

Phillippe Dupuis for the Town of Campbellton, Campbellton, N. B.
 Peter Barclay for the Parish of Durham, Nash's Creek, N. B.
 Christiane Roy for the Parish of Colborne, River Charles, N. B.
 Alexandre Joseph Drapeau, Jr., for the Parish of Balmoral, Balmoral, N. B.
 Alex. McDonald for the Parish of Dalhousie, Eel River, N. B.
 Abbe Comeau for the Parish of Addington, Atholville, N. B.
 William E. Mann for the Parish of Eldon, Upsalquitch, N. B.
 Francois Levesque for the Parish of Saint Quentin, St. Quentin, N. B.
 Eudore Bergeron for the Parish of Grimmer, Kedgwick, N. B.

SAINT JOHN COUNTY

Fred Spinney for the Parish of Musquash.
 Amador W. Anderson for the Parish of Lancaster.
 Thomas Power for the Parish of St. Martins.
 Joseph Poole for the Parish of St.monds.
 E. J. Hannebary for the City of Saint John.

SUNBURY COUNTY

David A. Duplisea for the Parish of Gladstone.
 Tremple McSheffrey for the Parish of Lincoln.
 Sarsfield Logue for the Parish of Burton.
 N. Budd Day for the Parish of Maugerville.
 Bruce Byno for the Parish of Sheffield.
 James Brown for the Parish of Northfield.
 Humber Webb for the Parish of Blissfield.

VICTORIA COUNTY

Matthew Kelley for the Town of Grand Falls.
 Rudolph Curry for the Parish of Grand Falls.
 William Brayall for the Parish of Drummond.
 S. P. Waite for the Parish of Andover.
 Wilfred McPhail for the Parish of Perth.
 C. Fred Campbell for the Parish of Gordon, Cupid P. O. Arthurette.
 Turney Johnston, Jr., for the Parish of Lorne, Burnt Land Brook.

WESTMORLAND COUNTY

W. K. C. Parlee for the City of Moncton.
 Rene D. Doiron for the Town and Parish of Shediac.
 H. Eugene Bowser for the Town of Sackville.
 Walter Tingley for the Parish of Sackville.
 Almo Vinneau for the Parish of Dorchester.
 L. B. Stockton for the Parish of Salisbury.
 H. N. Goodwin, D. D. S., for the Parish of Westmorland.
 George H. Cochrane for the Parish of Moncton.
 Harper Allen for the Parish of Rotford.
 Ferdinand J. LeBlanc for the Town of Sunny Brae.

YORK COUNTY

Thomas L. Fowler for the City of Fredericton.
 Horace Pugh for the Town of Marysville.
 James Boyce for the Parish of Stanley.
 R. E. Goodspeed for the Parish of St. Marys.
 W. D. Hagerman for the Parish of Douglas.
 Issacher Patterson for the Parish of Southampton.
 I. C. Morrison for the Parish of Queensbury.
 Thomas S. Griffiths for the Parish of Bright.
 William H. McKnight for the Parish of New Maryland.
 John L. Foster for the Parish of North Lake.
 George McKay, R. F. D., No. 1, Fredericton, for the Parish of Kingsclear.
 Clyde Lawson for the Parish of Prince William.
 Jardine Wilson of Harvey Station for the Parish of Manners-Sutton.

J. B. Johnston for the Parish of McAdam.
 W. H. Scott for the Parish of Canterbury.

Thomas M. Brewer for the Parish of Dumfries.
 H. B. Colwell for the Town of Devon.

J. E. HETHERINGTON,
 Provincial Secretary's Office,
 Fredericton, 18th., April, 1924.

Notice

RULES RELATING TO CRIMINAL APPEAL UNDER SECTIONS 1012 TO 1021, INCLUSIVE, OF THE ACT 13, 14 GEO. V., CAP. 41, TO AMEND THE CRIMINAL CODE.

1. The interpretation sections of the Criminal Code, so far as applicable, shall apply to these rules.

2. Notice of appeal or notice of application for leave to appeal under section 1018 (1) of the Criminal Code shall be signed by the appellant, or his attorney or agent, and shall be filed in the office of the Registrar of the Supreme Court, Fredericton.

3. The notice of appeal or of application for leave to appeal shall state the facts and grounds to be argued, and may be in accordance with Form 1 in the schedule hereto. It shall be served within thirty days from the date of the conviction or from the sentence, where the appeal is from the sentence only, upon the prosecuting attorney and upon the Attorney General.

4. Any notice required or authorized by the Act or these rules to be given shall be deemed to be duly given if sent by registered post (prepaid) addressed to the person to whom such notice is to be given, at his or her last known place of residence; but where an appeal is by the Attorney General or Counsel for the Crown from the sentence, under section 1013 (2) of the Criminal Code, notice shall be personally served on the person convicted.

5. Upon notice of appeal or notice of application for leave to appeal being given to the Prosecuting Attorney, he shall forthwith cause to be forwarded to the Registrar all papers and exhibits connected with the case, including the notes of evidence when a stenographer has not been employed. He shall also communicate the fact of such appeal or application to the convicting judge or magistrate, who shall forward to the Registrar his report upon the case or upon any point arising in the case, pursuant to the provisions of sections 1020 (1) of the Criminal Code.

6. A copy of the notice of appeal or of the notice of application for leave to appeal, and proof of service thereof, shall be filed with the Registrar within seven days after service of the notice and when a transcript of the notes of evidence is necessary for the due hearing of the appeal, proof that the transcript has been ordered from the stenographer shall at the same time be lodged with the Registrar.

7. If it is not the intention of the appellant to present his case before the Court orally, he shall be at liberty to make his argument in writing, in which case notice of his intention shall be embodied in the notice of appeal or notice of application for leave to appeal, and a copy of the written argument shall be left with the Registrar when the appeal or application for leave to appeal is filed, or within seven days thereafter.

8. The Registrar shall, at the Session of the Appeal Division next after an appeal or application for leave to appeal is ready for hearing, enter the appeal or application for leave to appeal on the Crown Paper of the Docket of that Session, and such appeal shall be heard immediately after the Motion Paper at such Session is disposed of, unless the Court or a Judge thereof shall otherwise order. In cases where an appellant is not represented by counsel the Registrar shall give the appellant notice of the time and place of the hearing of the appeal or notice of application for leave to appeal.

9. Where, upon an application for

leave to appeal, the Court is of opinion that leave to appeal should be granted, the Court may thereupon and without further delay hear the appeal upon its merits, or may, if it see fit, direct the case to be placed upon the docket for hearing at such future time as the Court may determine.

10. Where evidence has been taken by a stenographer, copies of the notes of evidence necessary for an appeal shall be furnished to the appellant by the stenographer on payment of the same charges as are allowed in civil cases, and he shall certify to the accuracy of his notes and of the transcript.

11. Copies of the notes of evidence taken by a stenographer shall, upon request, be furnished to the Attorney General or Counsel for the Crown at the same rate as charged to respondents in civil cases, and certified copies of all other papers shall, upon request, be furnished by the Registrar to the Attorney General or Counsel for the Crown or to the appellant at the rate of ten cents per folio.

12. The times limited by the statute or by these rules may, subject to the provisions of the statute, be extended by the Court or a Judge of the Court of Appeal, either before or after the expiry of the times limited. Notice of any application to extend time shall, unless otherwise directed, be given to the Attorney General.

13. Non-compliance with the rules shall not render any proceeding void, but the same may be amended, or may be set aside as irregular, or otherwise dealt with as may be just.

14. Applications for bail under section 1019 (1) of the Criminal Code shall be made upon notice to the Prosecuting Attorney and to the Attorney General. Such notice shall set out the amount of bail which the applicant is prepared to give.

15. It shall be the duty of the keepers of all prisons and gaols to supply to prisoners in their custody, upon request, forms of notice of appeal or of application for leave to appeal, for their use, and they shall cause any such notice to be duly served or forwarded on behalf of the prisoner to the Attorney General and to the Prosecuting Attorney. They shall also promptly deliver to the prisoner concerned any notices of hearing or other notice which may be sent to such prisoner by the Registrar, and shall forthwith advise the Registrar of having done so.

16. All exhibits filed at a trial for any indictable offence shall be retained by the Clerk of the trial court until ten days after the time limited by these rules for the bringing of an appeal shall have expired, unless they are forwarded for use upon the hearing of any appeal or application, or unless some other order is made by the trial court or by a Judge of the Court of Appeal.

17. The Registrar shall furnish to the Warden of the penitentiary at Dorchester, to Magistrates having jurisdiction to try indictable offences, to the Sheriffs and Gaolers and Keepers of prisons within the Province, and to any other person who demands the same, a copy of section 1021 (b) (3) of the Criminal Code and of these rules.

18. Any matter of procedure or practice arising on an appeal or on notice of application for leave to appeal, not provided for by the Criminal Code or by these rules, shall mutatis mutandis be according to the practice on appeal to the Court of Criminal Appeals in England.

Supreme Court,

Fredericton,
 26th., November, 1923.

The above rules, so far as they effect the Warden, Keeper or other Officer of any prison under the administration of the Department of Justice in the Province of New Brunswick, are approved by order of the Lieutenant-Governor in Council.

By Order,

M. B. DIXON,

Clerk of the Executive Council.

(Sgd.) J. D. Hazen,
 H. A. McKeown,
 A. S. White,
 J. H. Barry,
 Oswald S. Crockett,
 W. C. Hazen Grimmer,
 Wm. B. Chandler.