

notice may be served by affixing a copy thereof in some conspicuous place in the office of the Registrar of this Court.

41. Service of a notice of motion shall be accompanied with copies of affidavits filed in support of the motion.

42. Upon application supported by affidavit, and after notice to the opposite party, the Court or a Judge thereof may give further reasonable time for filing the printed case, depositing the printed factum or points of either party, and setting down or inscribing the appeal for hearing, as required by the foregoing rules.

43. Motions to be made before the Court are to be set down in a list or paper, and are to be called on each morning of the session before the hearing of appeals is proceeded with.

Appeals to be deemed out of Court for delay.

44. Unless the appeal is brought on for hearing by the appellant within one year next after the security shall have been allowed, it shall be held to have been abandoned without any order to dismiss being required, unless the Court or a Judge thereof shall otherwise order.

45. The foregoing rules shall be applicable to appeals from the Exchequer Court of Canada, except in so far as the Act has otherwise provided.

Criminal Appeals.

46. The foregoing rules shall not, except as hereinbefore provided, apply to criminal appeals, nor to appeals in matters of *habeas corpus*.

47. In the cases mentioned in the next preceding rule, no printed case shall be required, and no factum or points for argument in appeal need be deposited with the Registrar, but such appeals may be heard on a written case, certified under the seal of the Court appealed from, and which case shall contain all judgments and opinions pronounced in the Court below.

48. In criminal appeals, and in appeals in cases of *habeas corpus*, and unless the Court or a Judge shall otherwise order, the case must be filed as follows :—

(1.) In appeals from any of the Provinces other than British Columbia, at least one month before the first day of the session at which it is set down to be heard.

(2.) In appeals from British Columbia, at least two months before the said day.

49. In cases of criminal appeals and appeals in matters of *habeas corpus*, notice of hearing shall be served the respective times hereinafter fixed before the first day of the general or special session at which the same is appointed to be heard, that is to say :—

(1.) In appeals from Ontario and Quebec, two weeks.

(2.) In appeals from Nova Scotia, New Brunswick and Prince Edward Island, three weeks.

(3.) In appeals from Manitoba, one month.

(4.) In appeals from British Columbia, six weeks.

Election Appeals.

50. The foregoing Rules are not to apply to appeals in Controverted Election cases.