

1888, art. 5, sec. 46. Rule 19.

48. In all cases where a writ of diminution shall be issued, the clerk of the inferior court to which the writ may be sent, shall, in his return thereto, transmit to the court of appeals only so much of the proceedings remaining of record in the inferior court, as may be necessary to correct the alleged errors or defects in the transcript first sent to the court of appeals.

Ibid. sec. 47. Rule 24.

49. All appeals shall be brought into the court of appeals by transcript of the records of the court below, as contemplated by the constitution, and shall be made up as directed by law; and the appellant, in all civil cases, shall pay, or secure to be paid, to the clerk of the court of appeals, the cost of printing the necessary number of copies of said transcript, as required by the rules of court, at the rate of seven cents for every hundred words, and so *pro rata* for each copy, instead of ten cents per hundred words for each copy, as now provided by law; but before the clerk shall be required to have any transcript in any civil case printed, the appellant or appellants shall, upon being furnished with the amount of the cost at the rate aforesaid, pay or secure to be paid to the clerk, the amount of such cost, so that the clerk shall not be required to pay out money for printing and incur the risk of loss, in not being able to collect the cost from the parties from whom it may be due, after the work is done. And if there be cross-appeals, or more than one appeal, embraced in one transcript, the cost shall be duly apportioned; and no appeal shall be considered as ready for hearing until this rule shall be complied with by the appellant or appellants; but nothing herein contained shall be taken to prevent the appellee from having the appeal dismissed, or the judgment, order or decree affirmed, under rule of court, for failure on the part of the appellant to have the appeal ready for argument.

Ibid. sec 48. Rule 25.

50. All briefs in civil causes preparatory to the argument of such causes, as required by the rule of court, shall be filed with the clerk in manuscript; and the clerk shall furnish the requisite number of printed copies thereof, at the rate of cost provided in the preceding section; and the amount of such cost shall be paid, or secured to be paid, by the party required to furnish such briefs, at the time of delivery thereof, to the clerk, and before argument; and any party failing to comply with this