

under the order, the plaintiff may, if he so elect, serve the writ of summons, and in his statement of claim, claim either an order for the return of the goods and damages for their detention, or damages for their conversion."

**1368.** RULE 1134 is amended by striking out the words "the two preceding rules" in line five, and by substituting therefor the words "Rules 1131, 1132, 1133 or 1135."

**1369.** The several headings in Chapter XII., part 8, of the Consolidated Rules relating to Interpleader, viz.:

"(i) *Generally.*

(ii) *Interpleader in County Courts.*

(iii) *Interpleader by Bailees and Carriers "*

are hereby expunged.

(a) RULE 1162 is rescinded and the following substituted therefor:

"1162. The Consolidated Rules, 1141 to 1161 inclusive, in cases under sections (a) and (b) of Consolidated Rule 1141, shall, in so far as it is not otherwise inconsistent with the provisions of those Rules, apply in the County Court in manner following:

(a) Where the debt, money, goods or chattels mentioned in the said section (a) are the subject of a suit against the applicant in the County Court, the application for interpleader may be to the Judge of the said County Court, and where no such suit is pending and where the debt, money, goods or chattels in question do not exceed in value \$200, the application may be to the Judge of the County Court of the County or union of Counties in which the applicant resides, or in which the money, goods or chattels is or are situate.

(b) And in cases under section (b) of the said Consolidated Rule 1141 where the application is by a Sheriff or other officer in respect of a claim to any money, goods or chattels taken or intended to be taken in execution under any process issued by a County Court, or under an attachment against an absconding debtor issued out of the County Court, or to the proceeds or value of any such goods or chattels by any person other than the person against whom the process issued, such application for an interpleader order may be made to the Judge of the County Court of the County or union of Counties in which such money, goods or chattels are so taken or intended to be taken, notwithstanding that there are writs from two or more County Courts against the same goods.

(c) All subsequent proceedings shall be had and taken in the County or union of Counties where the application is made; provided that the Judge to whom any such application is made as aforesaid, if it appears more convenient and conducive to the ends of justice so to do, may order that the subsequent proceedings be had and taken in any other County.

**1370.** RULE 1163 is amended by adding thereto the following clause:

"(a) Where the amount of the execution or the value of the goods does not exceed \$100 the issue may be directed to be tried in the Division Court, and thereafter all proceedings shall be carried on in said Court."