



BY AUTHORITY.

ANNO QUADRAGESIMO QUARTO VICTORIÆ REGINÆ.

CAP. IX.

An Act to amend Chapter 100 of The Consolidated Statutes, of
"Rates and Taxes."

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| Sec.
1 Relief to non-resident Ratepayers,
how and in what manner granted.
If Assessors ordered to
pay costs County Council to
repay. | Sec.
2 Costs, by whom taxed and how
recovered. |
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Passed 25th March, 1881.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. If any person assessed in any Parish for County, Parish or School Rates, being a non-resident of the County in which such Assessment is made, considers himself over-rated or otherwise unjustly assessed, he may at any time within one month of the notice of such assessment by or from the officers whose duty it may be to give such notice, or within a like period from the time when such assessed person shall first learn or know of such assessment, apply by Petition under oath to the Judge of the County Court of the County in which the assessment is made, who shall not be disqualified from hearing the matter, unless by reason of affinity to any of the parties, in which latter case the application may be made to any other County Court Judge, and the Judge may investigate the matter set forth in the said Petition by evidence taken *viva voce* before him or by Affidavit at his discretion, or by both methods, first giving the Assessors of the Parish in which the contested assessment has been made a reasonable opportunity of being heard in the premises, and may thereupon make such order of relief or otherwise as to the said Judge shall seem right and just in the premises, by altering, amending, varying or altogether striking out the said contested assessment; and the said Judge, according to the equities arising out of, and the facts and circumstances of the case, may order that costs be paid by the Petitioner or Assessors, or as in his judgment he may consider right and just, and if Assessors be ordered to pay costs, the County Council shall reimburse such Assessors out of the County Contingency Fund.

2. The said costs when so ordered to be paid, shall be taxed by the said Judge according to the Schedule of Fees now taxable in the County Court, so far as the same may be applicable, and at like rates for similar services, and be recovered by attachment; and so much of Section 43 of Chapter 60 of The Consolidated Statutes, as shall be sufficient to enable the party entitled by such order to recover such costs, shall be and is hereby incorporated with and made applicable to this Act.

CAP. XII.

An Act relating to the transaction of the business of the Supreme Court.

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| Sec.
1 When Supreme Court shall cease
to sit in two Divisions. Supreme
Court how composed;
Proviso.
2 What shall be the practice and
procedure of Court after Easter
Term.
3 Parties intending to move the
Court, to give notice of motion
to Judge who tried cause and
to opposite party, also to give
statement of grounds of motion | Sec.
with the authorities, &c., and
fyle with Clerk of Peace; Pro-
viso.
4 What causes shall be entered on
the Special Paper.
5 Court may alter, &c., practice in
proceedings for certiorari, &c.
6 Court to make Rules, &c. to carry
out provisions of Act.
7 When certain Acts shall cease to
be in force. |
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Passed 25th March, 1881.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. From and after the end of Easter Term next, the Supreme Court shall cease to sit in two Divisions as provided in and by the Act made and passed in the forty second year of Her Majesty's Reign, intituled *An Act to facilitate the transaction of the business of the Supreme Court*, and thenceforth the said Supreme Court, at Term, shall be composed of a Chief Justice, a Judge in Equity, and four other Puisne Judges; provided that nothing herein contained shall be construed to require that the full Court be composed of six or any fixed number of Judges, if any of the said Judge or Judges shall, by reason of illness, interest, or any other cause, be incapacitated or unable to sit for the hearing of any cause.

2. From and after the end of Easter Term next the practice and procedure of the Supreme Court at Term shall be the same as before the passing of the Act hereinbefore referred to, and as may have been provided by any rules of the said Court made since the passing of the said Act which may be applicable to the Sittings of the full Court.

3. In cases tried at the Nisi Prius Sittings, or at any Circuit Court, it shall not be necessary to move for a Rule to set aside the verdict, or for judgment *non obstantē verdicto*, or for a repleader, as is now the practice, but the party intending to move the Court shall give notice of motion to the Judge who tried the cause and to the opposite party or his Attorney, and shall also deliver to the opposite party or his Attorney a statement of the grounds of the motion and the authorities relied upon, which shall be printed when the same exceeds five folio, and shall fyle with the Clerk of the Pleas six copies of such statement for the use of the Court, on or before the first day of the Term so next following the trial; provided always, that the Court may, for good cause shown, extend the time for the giving of such notice and statement to a later day in the Term, or until the Term following; and provided further that the party moving may, with leave of the Court, cite any authority which may have been given to the Counsel or Attorney of the opposite party before the cause comes on for argument.

4. All causes in which statements have been fyled with the Clerk, as in the preceding Section mentioned, shall be entered on the Special Paper in the order in which the statements are so fyled, and shall come on for argument in the order in which they are so entered, without any Rule Nisi having been granted.

5. The Court may, and it shall be its duty from time to time to alter, amend or regulate its practice in proceedings for certiorari or mandamus, or in other similar proceedings,