Appeal Court may, where it thinks fit, allow or require new evidence to be adduced. A party may, by leave of the Court, allege any facts essential to the issue that have come to his knowledge after the decision of the Court below, and adduce evidence in support of such allegations.

No Interlocutory Order to prejudice the Decision on Appeal.

20. No interlocutory order from which there has been no Appeal shall operate so as to bar or prejudice the Appeal Court from giving such decision upon the Appeal as may deem just.