

from, special application for further proceedings must be made to the Court of Error and Appeal, upon a special affidavit of the circumstances.

XIX. That further time to return such writ may be had upon application to the said Court of Error and Appeal, or to any judge thereof. Further time to return writ, how obtained.

XX. No rule to allege diminution, nor rule to assign causes of appeal, nor *scire facias quare executionem non*, shall be necessary, in order to compel an assignment of errors. No rule necessary to compel assignment of errors.

XXI. No rule to certify or transcribe the record shall be necessary; and if the appellant does not, in eight days after the filing of the return of the writ of appeal, file and serve a copy of his grounds of appeal, the respondent may, by notice in writing, demand the same; and if the grounds of appeal are not filed within eight days after service thereof on the appellant, his attorney or agent, the appeal, on proof thereof by affidavit, shall be dismissed with costs. Appellant to file and serve grounds of appeal within 8 days.

XXII. That within eight days after the grounds of appeal shall be filed and served, the respondent shall file and serve his answer or joinder thereto; which, unless it shall be necessary to plead specially, shall be the common plea or joinder of "*in nullo est erratum*;" or if he neglect so to do, the appellant may in writing demand the same; and unless the respondent file his answer or joinder in appeal within eight days after service of such demand, the respondent, his attorney or agent, shall be precluded from filing the same, without the leave of the court or a judge thereof first had and obtained, upon a *rule nisi* or summons; and the court will proceed *ex parte* to hear the cause on the part of the appellant, and to give judgment therein without the intervention of the respondent. Respondent to answer in 8 days.