

ment, or both, in the discretion of the said Court, and shall also loose all legal claim to enforce the collection of said debt in any Court of this Province.

22. That, after the passing of this Act, and Commercial Registrars are established in this Province, all Commercial Registrars appointed as aforesaid under this Act, shall take their oath of office before one of Her Majesty's Justices of either of our Superior Courts of Queen's Bench or Common Pleas, and immediately thereafter shall become an officer of said Court. It shall also be the duty of said Justice to question said Registrar upon the general business of the country, and with a view to find out whether he is a proper qualified person for the office or not; and if said Justice shall determine, after a careful examination, that said person is qualified to perform the duties, he shall thereupon administer the oath of office; or if he, the said Justice, shall think that said person is incompetent to fill said office, it shall be his duty to refuse the application to confirm and swear in said person or persons, and immediately thereafter shall address a note to the Secretary of this Province stating his reasons for so doing, in as short and concise manner as possible; and it shall be the duty of said Secretary to lay this refusal before the next ensuing meeting of the Governor in Council, so that some fit and proper person may be appointed at once in the place of the person so refused by said Justice so acting in his discretion.

23. That if any default is made in the payment of any contract, note, bill, invoice, or account as aforesaid recited in this Act, and protest has been regularly filed by any legally authorized notary in the office of the Commercial Registrar for the municipality where the said defaulter may reside, or where said defaulter may have property personal, and notice of protest being mailed to said defaulter, addressed to the nearest post office where he resides, or where he last resided in this Province, or where he is reported to have resided; and the said defaulter shall not remove or pay up such money at the end of one month from the date of said default, it shall then be competent for said creditor as aforesaid to apply to any Court of competent jurisdiction for an execution against said defaulter, to be levied upon the property personal of said defaulter, and he shall, upon receiving the same, place the same in the hands of some bailiff, sheriff, or other officer of competent jurisdiction, who shall proceed to levy the same according to the laws now in force in this Province. It shall also be the duty of said creditor in making the application to said Court, to examine the Commercial Registry Office, and find if there is any other bill, bond, note, contract, or invoice of account lying under protest against said defaulter. If, upon examination, he shall find others, it shall then be his duty to mention, in his application, the names of the other creditors, and state the amount of their claims, with legal interest thereon; and upon said execution being issued as aforesaid, by any proper officer having power to do so, the names of all the creditors who may own debts, under protest, in the Registry Office, against said defaulter, shall appear in said execution, and they shall share, *pro rata*, in any money that may be made by any bailiff or any sheriff out of the property personal of said defaulter. If there should be any excess after paying the cost and poundage of such sale made as aforesaid, and paying the amount over to the creditors in said execution named, upon which the sheriff or bailiff may have made their money, it shall be his duty forthwith to return the same to the Commercial Registrar of the municipality, having first endorsed the sum or amount in excess upon said execution, and stating the fact, upon oath, before some proper person or persons duly qualified to administer the same; that he made an excess of money,—here stating the amount, and no more,—and in default of