

record, to be founded on Affidavit and two days notice.

in such suit, such special matter, shall previously be authenticated by affidavit duly made before one of the Judges of this Court, and a copy thereof and two days notice of such motion shall be duly served upon the opponent or opponents, if such there be in such suit, of the party making such motion. And no such motion shall be made or received until such affidavit of such special matter and an affidavit of such service of such notice as aforesaid, shall be read and filed.

All facts essential to the support of Motions upon the complaints of diminution, &c. to be authenticated by affidavit, two days notice of such motions, to be given, and no such motions to be received after the filing of the reasons or answers respectively, unless the right to make such motion be therein reserved.

XXIX.—That in like manner when and so often as this Court shall be moved in any suit on the part of the appellant or respondent upon any suggestion or complaint of diminution or of an irregular, imperfect or undue return in any respect, or upon any application to dispense with, change or moderate security, all facts essential to the support of such motions or either of them not appearing upon the record or proceedings filed in such suit shall previously be authenticated by affidavit duly made before one of the Judges of this Court, and a copy thereof, and two days notice of such motion shall be duly served upon the opponent (or opponents, if such there be in such suit) of the party making such motion. And no such motion shall be made or received until such affidavit of such facts (if such there be) and an affidavit of such service of such notice as aforesaid, shall be read and filed. Nor shall any such motion be made and received in any suit (in which the records and proceedings in such suit shall have been transmitted by the Court below,) at any time after the filing of the reasons of Appeal, by such appellant or of the answers to the reasons of Appeal, by such respondent respectively, those cases excepted, in which the right of making such motions upon the face of such reasons, or answers respectively shall be expressly saved and reserved.

Every motion for an

XXX.—That when and so often as this Court shall be moved in any suit for an Appeal from any