

a scarcity of seed for planting and sowing in any Parish, that the Governor in Council may afford relief, by authorizing the Commissioners of Bye Roads appointed in such Parish to expend a portion of the Bye Road money in the purchase and distribution of seed for planting and sowing, such Commissioners taking an agreement from the person assisted to perform work on the Bye Roads under direction of the Commissioners to the value of such seed, and on refusal to perform the work such person may be sued for the amount by the Commissioner before any Justice of the Peace, in the ordinary way of collecting debts; and the said Commissioners shall severally keep an exact account of such moneys, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof, in duplicate, upon oath, which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer; one copy of which, with vouchers, to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session, and the other copy to be filed in the Office of the Clerk of the Peace in their respective Counties, for public information.

3. The Commissioners appointed by the Municipalities of York, Carleton, and Sunbury, when any of the aforementioned sums of money appropriated for Roads and Bridges is issued to such Municipality, shall account to the Municipality appointing them for the same, and the Municipality shall account therefor in the same manner as the Commissioners appointed by the Governor in Council; but the Municipality shall take Bonds in the name of the Queen from each of the Commissioners so appointed by them, which may be enforced in the same manner as other Crown debts.

4. The before mentioned sums of moneys shall be paid by Warrant or Cheque out of public moneys now or hereafter in the Receiver General's hands.

5. The said Commissioners entrusted with the expenditure of the several and respective sums of money shall, for their time and labour, be allowed to retain at and after the rate of five per centum out of the said moneys so entrusted to them respectively.

6. The said Commissioners for the expenditure of money on Roads and Bridges, shall expend the said several and respective sums of money on the Roads on or before the first day of September; provided always, that nothing herein contained shall extend, or be construed to extend, to prevent any Commissioner from expending moneys after the first day of September, when it shall be necessary to expend the same for building bridges, removing rocks, stumps, trees, or other obstructions.

7. None of the before mentioned sums of money, or any part thereof, shall be laid out or expended on the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

8. Every person who may be appointed a Commissioner for the expenditure of money hereinbefore granted, before entering upon the duties of his office, shall enter into a Bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Governor in Council, for the due performance of his duties as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

9. Notwithstanding the provisions of any Law in force for the election of Commissioners of Bye Roads, or otherwise, no person shall be appointed to expend any of the aforesaid moneys who shall be a defaulter, or who shall not have fully accounted for the expenditure of any money previously entrusted to him, until he shall have satisfactorily accounted therefor; and in case of the election of any such person, the Governor in Council shall appoint Commissioners in the same manner as if no election had taken place.

10. In case of a vacancy by death of any Commissioner elected to expend money on the Bye Roads, the Governor in Council shall appoint a Commissioner to fill such vacancy.

CAP. III.

An Act to provide for the issuing of Execution upon any Judgment heretofore obtained in any of the Inferior Courts of Common Pleas in this Province.

Sec.

1 When Judge shall order issue of Execution.
2 When Order made and filed with Clerk, Execution to issue.

Sec.

3 Additional sums may be endorsed on Execution, and levied.
4 Bail not affected, Sheriff liable for neglect.

Passed 11th April, 1872.

WHEREAS, by the thirty seventh Section of an Act of Assembly made and passed in the thirtieth year of the Reign of Her Majesty Queen Victoria, being Chapter Ten, intituled *An Act to establish County Courts*, the Inferior Courts of Common Pleas were abolished, and all Acts or parts of Acts relating thereto, were repealed; and whereas it may be doubtful if, under the provisions of the said Act, a judgment creditor could legally issue an Execution upon a judgment obtained in any of the said Courts at the time of the enacting of said Act; to remove all such doubts, and to entitle any judgment creditor, whether plaintiff or defendant, upon a judgment obtained at the time of the passing of such Act, to the same means of satisfaction of the judgment as is provided for other causes by the said Section;—

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That from and after the passing of this Act, on its being made to appear by affidavit, to the satisfaction of the Judge of the County Court of the District in which the County is situate, in which County any plaintiff or defendant at the time of the passing of the Act of Assembly 30th Victoria, Chapter 10, intituled *An Act to be establish County Courts*, had obtained final judgment in the Inferior Court of Common Pleas thereof for debt, or damages and costs, or costs alone, whether execution had issued thereupon or not; and that such judgment and the costs of issuing execution or executions thereon, if any, have been issued, and any Sheriff's fees thereupon remain unsatisfied in whole or in part, and of the amount being or remaining due upon such judgment, and for costs of execution or executions, if any, and Sheriff's fees thereupon, it shall be the duty of such Judge on application of the party interested, his attorney or agent, and he is hereby required by an *ex parte* order to settle and fix the amount so made appear to him to be due and unpaid by the judgment debtor for debt and costs, or costs alone, as the case may be, and costs of execution or executions, if any, and any Sheriff's fees due thereon, and to order that the plaintiff or defendant, as the case may be, shall be at liberty forthwith to issue execution for the amount specified in such order.

2. That upon such order being made and filed with the