

128. The Registrar shall not accept as sufficient compliance with these Rules or record any notice of appeal unless it embodies or is accompanied by a sufficient statement of the grounds of appeal.

129. After notice of appeal has been duly given, all subsequent proceedings in the matter of the appeal shall be deemed to be in the Appellate Court, and shall be intitled accordingly.

130. After recording the notice of appeal the Registrar shall forward the same, with the statement of grounds of appeal, to the Chief Judge, who shall fix what sum of money (if any) shall be deposited with the Registrar by the appellant as security for the costs of the appeal, and the time within which the deposit shall be made. The Registrar shall notify the appellant accordingly.

131. The Chief Judge may, if he is of opinion that the statement of the grounds of appeal does not state these grounds sufficiently, require the appellant to lodge with the Registrar within a specified time a more explicit statement, and may direct the Registrar to notify the appellant accordingly.

*Dismissal.*

132. If the appellant fails to make the deposit, or to lodge a more explicit statement of the grounds of appeal, within the time fixed, the Registrar may, after the expiry of the time prescribed for giving notice of appeal, apply to a Judge of the Court, in the Form No. 60, to dismiss the appeal, and the Judge may, *ex parte* or otherwise, as he thinks fit, make an order in the Forms No. 61 or No. 62 dismissing the appeal accordingly.

133. A notice of the application shall be gazetted, and a copy of the notice shall be sent by the Registrar to the appellant.

134. The Judge may grant further time not exceeding two weeks from the hearing of the Registrar's application for depositing the security or lodging a more explicit statement of the grounds of appeal.

135. A minute of every order under Rule 132 dismissing an appeal shall be published in the *Kahiti*.

*Succession Cases.*

136. Where persons have been appointed successors in the same right to the interest of a deceased person in several blocks or parcels of land, it shall not be necessary to give separate notices of appeal in respect of each order, but the whole may be included in one notice and treated as one appeal.

*Withdrawal of Appeal.*

137. The appellant may, at any time before the hearing of the appeal, by notice in writing to the Registrar, and with the leave of a Judge, withdraw the appeal.

138. Leave to withdraw an appeal may be given on such terms as the Judge may think fit, and he may direct the disposal of any sum deposited as security for costs.

139. Notice of the withdrawal of an appeal shall be published in the *Kahiti*.

*Notifying Matters for Hearing.*

140. Except with the leave of the Chief Judge, no appeal shall be notified for hearing until after the expiration of two months from the date of the order or determination appealed from.

141. Notice of matters to be dealt with at a sitting of the Appellate Court may be given in the manner provided by Rules 11 to 15, and for this purpose those Rules shall be construed as if the term "Court" included the Appellate Court.

*Hearing.*

142. On the hearing of an appeal no person other than the appellant shall, except by leave of the Appellate Court, be entitled to appear or be heard in support thereof, or so put forward any claim contrary to the decision appealed from.

143. On the hearing of the appeal the parties shall be restricted to the evidence given on the hearing in respect of which the appeal is instituted: Provided that the Appellate Court may in its discretion allow such further evidence to be adduced as may assist the Court to come to a just decision upon the matters at issue.

144. The evidence given in any former proceeding shall be proved by the records of the Native Land Court, and no other evidence thereof shall, except by leave of the Appellate Court, be admitted.

145. No appeal shall be allowed on any ground not alleged in the statement or amended statement of the grounds of appeal, unless the Appellate Court is of opinion that the appeal may be so allowed without injustice to the other parties interested in the appeal.

146. The Appellate Court may at the hearing require the appellant to lodge a more explicit statement, or permit the appellant, upon such terms as that Court thinks fit, to lodge an amended statement of the grounds of appeal.