

Act to be hereafter passed, and also for the due performance of the duties of their several offices ; Provided always, that nothing herein contained shall affect or be construed to affect the validity of any covenant entered into, under the 22nd Section of the said recited Act of the 13th and 14th years of Her Majesty's Reign or the remedy given thereunder to persons suffering damages by the default, breach of duty, or misconduct of any Clerk or Bailiff, or affect or be construed to affect any bond or security heretofore legally given by any County Treasurer, or any Clerk or Bailiff of a Division Court.

Proviso: covenants entered into under Sect. 22, of 18 and 14 Vic. c. 53, and bonds &c., not invalidated.

XIII. And be it enacted, That the Clerk of each Division Court shall, in the month of January, in each year, make out a correct list of all sums of money belonging to suitors in the Court, which shall have been paid into Court, and which shall have remained unclaimed for six years before the last day of the month of December then last past, specifying the names of the parties for whom or on whose account the same were so paid into Court ; and a copy of such list shall be put up and remain during Court hours in some conspicuous part of the Court House or place where the Court is held, and at all times in the Clerk's office : and all sums of money which shall have been paid into Court to the use of any suitor or suitors thereof, and which shall have remained unclaimed for the period of six years after the same shall have been paid into Court, or to the officers thereof, and which are now in the hands of the Clerk or Bailiff, and all further sums of money which shall hereafter be paid into Court, or to the officers thereof, to the use of any suitor or suitors, shall, if unclaimed for the period of six years after the same shall have been so paid, be applicable as part of the General Fee Fund of the Division Courts, and be carried to the account of such fund, and paid over by the Clerk or officer holding the same, to the Treasurer of his County, and no person shall be entitled to claim any sum which shall have remained unclaimed for six years, but no time during which the person entitled to claim such sum shall have been an infant or *feme covert*, or of unsound mind, or out of the Province, shall be taken into account in estimating the six years.

Clerks of Division Courts to make out yearly, lists of monies paid into Court and unclaimed during a certain time ; Lists to be posted up, and such sums unclaimed after a certain time, to go to Fee Fund.

Provision as to infants, &c.

XIV. And be it enacted, That from and after the commencement of this Act, no action shall be brought against any Bailiff of a Division Court, or against any person acting by the order and in aid of any Bailiff, for any thing done in obedience to any warrant under the hand of the Clerk of the Court and the Seal of the Court, until demand hath been made, or left at the residence of such Bailiff, by the party intending to bring such action, or by his attorney or agent in writing, signed by the party demanding the same of the perusal and copy of such warrant, and the same hath been refused or neglected for the space of six days after such demand ; and in case after such demand and compliance therewith,

Action against Bailiff, not to be brought except after certain notice, &c.

As to action where Clerk