

1 month after service may enter judgment by default, if claim is not disputed within 8 days after service if there be 10 days before return, or within 12 days if the delay be 15 or 20 days; and execution may issue thereon: but the judgment may be set aside on grounds shewn and a new trial granted by the judge or leave be granted to dispute on such grounds. Provision is made to enable the creditor to garnishee the debtor of his debtor and recover the amount due from the former, whether judgment have been obtained against the primary debtor or not. The service of summons upon the garnishee binds the debt in his hands so that he may not pay it to other than the proving creditor without order of the court. The garnishee is only liable for such costs as he makes by unnecessary contest of claim. No execution can issue against him till his debt is fully due. Procedure is provided for in case of conflicting claims to the amount due by garnishee. S. 93, c. 19 C. S. U. C. is repealed, and it is provided that when the set-off proved exceeds the Plaintiff's claim, he may be non-suited, or judgment may go for Defendant declaring an amount of the set-off equal to the Plaintiff's claim to be satisfied, leaving Defendant his recourse for the balance. When there is no bailiff of the court issuing the writ or other process, the judge or clerk may direct who shall serve it: when it is to be served elsewhere than in that division, a bailiff in or near the division in which service is made may be employed, and the writ, &c., may be sent on by post. He is in like manner liable as if the writ issued from the court of his own division. The clerks keep a Debt attachment book in which proceedings under this act are entered. The judges appointed to frame rules for procedure in Division courts are styled the "The Board of County Judges," and make rules for the guidance of clerks, bailiffs, &c., and alter and amend any rules. S. 141 is amended by providing for the renewal of writs for 30 days at the instance of the execution creditor, as in Courts of Record. In s. 139, strike out "in any other county." S. 175 is amended, enabling the judge to grant a new trial on application of the attaching or execution creditor within 14 days after trial, on good grounds shown.

COURT OF ERROR AND APPEAL.

Cap. 24.—The presiding judge is to be called the Chief Justice of Appeal. The court is to sit twice in every year in January and June on days fixed by rule or order of the court, and may adjourn the sittings from day to day or for a longer period, but may not sit between the 1st July and 21st August. Orders for these sittings are posted on the door of the court, Judges Chambers, Practice Court, and Clerk's offices ten days before such sittings. Any six judges of whom a Chief Justice or the Chancellor must be one form a quorum, not more than two of the judges whose decision is appealed against sitting.

OFFICE OF SHERIFF.

Cap. 25.—All books, papers, &c., under the official control of the Sheriff are the property of the Government, and on his death, resignation or removal must be handed over to his successor in office, or such person as the L. G. may appoint. Any person neglecting or refusing to deliver them up incurs a penalty of \$10 to \$50, and costs for every day's refusal or neglect, recoverable before the county judge, and is liable to imprisonment for 3 months in default. All former sheriffs or their heirs, &c., must deliver up such documents, &c. Deputies, bailiffs, &c., must on demand deliver all writs, &c., received from a Sheriff to him, or to his successor in office. Sheriffs having resigned or been removed from office, or their heirs, &c., have free access to books, papers, &c., kept or made during their incumbency. Sheriffs must keep a process book, execution book and cash book, to be paid for by the county.

COUNTY JUDGES IMPEACHMENT.

Cap. 26.—Repeals, c. 14, C. S. U. C., and 29 and 30 v. c. 3^o, and abolishes the court for the impeachment of County Judges.

GENERAL AMENDING ACT OF ACTS OF LAST SESSION.

Cap. 27.—Provides in amendment to S. 3, 31 v. c. 3, that no money is to be voted by the L. A. without a message from the L. G. S. 6 of c. 5 is repealed, and the words in s. 2 which constitutes false statements a misdemeanour punishable as wilful and corrupt perjury. S. 2 of c. 30 are declared to apply only to elections to the L. A. Ss. 1 and 3 of c. 17, c. 38, ss. 22 and 23 of c. 64, s. 40 of c. 19, ss. 82 and 83 of c. 20 and s. 50 of c. 29, are repealed.

PUBLIC WORKS.

Cap. 28.—Provides for a department of Public Works with a Commissioner as chief officer, appointed by commission under the great seal, having the usual powers. The L. G. appoints other officers, an Architect and Engineer being the chief permanent officer, with the usual powers. No bonds, deeds, &c., are valid unless signed by the Comr. and sealed by him with the seal of the Department. The remaining provisions of the act are similar to those of the Dominion Act 31 v. c. 12 (see Year Book for 1869.) There are but 3 arbitrators, and claims are all referred to them as a body. All evidence, documents, &c., connected with any claims are forwarded to the department with the award and become part of its records. Special authority is given to the Comr. to employ engineers and report upon the works necessary to drain and reclaim bog or swamp lands, and contract for such works, and to prevent the construction of works, or to remove them or any other obstructions which prevent the water from flowing off such lands through natural channels. The owners of such dams or other works receive compensation where they have not been wrongfully erected. Where slides have been erected in such works by the department, they are under its supervision and control, and the Comr. may appoint overseers to take charge of any drainage works. The Comr., on application to him, grants permission to any person owning land in the vicinity of any main drain to open lateral drains into it upon payment of such sums as he may deem reasonable. But any person opening such lateral drain without first obtaining permission, must, when ordered, close it again or he becomes liable to prosecution for trespass. Plans of drainage works executed by the department are to be lodged in the county registry offices.