

to make such Order between such Defendant and the Plaintiff as to costs and other matters, as may appear just and reasonable.

IV. Provided always, and be it further enacted, That every Order to be made in pursuance of this Act by a single Judge not sitting in open Court, shall be liable to be rescinded or altered by the Court in like manner as other Orders made by a single Judge.

Proviso as to Orders made by a single Judge.

V. Provided also, and be it further enacted, That if upon application to a Judge in the first instance, or in any later stage of the proceedings, he shall think the matter more fit for the decision of the Court, it shall be lawful for him to refer the matter to the Court, and thereupon the Court shall and may hear and dispose of the same in the same manner as if the proceedings had originally commenced by Rule of Court instead of the Order of a Judge.

If a Judge think the matter more fit for the decision of the Court he may refer it.

VI. 'And whereas difficulties sometimes arise in the execution of Process against goods and chattels issued by or under the authority of the said Court, by reason of claims made to such goods and chattels by persons not being the parties against whom such process has issued, whereby Sheriffs and other Officers are exposed to the hazard and expense of actions, and it is reasonable to afford relief and protection in such cases to such Sheriffs and other Officers,' Be it therefore enacted, That when any such claim shall be made to any goods or chattels taken or intended to be taken in execution under any Process issued out of the Supreme Court, or to the proceeds or value thereof, it shall and may be lawful to and for the Court, upon application of such Sheriff or other Officer made before or after the return of such Process, and as well before or after any action brought against such Sheriff or other Officer, to call before them by Rule of Court, as well the party issuing such Process as the party making such claim, and thereupon to exercise for adjustment of such claims and the relief and protection of the Sheriff or other Officer, all or any of the powers and authorities hereinbefore contained, and make such rules and decisions as shall appear to be just, according to the circumstances of the case, and the costs of all such proceedings shall be in the discretion of the Court.

For relief of Sheriffs and other Officers in execution of process against goods and chattels.

VII. And be it further enacted, That all Rules, Orders, Matters and Decisions, to be made and done in pursuance of this Act, except only the affidavits to be filed, may together with the declaration in the cause (if any) be entered of Record, with a note in the margin expressing the true date of such entry, to the end that the same may be evidence in future times if required, and to secure and enforce the payment of costs directed by any such Rule or Order, and every such Rule or Order so entered shall have the force and effect of a Judgment, except only as to becoming a charge on any Lands, Tenements or Hereditaments; and in case any costs shall not be paid within fifteen days after notice of taxation, and amount thereof given to the party ordered to pay the same, his Agent or Attorney, Execution may issue for the same by *Fieri Facias* or *Capias ad satisfaciendum* adapted to the case, together with the costs of such entry and of the execution; and such Writ and Writs may bear teste on the day of issuing the same, whether in the Term or Vacation, and the Sheriff or other Officer executing any such Writ shall be entitled to the same fees and no more as upon any similar Writ grounded upon a Judgment of the Court.

Rules, Orders, &c. made in pursuance of this Act, may be entered of record, and made evidence.

Costs.

Writs.

Sheriff's Fees.

CAP. XXII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County for payment of the County Debt.

Passed 29th March 1842.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Gloucester at any General Sessions of the Peace to be hereafter holden, or at any Special Sessions of the Peace to be for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding three hundred pounds, as in their discretion they may think necessary for the purpose of paying off the Debt of the said County; the same to be assessed, levied, collected and paid, agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

Justices in Sessions authorized to assess the County for payment of the County Debt.

To be assessed and levied as other County Rates.