

APPEALS FROM THE COURT OF REVISION.

68.—(1) An appeal to the county judge shall lie, not only against a decision of the court of revision on an appeal to said court, but also against the omission, neglect or refusal of said court to hear or decide an appeal.

(2) The person appealing shall, in person or by his solicitor or agent, serve upon the clerk of the municipality (or assessment commissioner, if any there be), within five days after the date herein limited for closing the court of revision, a written notice of his intention to appeal to the county judge—except in the municipality of Shuniah, in which municipality the notice shall be given within ten days after the 1st day of August in every year, and except in municipalities coming within the provisions of chapter 185 of these Revised Statutes. R. S. O. 1877, c. 180, s. 59 (1, 2).

(3) The clerk shall, immediately after the time limited for filing said appeals, forward a list of the same to the judge, who shall then notify the clerk of the day he appoints for the hearing thereof; and shall, if in his opinion the appeals or any of them appear to involve the calling or examination of witnesses, fix the place for holding such court within the municipality from the court of revision of which such appeal is made, or at the place nearest thereto where the sittings of the division court within his jurisdiction are held. 50 V. c. 32, s. 5; 53 V. c. 54, s. 2.

(4) The clerk shall thereupon give notice to all the parties appealed against in the same manner as is provided for giving notice on a complaint under section 64 of this Act; but in the event of failure by the clerk to have the required service in any appeal made, or to have the same made in proper time, the judge may direct service to be made for some subsequent day upon which he may sit.

(5) The clerk of the municipality shall cause a conspicuous notice to be posted up in his office, or the place where the council of the municipality hold their sittings, containing the names of all the appellants and parties appealed against, with a brief statement of the ground or cause of appeal, together with the date at which a court will be held to hear appeals.

(6) The clerk of the municipality shall be the clerk of such court.