

of the month on which he receives the same, and to enter a memorandum thereof in a book to be by him provided for that purpose, which memorandum shall contain the names of the plaintiff and defendant, the amount of the judgment, the amount remaining unsatisfied thereon, 5 and the date of fying, for which services the said Clerk of the County Court shall be entitled to demand and receive from the person fying the same the sum of *two shillings and six pence*, and no more, and such book shall at all reasonable hours be accessible to any person desirous of 10 examining the same upon the payment to the said Clerk of *six pence*, and upon such fying and entry as aforesaid, the plaintiff shall at any time within one year thereafter be entitled to issue execution out of the said County Court against the lands and tenements of the defendant 15 in the same manner as he would have been had the judgment been originally obtained in the said County Court, and such land may be sold in the same manner as lands are now or hereafter may be sold under executions against lands issuing out of the said County Courts on judgments 20 obtained therein: Provided always, that no person shall be entitled to such execution against lands unless the sum remaining unsatisfied on the said Division Court judgment shall exceed the sum of

Proviso.

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And provided also, that if the certificate of such judgment is registered in the County Registry, then the judgment shall have the same effect in binding lands in the like manner and to the same extent as if the judgment had originally been obtained in the County Court.] 25

Penalty on Bailiff neglecting to make a return or wilfully making a false return.

LVIII. And be it enacted, That if any Bailiff shall neglect to return any writ of execution within three days after the return day thereof, or shall make a false return thereto, the party having sued out such writ may maintain an action [on the covenant against such Bailiff and his sureties in any Court having competent jurisdiction 35 in Upper Canada aforesaid,] and shall recover therein the amount for which the execution issued, with interest from the date of the judgment upon which such execution was issued, [or such less sum as in the discretion of the Judge or Jury the plaintiff under the circumstances 40 may be justly entitled to recover;] and if a judgment be obtained in such suit against the Bailiff and his sureties, execution shall immediately issue thereon; anything in this Act or in any other Act or law to the contrary notwithstanding. 45

At what time goods shall be sold after seizure in execution, &c.

LIX. And be it enacted, That no sale of any goods which shall be taken in execution shall be had until after the end of eight days at least, next following the day on which such goods shall have been so taken, unless upon the request in writing, under the hand of the party whose 50 goods shall have been taken; and the Bailiff, after taking goods and chattels into his custody by virtue of a writ of