

nishee under this Act, shall be a valid discharge to him as against the judgment debtor to the amount paid or levied, although the proceedings should be afterwards set aside or the judgment reversed.

21. Any debt or legacy due from or payable by an executor or administrator to the judgment debtor may be attached, and such executor or administrator shall in such case be liable to be treated as a garnishee.

22. If any person summoned as a garnishee in his own right dies before the judgment recovered by the judgment creditor is satisfied, the goods, effects and credits in his hands at the time of attachment shall be bound thereby, and his executors or administrators shall be liable therefor, but to no further extent than he would to the judgment debtor as if the writ or attaching order had been originally served on them; and on service of a notice on them shortly stating the proceedings up to that time, the further proceedings against such executor or administrator shall be conducted as if the executor or administrator had been originally summoned as garnishee, and he may appear and contest as the original garnishee could have done, except that the examination of the deceased, if any had taken place, shall have the same effect as if he were living, and if such executor or administrator do appear, the proceedings shall be continued from their then stage as if he had been originally garnishee.

23. If in such case the executor or administrator does not within twenty days after service of such notice appear, the judgment creditor may apply to a Judge of the County Court for any order or orders, and for all such directions as to such Judge may appear to be necessary, to enable him to perfect his garnishee process to satisfaction against such executor or administrator, as if he had been originally garnishee, and such Judge may from time to time make all such orders and give all such directions as may be by him considered necessary to secure such result.

24. Notice of all proceedings under this Act against the garnishee shall be given to the judgment debtor, unless the Judge giving judgment against the garnishee dispense with such notice on satisfactory proof that the judgment debtor has absconded or keeps concealed for the purpose of avoiding the service of process or notice, or for other good cause dispenses therewith; and in no case shall any money found to be due from the garnishee to the judgment debtor be paid over to the judgment creditor unless the judgment debtor has had notice of the proceedings, or such notice has been dispensed with as above mentioned; and in all cases where notice of the proceedings has not been given to the judgment debtor, security by Bond from the judgment creditor shall be taken, as is mentioned in the seventeenth Section of this Act.

25. Where under this Act any other proceeding may in the opinion of the Judge be necessary to enable the judgment creditor to perfect his remedy against the garnishee, or to protect the interest of the judgment debtor or garnishee, he may from time to time make such order or orders and give such directions as he may deem best fitted to secure such results.

26. When any attaching order is made under any of the provisions of this Act, and the sum of money attached is secured by a mortgage or other instrument creating a lien upon real estate, the Sheriff shall file a copy of such attaching order, certified by him to be a copy, in the Office of the

Registrar of Deeds for the County in which the said mortgage or other instrument creating such lien is registered; and such attaching order shall take effect from the time such copy is filed in the said Registrar's Office, and from such time shall be valid and binding against any subsequent attaching order or attachment, or any *bona fide* assignee thereof, after the same shall be attached.

27. The Registrar shall endorse on such copy the day and hour he shall receive the same, and thereupon file the same in his Office, and shall also enter in his Attachment Book the names of the judgment creditor, judgment debtor, and garnishee, and the time when the copy of order was received by him; the Registrar shall be entitled to a fee of twenty cents for filing and entering as aforesaid, and the same shall be open to the inspection of the public on the payment of the fee of twenty cents.

28. Upon the garnishee paying to the judgment creditor or into Court as aforesaid, any sum due and owing from him to the judgment debtor, and ordered to be paid to the judgment creditor or into Court as aforesaid, the Judge, when such money is owing on any mortgage or other security upon real estate, upon being satisfied that such money has been paid, may by order under his hand direct the Registrar to make an entry on the margin of the Registry Book in which such mortgage or other security is registered, that the said mortgage or other security has been satisfied by payment of the amount thereof to the judgment creditor under garnishee process against him, if the whole amount of such security has been paid over, or if part only, that the same has been satisfied to the extent of the amount garnished and paid, and such certificate of the Judge shall be filed by the Registrar as his authority for making such entry; but before such entry or filing, an affidavit that the signature is the proper handwriting of the Judge signing the same, shall be made before a Commissioner for taking affidavits to be read in the Supreme Court, and such affidavit shall be filed with the Judge's certificate.

29. Appearance by a judgment debtor or garnishee shall be in like manner as is now required in mesne process.

30. Where any hearing is by this Act directed to be had before a Judge of the County Court, a Clerk of the Peace, if in his opinion the liability of the garnishee would be better determined before a jury, he may make an order for that purpose, and by such order, or any subsequent order or orders, direct how and in what manner the same shall be so submitted for the consideration of a jury.

31. The word "Judge" in this Act, where the same is used in connection with any proceedings upon and after summons against the garnishee, shall mean Judge of the Supreme Court, or Judge of the County Court, according as the amount sought to be garnished is within the jurisdiction of any of the said Courts, unless the context is repugnant thereto.

32. The Governor in Council may appoint one person in the Shire Town of each of the Counties of the Province as a Commissioner, who shall have concurrent jurisdiction with the Clerk of the Peace, to do any of the Acts which the Clerk of the Peace may do by virtue of this Act, such Commissioner being sworn to the faithful discharge of his duties before some qualified person duly appointed by the Lieutenant Governor.

33. Wages due the judgment debtor for his personal labor