

party suing out the warrant shall have given a bond to the defendant or defendants therein, with good and sufficient sureties in double the amount of the appraised value thereof (to be ascertained as aforesaid) conditioned that the party directing such seizure and sale will repay the value thereof, together with all costs and damages that may be incurred in consequence of such seizure and sale, in case judgment be not obtained for such party suing out such attachment, which bond shall also be filed with the papers in the cause ; Provided always, that any bond given in the course of any proceeding under this Act, may be sued in any Division Court of the temporary Judicial District wherein the same shall have been executed, and proceedings may be thereupon carried on to judgment and execution in such Court notwithstanding the penalty contained in such bond may exceed the sum of twenty-five pounds ; And provided further, that every such bond shall and may be delivered up to the party entitled to the same, by the order and at the discretion of such Court, to be enforced or cancelled, as the case may require.

Proviso : as to
suit on such
bond.

Proviso.

XLVII Any residue which may remain after satisfying such judgment, with the costs thereupon, shall be delivered to the defendant, or to the agent of the defendant, or to the person or persons in whose custody the same were found, whereupon the responsibility of the Clerk as respects such property shall cease.

Residue of
proceeds, how
dealt with.

XLVIII. The Stipendiary Magistrate holding any Division Court as aforesaid, may, in any case, with the consent in writing of both parties to the suit, order the same, with or without other matters within the jurisdiction of the Court as to subject matter, but irrespective of amount if not exceeding two hundred pounds, in dispute between such parties, to be referred to arbitration to such person or persons, and in such manner and on such terms as he shall think reasonable and just ; and such reference shall not be revocable by either party, except by consent of the Stipendiary Magistrate ; and the award of the arbitrator or arbitrators, or umpire, shall be entered in the cause as a judgment of the Court, and shall be as binding and effectual, to all intents and purposes, as if given by the Stipendiary Magistrate in a cause within its jurisdiction ; Provided that, if he shall think fit, the Stipendiary Magistrate may, on application to him within fourteen days after the entry of such award, set aside such award so given as aforesaid, or may, with the consent of both parties as aforesaid, revoke the said reference and order another reference to be made in the manner aforesaid ; and when any reference shall have been made by any such order as aforesaid, either of the parties to the suit may obtain from the Clerk of any Division Court, a summons requiring the attendance before the said arbitrator or arbitrators of any witness resident within any such temporary Judicial District, or served with subpoena therein, in like manner as before the Stipendiary Magistrate at any sittings of the said Division Courts.

Matters in dispute not over
£200 may be
referred to arbitration.

Award to be
entered as a
judgment.

Proviso :
Award may
be set aside.

Subpoenas to
witness before
Arbitrators.