

Proviso as to
suits in the
county of
York ; or
where the par-
ties reside in
different coun-
ties, &c.

Proviso: ap-
peal allowed
from the or-
der of the
county Judge.

Proviso: not to
prevent appli-
cation to a
Judge of the
superior court.

Deputy-clerks
of the crown
may issue rules
to compute tax
costs, enter
judgments, and
issue execu-
tions, &c. in
certain cases.

and determine such applications and to grant
such summonses, to impose such terms, and
make such orders as are granted, imposed
and made in the like cases by a Judge of
the Superior Courts of Common Law sitting
in Chambers ; Provided always, that the
provisions of this clause shall not apply to
any suit wherein the venue is laid in the
County of York, or in any suit wherein
the Attorney for the defendant, or in case
of two or more defendants where the At-
torney for any one or more of them, resides
in a County different from that in which
the Attorney for the Plaintiff, or if he pro-
secutes in person the Plaintiff, resides :
Provided also, that either party interested
may appeal from any such order to the
Court in which the action is pending, or
to one of the Judges of the Superior Courts
at Chambers, and such Court or Judge
may affirm, reverse or modify such order, or
make such other order upon the subject mat-
ter of appeal, and the proceedings had there-
on, and with or without costs, as to such
Court or Judge may seem meet ; Provided
also, that nothing herein contained shall
prevent any party from making any such
application in the first instance, according to
the practice of the Superior Courts of Com-
mon Law, instead of to the Judge of the
County Court.

XXXVI. And be it enacted, That it shall
and may be lawful for the Deputy-Clerks
of the Crown of the Queen's Bench and the
Common Pleas in each County, to issue
such rules to compute, and thereupon to tax
costs and enter final judgment, and issue
Writs of *fiery facias* or *capias ad satisfaciendum* according to the practice of the Supe-
rior Courts, in all suits where an order for
rule to compute has been lawfully issued
by the Judge of the County Court under
the authority of the preceeding section ;
and also, that it shall and may be lawful
for such Deputy-Clerks to tax costs and
enter judgments in cases where cognovits
were given in the first instance, and there-