

section shall be considered in default under the rules of court, for not furnishing briefs as thereby required.

1888, art. 5, sec. 49. Rule 26.

**51.** Either party may file written or printed arguments in any cause pending in the court of appeals, but the cost of such arguments shall not be taxed as part of the costs of the cause. A sufficient number of printed copies of the argument shall be furnished for the court, the counsel concerned, the reporter and the clerk. If the party filing the argument think proper, he may have the printing done on the best terms he can make; provided it be in good, clear, readable type; but if the clerk of the court of appeals be required to have the argument printed, he shall be entitled to charge therefor at the rate prescribed in section 49, and be entitled to receive the amount of the cost upon his being ready to deliver the printed copies of the argument to the court. But in no case shall a brief or argument be received, either through the clerk or otherwise, after the cause has been argued or submitted, unless it be upon special leave granted in open court, after notice to opposing counsel.

Ibid. sec 50. 1862, ch. 122.

**52.** The court of appeals shall, upon the application of any appellant or appellee in any case there depending, and on proper cause shown to said court, for that purpose, have power to order and direct the clerk of the court from which said appeal may have been taken, to produce, by himself or some person authorized by him, to the said court of appeals, for inspection upon the trial of the said case, any original paper, map or plat filed in the court below in said case, a copy whereof is set forth in the record sent to the said court of appeals; the cost of such production, in every case, to be paid by the party applying for the production of said paper.

### Appeal Bonds.

1888, art 5, sec. 51. 1860, art. 5, sec. 31. 1713, ch. 4, sec. 2.  
1811, ch. 171. 1826, ch. 200, sec. 1.

**53.** No execution upon any judgment or decree in any court of law or equity shall be stayed or delayed, unless the person against whom such judgment or decree shall be rendered or passed, his heirs, executors, or administrators, or some other person in his or their behalf, shall immediately, upon praying