

regulations as are mentioned and provided in regard to Arbitrators in and by the eighty-seventh section of the said Act.

And as to proceedings against garnishees, Be it enacted as follows :

What order shall be made when the amount claimed from garnishee is within the jurisdiction of the Division Courts : and proceedings thereon.

IV. When the amount claimed as due from any garnishee shall be within the Jurisdiction of any Division Court; the order to be made in actions in the said County Courts under the enactments contained in the one hundred and ninety-fourth section of the Common Law Procedure Act, 1856, (applied to County Courts) shall be for the garnishee, to appear before the Clerk of the Division Court within whose Division the garnishee resides, at his office at some day to be appointed in the said order by the Judge of the County Court, and the said order shall be served on such garnishee, and if the garnishee do not forthwith pay the amount due by him or an amount equal to the judgment debt, and do not dispute the debt due or claimed to be due from him to the judgment debtor, or if he do not appear before the Division Court Clerk named in the order at his office at the day appointed by such Judge, then such Judge may on proof of the service of the order having been made four days previous, make an order directing execution to issue out of the Division Court of the Division in which such garnishee resides according to the amount due, and which order shall be sufficient authority for the Clerk of the said Division Court to issue execution without any previous summons or process to levy the amount due from such garnishee, and the bailiff to whom such writ of execution shall be directed shall be thereby authorized to levy and shall levy the amount mentioned in the said execution towards satisfaction of the judgment debt together with the costs of the proceeding to be taxed, and his own lawful fees ; but if the garnishee dispute his liability, such Judge may order that the judgment creditor in the said County Court shall be at liberty to proceed against the garnishee, according to the practice of the said Division Courts, for the alleged debt or for the amount due to the judgment debtor if less than the judgment debt, and for costs of suit and payment by or execution levied upon the garnishee in any such case, shall be a valid discharge to him as against the judgment debtor to the amount paid or levied, although the proceeding may be set aside or the judgment reversed.

And with respect to Commissions for the examination of Witnesses, Be it enacted as follows :

In what cases a Commission may issue for the examination of witnesses.

V. When the plaintiff or defendant in any action now pending or hereafter to be brought in any of the said County Courts, shall be desirous of procuring the testimony of any aged or infirm person resident within Upper Canada, or any person who is about to withdraw himself or herself out of the same, or who is residing without the limits of Upper Canada, it shall