

intention to appeal must be given. See s. 70 of the Act. If necessary, it must be given within 20 days; if no notice is required, or, being required, if notice has been given, the next proceeding is to provide for the security for the costs of the appeal, and application for approval of the security must be made within 60 days from the signing, or entry, or pronouncing of the judgment appealed from. As to whether the time runs from the entry, or pronouncing of the judgment, see notes to s. 69 of the Act. If the application cannot be made within the time, an extension of time should be applied for to the court below or a judge thereof, under s. 71, but the extension can be obtained only under special circumstances. The application to approve of the security can be made either to the court below or a judge thereof, or to the Supreme Court or a judge thereof, and the solicitor, having determined upon which court or judge he shall apply to, prepares a bond in the form given on page 99, and, if applying to the court below, proceeds according to the practice of that court to have such bond approved; if the application is made in the Supreme Court, he must give four clear days' notice to the opposite party of the application, and send the necessary instructions to his Ottawa agent, who should be appointed for the purpose, if not previously appointed under the requirements of Rule 20; if the bond is in the proper form, and the sureties are satisfactory, the Court or the judge to whom the application is made, orders that it be accepted. If security is to be given by a deposit of money in the Supreme Court, an order should be obtained from a judge of the court allowing such deposit to be made. The money having been given to the Registrar of the Court with the necessary fees, it is then deposited by him in the usual way to the credit of the cause.

If the right of appeal is doubtful the appellant may apply in Chambers for an order affirming the jurisdiction when applying for approval of security or within a certain time after it has been approved below. See rules 1 to 5.

After the security has been approved, the appellant has forty days within which to settle and print the case. No special rules have been made by the Supreme Court as to the practice to be adopted on settling the case. The statute (section 73) provides that it shall be stated by the par-