

right may be done, prescribing the court and the venue. Thereupon a copy of the petition and fiat is left with the Atty. Genl. for Canada, praying for a plea in twenty-eight days, within which time the plea shall be made unless an extension is given, by the court or a judge. The petition may be answered as a bill filed in a court of equity or a declaration in a personal action in a court of common law. Issues of fact or assessments of damages are to be tried without a jury: for the rest, the procedure to be as far as practicable as in a case between subject and subject. If the Atty. Genl. on behalf of H. M. do not answer, plead or demur, the suppliant may ask for and obtain judgment as by confession. The judgment to be rendered in any case is that the suppliant is entitled or not entitled to the relief sought, or some portion of it, and the effect of it is the same as the judgment *amovens manus* formerly rendered in England. Costs may be given against the suppliant failing to establish his claim, or if he succeeds, against the Crown or other parties appearing and pleading. In case a judgment in favour of suppliant is given, it is to be certified to the Minister of Finance within 14 days, who is to pay the amount so certified for out of any moneys in his hands legally applicable to or afterwards voted by Parliament for the purpose. The Judges of the Courts in the several Provinces are to make rules for the execution of the Act; the Courts before which proceedings are to be taken being any Court of original jurisdiction created by the Parliament of Canada; in Quebec the Superior Court; in Ontario the Queen's Bench, Common Pleas, and Chancery; in Manitoba the Q. B.; in the other Provinces the Supreme Court of each; but Provincial Courts must first be authorized by their respective legislatures to carry out the law. The forms of pleadings, &c., in Crown suits may be the same as between subject and subject, and the defendant may require the Attorney-General to proceed as in such cases, or judgment of *non pro.* against him. This Act is not to limit Her Majesty's rights, privileges, or prerogatives further than is expressly provided, nor is it to apply to cases in which remedy by arbitration is given under the Public Works Act, or to prevent any suppliant from proceeding as before the Act passed.

DEFECTIVE LETTERS PATENT, &c.

Chap. 13—When letters patent have been issued to the wrong party, or are otherwise erroneous, the Secretary of State, being authorized by O. in C., may order them to be cancelled, and correct letters issued—the cancellation of the former being entered in the margin of the Register. Whenever a lien of mortgage on property granted in favour of H. M. has been satisfied, the G. G. may, by O. in C., declare the fact, and a certified copy of such O. in C. shall operate as a discharge of the claim.

PATENT ACT.

Chap. 14—The Comr., when revising an erroneous patent, may entertain separate applications, and issue new patents for different parts of the thing patented. An application for an extension of the term (two years) for commencing to manufac-

ture may be received by the Comr. within three months before its expiration. When the words "patented" and the year cannot be stamped on the article itself, the inscription may be applied to each package containing it. The several Patent Acts in force are extended to P. E. Island, and inconsistent laws repealed. The records of the Provincial Patent Office are to be handed over to that of the Dominion. Similar provision is made for the extension of former P. E. Island patents as with respect to other Provinces. Proceedings to impeach patents in that Province are to be taken in the Supreme Court of Judicature there.

IMMIGRATION.

Chap. 15—Authorizes the collection from the master of any ship bringing immigrants into any port in Canada, in addition to the tax under the Act of 1872, of such a sum not exceeding \$3 per head of such immigrants, as may be authorized by the proclamation giving force to this Act, and in force in the province in which such port is. Such payment is to be made to the Collector at the port where the ship is first entered. The Act is to be in force in such Provinces, for the amount of tax, and from and after the day fixed by Proclamation. Its action may be suspended, extended, and again put in force by such Proclamation.

INSOLVENCY.

Chap. 16—Act to apply to traders and trading companies, except banks, insurance, railway, and telegraph companies. Proceedings in insolvency not to be based on any debt contracted after the trader has ceased to trade. Debtor is deemed insolvent—if he acknowledges his insolvency; if, with intent to defraud his creditors, he absconds, secretes, fraudulently assigns, or connives at the seizure of his effects; if he is imprisoned for more than thirty days in an action for \$20 or more; if he fails to appear or to comply with any rule or order in respect of the payment of his debts; or if he has made any general assignment of his property otherwise than herein prescribed; or if he permits any execution to remain unsatisfied within 4 days of sale, or for 15 days after seizure. Creditors to amount of \$500—their claims not less than \$100 each—may demand an assignment, notice being given the debtor; creditors to file an affidavit verifying debts and specifying good faith. Creditors must elect a domicile for service of process. If the claims do not amount to \$500, or if the stoppage is only temporary, and without fraudulent intent, the Judge may annul the demand of assignment. Treble costs may be awarded, if demand has been made without reasonable grounds. If the debtor is absent, the time for contestation or assignment may be enlarged, but the same may be refused if injurious to the creditors. Estate of the debtor becomes subject to liquidation for non-compliance with the orders of the Judge, or for failure to make an assignment, if petition is not presented. Proceedings must be commenced within three months of act of insolvency. Creditor on affidavit of debt of \$200 or more proving insolvency, may obtain a writ of attachment. Concurrent writs, subject to ordinary rules of Court, may be issued. Writs of attachment are to