

rely. This document is called a *factum*. The *factums* of both parties should be deposited with the Registrar at least fifteen days before the first day of the session. (Rule 29). As to what the *factum* should contain and how it should be printed see Rules 30 and 31. The appeal must be inscribed by the appellant for hearing, that is a request must be filed with the Registrar to place it on the list of appeals for hearing, at least fourteen days before the first day of the session at which the appeal is to be heard. (Rule 37.) The inscription cannot be made unless the appellant's *factum* has been deposited. If the respondent has failed to deposit his *factum* within the time limited by the rule in that behalf, the appellant inscribes *ex parte*. The appeal is then placed on the proper list by the Registrar (see section 90), and will be called by the court when reached.

The above is the procedure in an appeal that is entirely governed by the provisions of the Supreme Court Act. There are certain appeals which are regulated by other Acts, namely, appeals in criminal cases, in Exchequer Court cases, in election cases, in cases under the Railway Act and in cases under the Winding-up Act. The special provisions respecting these will be found in Part II. of this book. Thus, in criminal appeals, 15 days' notice of intention to appeal must be given to the Attorney-General of the Province; no security is required and no *factums* are to be deposited. In Exchequer appeals 10 days' notice of appeal is required, and the security, if the appeal is by a subject, is given by a deposit of \$50 in court, on which the appeal is immediately inscribed for hearing; if the appeal is by or on behalf of the Crown no deposit is required, but only the notice. In election appeals there is a special procedure provided for by Rules 68-71 inclusive; the record in these appeals is printed under an order of a judge of the Supreme Court, and consists of so much of the whole record forwarded by the clerk of the Election Court as such order directs. The appeal is inscribed by the Registrar by judge's order on application by appellant, and the *factums* need be deposited only three days before the session at which the appeal is to be heard, and may be dispensed with altogether by order. For cases under the Railway Act see p. 141.