

compliance with the said notice, by paying the execution debtor or otherwise, shall render the garnishee or garnishees liable to the execution creditor for the amount of judgement and costs due to such creditor, or for so much thereof as the said garnishee or garnishees shall have owed to the said execution debtor at the time of receiving said notice: *Provided always*, that payment of the garnishee before notice of a judgment obtained in a Division Court against his creditor, shall be a discharge of the debt not only as against the creditor, but as judgment debtor as against the judgment creditor of such judgment debtor.

IX. That in future when a creditor desires to take out an execution upon a judgment of more than one year's standing, and upon which no execution has been issued, it shall be sufficient for him to make the affidavit of the facts of non-payment, before the Clerk of the Division in which judgment was obtained, instead of before the judge as heretofore.

X. That notwithstanding anything contained in Sec. LXV. of "the Upper Canada Division Courts' Act of 1850," creditors who have proceeded to execution, or who may proceed to execution, within one month from the date of the issue of the first attachment, and whose judgment or execution shall not have been satisfied, shall be entitled to participate *pro rata* in the proceeds of the goods and chattels which shall have been attached, in the same manner as any attaching creditor would be permitted to participate according to said section herein mentioned.

XI. That in case of executions issued out of any Division Court, the wearing apparel of such debtor and that of his family, and their beds and bedding, and household utensils, not exceeding altogether the value of ten pounds, and the tools and implements of the trade of such debtor or other property, not exceeding in value ten pounds, shall be protected from execution.

XII. That in all cases where a judgment with costs amounts to ten pounds, either Plaintiff or Defendant shall have the right of appeal to the County Court; which Court shall have power to tax the necessary additional costs incurred by the appeal, according to the practice of said County Court.

XIII. That the Clerk of any Division, shall, on or before the first Monday in January, April, July and October in each year, make a return of all monies paid into his hands by the Bailiff in his Division, to the Clerk of the County Court, who shall file the same on the day it is received, and any Clerk failing to do as hereby required, shall be subject to such penalty or fine as the Judge shall inflict, not exceeding twenty dollars.

XIV. That upon payment of five cents to the Clerk of said County Court, he (the said Clerk) shall show to any party, any return so made to him, and allow extracts to be taken without any further charge.

XV. From an after the passing of this Act no Clerk of a Division Court shall be ineligible or disqualified from holding the office of Clerk of the County Court, or Deputy Clerk of the Crown of the County in which he resides, any law, custom, or usage to the contrary notwithstanding, and all Acts and parts of Acts now in force so far as they, or any or either of them render a Clerk of the Division Court ineligible or disqualified to hold the office of Clerk of the County Court or Deputy Clerk of the Crown of the County in which he resides, shall be and the same are hereby repealed.