

or other person now authorized by law to take and receive such affidavits.

7. Upon delivery of the writ of summons at the office of any Sheriff, he or his deputy shall indorse thereon the time of delivery; and in case the said writ is not served within fifteen days thereafter the plaintiff or his agent shall be entitled to receive back the same, and the costs of the mileage; and service thereafter of such writ by any private person shall be allowed in the taxation of costs as if the same had been served by the Sheriff or his officer.

8. No writ of summons or *capias* shall be in force for more than two months from the day of the date thereof.

9. Every writ of *capias*, and so many copies thereof as there are persons intended to be arrested thereon, or served therewith, shall be delivered to the Sheriff, and the plaintiff or his Attorney may order such Sheriff to arrest one or more of the defendants therein named, and to serve a copy thereof on one or more of the others, which order shall be duly obeyed by such Sheriff, and such service shall be of the same force and effect as the service of the writ of summons hereinafter mentioned.

10. A Judge of a County Court may make an order for the render of any defendant, in discharge of his bail, in any cause in any Court in this Province to the gaol of any County.

11. The party in whose favour a verdict has been rendered, or the defendant where plaintiff has been non-suited at the trial, may enter final judgment in ten days after such verdict or non-suit, and issue execution thereon; provided that it shall be lawful for the Judge, in any cause where justice may appear to require, to stay the signing of such judgment until further order.

12. Whenever an action is brought in the County Court, which the Court has no jurisdiction to try, judgment shall be rendered as in case of a non-suit, and defendant shall have execution for his costs accordingly.

13. In case the value of the goods, or other property or effects distrained, taken or detained does not exceed the sum of two hundred dollars, and in case the title to land be not brought in question, the writ of replevin may issue from the County Court of any County wherein such property, goods or other effects have been distrained, taken, or detained, and such Court may commence, hold pleas, and proceed in such replevin suit, according to the course and practice of the Supreme Court; the fees to be taxed and allowed in such replevin suits shall be according to the table of fees heretofore taxed and allowed in actions not summary in the Inferior Court of Common Pleas.

14. Whenever any Judge of a County Court, by reason of sickness, disability, or other cause, shall be unable to act, or by reason of interest in the matter pending before such Judge or Court, or by reason of relationship to the party or parties, or interest therein, or for other cause, shall be disqualified to act, or shall decline to act in any matter pending before such Judge or Court, or to be brought before him as such Judge, or shall for any reason desire to have another County Judge to preside at and hold his Court, such Judge may call in and designate any other Judge of any other County Court in this Province to act therein; and such Judge so called in and designated as aforesaid shall have the same powers as the regular Judge of such Court otherwise would have.

15. The Judges of the said County Court, or any three of them, may frame rules and orders for regulating the practice

of the Courts and forms of proceedings, and from time to time to amend such rules, orders, and forms; and the same, certified under the hands of such Judges, or any two of them, shall be submitted to the Chief Justice of the Supreme Court, who may allow or disallow the same; and the rules, orders and forms so allowed or altered shall, from a day to be named by the said Chief Justice, be in force in every County Court.

16. If any person shall be guilty of any wilful contempt or resistance to the process, rules or orders of the County Court, or shall wilfully insult the Judge or any juror or officer of the Court during his sitting or attendance in Court, or shall wilfully interrupt the proceedings of the Court, or otherwise misbehave in Court, the Court may punish such offender by fine or imprisonment in the common gaol of the County, or both; but such fine shall in no case exceed fifty dollars, nor shall such imprisonment exceed one month.

17. The term "landlord" mentioned in the twenty fifth section of the said recited Act, shall be understood to mean the person entitled to the immediate possession of the premises; and the costs of the proceedings had under the said section shall be taxed and allowed according to the table of fees of the Act twenty first Victoria, Chapter 23, except the Sheriff's fees on the execution of the writ of possession, which shall be the same as for executing a writ of *habere facias possessionem* out of the Supreme Court; and all such fees shall be included in and recoverable under the warrant issued under the said twenty fifth Section of the said recited Act; provided that the person arrested by virtue of any such warrant shall be detained in custody one day only for every two shillings of the sum stated in the warrant.

18. In construing this Act and the said recited Act, the word "person" shall be understood to mean a body politic or corporate as well as an individual, and every word importing the singular number shall, when necessary, be construed to mean several persons or things as well as one person or thing.

19. This Act and the said recited Act thirtieth Victoria, Chapter 10, shall be read and construed as one Act, as if the several provisions in the said recited Act contained, not inconsistent with the provisions of this Act, were repeated and re-enacted in this Act.

20. In all cases where costs are awarded by the Judge of any County Court in matters of review, or are ordered by the Judge to be paid on any hearing or proceeding had before him at Chambers, if it shall afterwards appear to his satisfaction that such costs have been duly demanded by the party thereto, or his attorney, and have not been paid by the party liable therefor, it shall be lawful for such Judge, upon application therefor by the party entitled thereto, to grant his fiat for an attachment to issue out of any Court of which he is Judge for the recovery thereof, which shall be directed to the Sheriff of any County in this Province in form following, or to the like effect:—

[L. S.] Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c.

To the Sheriff of _____, greeting:

You are commanded to levy of the goods and chattels of C. D. the sum of _____, and two dollars for this writ, for costs awarded (or ordered to be paid by the said C. D.) to E. F. by G. H., Esquire, Judge of the County Court for the