

the plaintiff wishes to reply to any matters in the statement of defence, he must amend his statement of claim. Provisions are inserted for determining questions between the defendant and third parties who may be brought into the action, as by The Judicature Act in Ontario.

Pleas in abatement and new assignments are abolished. Liberal provisions are made for amendments of all kinds, and for the most generous relief, in case a party or an attorney makes any slip or omission, or commits any irregularity, in the course of the proceedings. It will even be permitted that a party may supply new material where the material filed is afterwards held to be defective.

The usual provisions for the examination of parties for discovery and for the production of documents appear in the Act.

All applications to be made in any action or proceeding are hereafter to be made by motion, and not by summons, rule, or order to show cause.

Rule 555 makes liberal provision for the relief of a party who, through accident, inadvertence, or mistake, the absence of a witness or document, or other cause, omits or fails to prove some fact material to his case at the trial.

With regard to the enforcement of judgments, a radical change has been introduced as to executions against goods and chattels. All moneys realized by a sheriff thereunder are to be distributed rateably amongst all execution creditors, and three months are allowed for the creditors to get judgments, but the distribution may be delayed for a longer time by order of a judge to enable other creditors to share. The law is unchanged, however, as to the enforcement of judgments against the lands of the judgment debtor, and certificates of judgment will still rank according to the order of their registration.

As to the cases in which there may be a trial by jury, sections 49 and 50 provide as follows:

49. Actions for libel, slander, breach of promise of marriage, illegal or excessive distress, illegal or excessive seizure, criminal conversation, seduction, malicious arrest, malicious prosecution, false imprisonment, breach of warranty, and for the recovery of damages under "The Workmen's Compensation for Injuries Act," shall be tried by jury, unless the parties in person, or by their solicitors or counsel, expressly waive such trial.