

be proof in all Courts of the fact that such deposit has been made. Such deposit or so much thereof as may be necessary, shall be liable to be taken in execution on any judgment recovered against the company upon any such bond or security, given as aforesaid, and shall not be liable to be taken upon any execution other than such as may be issued upon any such judgment.

(6) In any action brought to recover any amount under said bond or security, any and every order or decree of the Court, made in reference to any matter in respect to which the said bond shall have been given as security, or which may come in question in a suit upon such bond, shall be taken and deemed to be conclusive evidence of the facts found or stated in such order or decree of the Court, although the company shall not have been a party to the particular proceeding in which order or decree was made, and in any such suit upon said bond or security, the defendant shall not be allowed to plead, or set up, any laches upon the part of any person at whose instance, or for whose protection, such bond or security was given, without an order of the judge in Equity allowing such laches to be pleaded or setup, which order shall be granted only after notice to the parties interested.

(7) The enforcement of any bond or obligation or contract of any company, given under this Act, to, or in the name of "the clerk of the pleas," may be by suit in the name of "the clerk of the pleas," subject to any order of the Court, and for the benefit of any person interested; or where such bond or security is given in respect to any proceeding in the Supreme Court in Equity, any person interested may apply by petition, or otherwise, to the Court for relief, and upon due notice of the application to all parties interested, the Court may make such order as to the payment by the company of any sum due under, or secured by such bond or security, or of any part thereof. Such order shall be subject to the like appeal, as in cases of other orders or decrees made in the said Court, and shall be enforceable by execution, and may also be enforced in the same manner as any other order or decree is enforced by the said Court. When such bond or contract is given in any Probate Court, all the provisions of Section 99 of the Probate Courts Act, and all the provisions of the Probate Courts Act, as far as applicable, shall apply to such bond or contract.

(8) It shall not be necessary for the principal for whom such bond or security is given, to join in such bond or security, but the individual bond or security of the principal, either with or without sureties, may be required by the Court, or competent authority in that behalf, to be given, no failure on the part of such principal, or any surety, to give such individual bond, and no subsequent alteration or change of such individual bond, shall relieve said

company from liability on any bond or security, or prejudice or affect any security given by such company.

(9) The premium upon the bond or security given, may be made a charge upon the estate in respect of which it shall be given, in every case where the judge may so order.

(10) In any case where the Court or judge shall so order, service of any notice, summons, process, or order, may be made upon such company by mailing, postpaid and registered, a copy of such notice, summons, process or order, addressed to the said company, at any place where the head office of said company is indicated in such bond or security to be, at the time of the execution thereof, or otherwise, as the said judge of the Court shall direct.

(11) Such bond or security shall, in any case in the Court of Equity, be taken for such amount as the Court or judge shall deem sufficient, having regard to all the circumstances, and as he may order.

### CAP. XXX.

An Act further to amend "The Registry Act."

Sec.

1. Section 74 of "The Registry Act" amended.

Sec.

2. Assessors to have right to search without fee.

Passed 28th April, 1899.

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

1. Section 74 of "The Registry Act," is hereby amended, by adding at the end thereof, the following words:

But if he shall not have received sufficient fees in the year immediately preceding, to pay the full sum allowed him as salary for that year, the registrar shall be entitled to retain to his own use, an amount necessary to make up the deficiency for the then preceding year, and shall pay over the then remaining portion of fees and emoluments, (if any) to the treasurer as aforesaid.

2. Assessors of rates and taxes shall have the right to search, free of charge, the office of any registrar of deeds for the purpose of obtaining information necessary to enable them to make their assessment.

### CAP. XXXI.

An Act in amendment of Chapter 39 of the Act of Assembly, 58 Victoria, intituled "An Act relating to Pedlars."

Sec.

1. Warrant of distress not necessary where fine imposed under 58 Victoria, Chapter 39.

Sec.

2. Form of conviction.

Passed 28th April, 1899.