

Proviso :
When the res-
ponsibility of
the Sheriff
shall com-
mence, &c.

Proviso :
Defendant to
have the usual
relief by Bail,
&c.

whom he shall also deliver the body, or the
goods attached, (as the case may be) to be 2
dealt with according to law, and by whom
the Writ and the proceedings thereon shall 4
then be returned to the Superior Court:
Provided always, that in such case, the 6
Sheriff shall not be responsible for any act
done by the Bailiff, until the Officer last 8
named shall have complied with the fore-
going requirements; and in every such 10
case service of the declaration in the cause
may be made in the same manner and within 12
the same delay as if the Writ had been
issued by the Prothonotary of the Superior 14
Court, and addressed to and executed by the
Sheriff: Provided always, that in all cases 16
where any such Writ of Attachment against
the body or goods shall be issued by any 18
Clerk of the Circuit Court, and made
returnable in the Superior Court, the 20
defendant shall be entitled to the same re-
lief on giving security or otherwise to the 22
Sheriff, and in default shall be committed
to the common Gaol of the District, in like 24
manner as if such Writ had been issued by
the Prothonotary of the Superior Court. 26

Certain powers
vested in the
Circuit Court,
Judges and
Officers, as in
other Courts in
like matters.

LXV. And be it enacted, That all pow-
ers vested in the Superior Court or in the 28
Judges or Officers of such Court, respective-
ly, in any suit or action pending in the said 30
Court, with regard to the summoning of De-
fendants *en garantie*—the admission of par- 32
ties to intervene—the summoning of witen-
ses and the adduction of evidence—the pro- 34
duction of papers and other things in the
possession of any witness or party—the exa- 36
mination of any witness or party, and the
oaths to be deferred, referred or required of 38
them—the issuing of any *Commission Ro-*
gatoire or *Commission* in the nature of a 40
Commission Rogatoire—the examination of
any witness sick or about to leave Lower 42
Canada—the enforcing of the attendance of
witnesses duly summoned, and the punish- 44
ment of such as shall disobey any Writ of
Subpœna—the imprisonment (*contrainte* 46
par corps) of any defendant or party resist-