

30. So soon as both parties shall have deposited their said factum or points in argument in appeal, each party shall, at the request of the other, deliver to him three copies of his said factum or points.

31. Appeals shall be set down or inscribed for hearing in a book to be kept for that purpose by the Registrar at least one month before the first day of the session of the Court fixed for the hearing of the appeal.

### *Hearing.*

32. No more than two counsel on each side be heard on any appeal, and but one counsel shall be heard in reply.

33. The Court may in its discretion postpone the hearing until any future day during the same session, or at any following session.

34. Appeals shall be heard in the order in which they have been set down, and if either party neglect to appear at the proper day to support or resist the appeal, the Court may hear the other party, and may give judgment without the intervention of the party so neglecting to appear, or may postpone the hearing upon such terms as to payment of costs or otherwise as the Court shall direct.

35. All orders of this Court in cases of appeal shall bear date on the day of the judgment or decision being pronounced, and shall be signed by the Registrar.

### *Adding parties to the appeal.*

36. In any case not already provided for by the Act, in which it becomes essential to make an additional party to the appeal, either as appellant or respondent, and whether such proceeding becomes necessary in consequence of the death or insolvency of any original party, or from any other cause, such additional party may be added to the appeal by filing a suggestion as nearly as may be in the form provided for by Section 43 of the Act.

37. The suggestion referred to in the next preceding rule may be set aside, on motion, by the Court or a Judge thereof.

38. Upon any such motion the Court or a Judge thereof may, in their or his discretion, direct evidence to be taken before a proper officer for that purpose, or may direct that the parties shall proceed in the proper Court for that purpose to have any question tried and determined, and in such case all proceedings in appeal may be stayed until after the trial and determination of the said question.

### *Motions.*

39. All interlocutory applications in appeals shall be made by motion, supported by affidavit to be filed in the office of the Registrar before the notice of motion is served. The notice of motion shall be served at least four clear days before the time of hearing.

40. Such notice of motion may be served upon the Solicitor or Attorney of the opposite party by delivering a copy thereof to the booked agent, or at the elected domicile of such Solicitor or Attorney, to whom it is addressed at the City of Ottawa. If the Solicitor or Attorney has no booked agent, or has elected no domicile at the City of Ottawa, or if a party to be served with notice of motion has not elected a domicile at the City of Ottawa, such