

3. Inferior courts neglect to perform their duty, or they commit great irregularities which may not be distinctly recorded, so that such evils may not be brought to notice in the revision of their Records. If the superior Court shall learn by any means that such evils exist, it shall take cognizance thereof, and shall inquire into the matter and take such action thereon as may be necessary.

4. In considering any important delinquency or grossly unconstitutional proceeding, the inferior Court shall be cited to appear at a specified time and place, to show cause for what they have done, or have failed to do; after which, usually, the matter shall be remitted to them with special instructions or orders.

Section II. References.

1. A Reference is a judicial representation made by an inferior Court to a superior, for advice or direction.

2. Cases which are new, important, difficult, or of peculiar delicacy, the decision of which may establish principles or precedents of extensive influence, on which the sentiments of the members are much divided, or on which, for any reason, it is desirable that a larger body should first decide, are proper subjects of reference.

3. A reference may be for advice, merely suspending the decision of the inferior Court until such advice has been obtained; or it may be for the declaration of a general principle, thereby relinquishing the decision to the higher Court.

4. References are to be made to the Court immediately superior, and must be accompanied with all the papers necessary for the proper consideration of the matter referred.

Section III. Appeals.

1. An Appeal is made by a party against whom a judgment has been pronounced, by which he feels himself aggrieved. No appeal is to be allowed as competent except when the judgment appealed against is alleged to be contrary to the word of God or the laws of the Church.

2. Those parties only, who have submitted to a regular trial, are entitled to an appeal.

3. The effect of an appeal is to arrest the execution of the judgment pronounced until the matter shall be reviewed by the higher Court.

4. The grounds of appeal are,—a refusal of reasonable indulgence to a party on trial; refusing to receive important testimony; undue haste in closing a case; manifest prejudice, mistake or injustice.

5. An appeal must be made when the sentence of the Court is intimated to a party, and, if reasons are then given in, they are entered on the Record. The appellant also craves extracts. If reasons are promised, they must be sent to the Clerk within ten days, and they are afterwards read in the Court and kept *in retentis*. Reasons must be respectfully expressed, else the Court will refuse to receive them. The Court, if considering it necessary, answers the reasons.

6. The superior Court, after ascertaining that an appeal has been regularly made, shall have the whole of the judicial record of the inferior Court read. The parties shall then be heard, first the appellant, and then the appellee, after which the Court shall proceed to judgment. When the inferior Court is in the position of appellee, only one member thereof shall be heard.

7. The judgment of the superior Court may be to confirm or reverse, in whole or in part, the judgment of the inferior; to remit the cause

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