

Court, and a minute* to that effect is to be thereupon made in the Assignment Book.

The Judge is to direct the report to be confirmed, unless objected to by either party by the succeeding adjourned Court-day, or within a time to be limited by him. The report may be confirmed at the prayer of either of the Proctors,† and either may object to the report wholly or in part; but the party objecting must so declare in act of Court, and is to be assigned by the Judge to deliver in an act on petition, setting forth his objections to the adverse Proctor, within a time to be limited. And the subsequent proceedings are then to be conducted as on all other acts on petition.

§ 31. *Taxation of costs.*

The Proctor of the party who has obtained a decree or order condemning another party in the costs, is to furnish the adverse Proctor and the Registrar each with a copy of his bill, and to attend the Registrar to procure an appointment to tax the same, of which notice is to be given to the adverse Proctor, that he may be present thereat; and if he shall decline, or neglect to attend, the taxation may proceed in his absence upon an affidavit being exhibited to and filed with the Registrar, shewing that a copy of the bill had been furnished, and that twenty-four hours previous notice of the appointment had been given to him.

If the amount of the costs ascertained by the Registrar be not forthwith paid, the Registrar is to report the amount to the Court, when, if no objection be made, the Judge is to sign the bill, which completes the taxation, and a minute‡ thereof is to be entered in the Assignment Book.

If the adverse Proctor be dissatisfied with the amount proposed to be allowed, he is, on the same being reported and before the bill is signed by the Judge, so to declare in Court; and in that case the Judge is to assign him to deliver an act on petition§ in objection to the taxation within a short time to be specified, and subsequently the same course is to be pursued as in other acts on petition.

When the Judge has signed the bill, whether as originally reported by the Registrar, or with any subsequent alteration, he is to decree a monition|| for payment thereof: and if the costs be not immediately paid, such monition may be extracted and served as usual, and may be followed up by attachment if necessary.

§ 32. *Incidental Monitions.*

In any cause, however commenced, monitions may incidentally become necessary, which are to be made returnable at a period to be fixed by the Judge; and if the tenor of the monition be not complied with, the Judge, on proof that it has been duly served, may enforce obedience thereto by attachment.

§ 33. *Commissions.*

Commissions to take bail, to take the answers of parties to a libel or allegation, to take the oaths of parties or others to affidavits, to examine witnesses, and the like, may, under the authority and at the discretion of the Judge, issue in cases where the parties reside at so great a distance that the transaction of the business by commission will be attended with less expense than their personal appearance before the Court.

Commissions may also issue for the unlivery of a cargo, for the appraisement or sale of a ship or cargo, or for the appraisement and sale of a ship and cargo, in cases when, by reason of the distance, the Marshal cannot be conveniently employed for the purpose without great expense.¶

* See Minute, No. 226.

† See Minute, No. 227.

‡ See Minute, No. 228.

§ See Minute, No. 229.

|| See Monition, No. 135.

¶ See Forms, No. 230 to 235.