

dence, and hear witnesses *viva voce*, on oath or otherwise, as well as by or on affidavit, in any stage of the case, and in such way, and subject to such rules and regulations as the said Court, or Judge or Judges thereof, may from time to time, ordain and appoint.

XVI. Where application shall be made to the Supreme Court, or a Judge thereof, for leave to enter up Judgment on a Warrant of Attorney, to confess judgment more than a year old, against the party or parties who gave the same, and is or are living, or supposed to be living, it shall be sufficient for the party applying, or his attorney, or other person on his behalf, to state in the affidavit on which the application shall be grounded, by the party making the same, that he believes the party against whom the judgment is sought to be entered is actually living, and also to give such other proof of the execution of the Warrant of Attorney, as the Judge or Court shall deem necessary.

XVII. The service of any non-bailable writ or process, issued out of the Supreme Court, may be made, by the defendant being personally served with a true copy of the process, within the jurisdiction of the Supreme Court, and affidavit thereof duly made as heretofore accustomed; or in case the defendant has a known place of abode, within the jurisdiction of the said court, and shall be then within the same, such writ or process may be served at the usual place of abode of such defendant, by delivering a copy of the writ or process, with any requisite notice, to the wife of such defendant, or to an adult person residing in the house, being a member or inmate of the family of such defendant; provided that such last mentioned service shall not be deemed a good service, without the order of the said court, or a Judge thereof, upon affidavit, shewing to the satisfaction of such Court or Judge, the circumstances of such service, and that the place where the writ or process was served, was, at the time of such service, the usual place of abode of such defendant.

XVIII. Perishable property attached in any suit against absent debtor, may be sold by the order of any one of the Judges of the Supreme Court, where the value thereof, as stated by affidavit, shall be within one hundred pounds; and by the order of two of such Judges, where such value shall be over that sum, and the sale of such property shall be made and conducted at such time and place, and subject to such rules and conditions, and the proceeds thereof, secured in such manner, as such

Judge or Judges shall, by any order in writing, prescribed with regard to the interest of both parties, in such suit.

CAP. VII.

An Act in addition to, and in further amendment of the Land Purchase Act.

[Passed April 3, 1865.]

WHEREAS large portions of land on the several estates purchased by the Government of this Island, are of very inferior quality, and in value much below the minimum prices fixed by the Government, at which such lands respectively may be sold, and it is advisable that the Commissioner of Public Lands should be empowered to dispose of such lands, at prices less than the present fixed minimum prices of lands respectively.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows: The Commissioner of Public Lands shall, at all times hereafter, have power absolutely to sell and dispose of all or any of such lands as aforesaid, as he shall deem of less value per acre, than the minimum prices fixed upon such lands respectively, as aforesaid, at such prices per acre as he shall consider the full value of such lands; subject, always nevertheless, to the approval of the Lieutenant Governor in Council.

CAP. VIII.

An Act in further amendment of the laws regulating the sale by License of Spirituous Liquors.

[Passed April 3, 1865.]

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

I. If at any time hereafter, a majority consisting of not less than two-thirds of the male inhabitants of any school district, entitled to vote for Trustees, shall by a certificate signed by the persons composing such majority, accompanied by an affidavit, attesting the authenticity of the signatures thereto, set forth that the renewal of any tavern or store license, then subsisting and in force within such District, is unnecessary and objectionable, and pray that no such renewal be granted; and if such certificate and affidavit be deposited in the office of the Colonial Secretary, ninety days prior to the time limited for the expiration of such license, then, and in such case, it shall not be lawful for the Colonial