

6-7 EDWARD VII, A. 1907

whatsoever to the prejudice of such Judgment Creditor or Creditors.

And it is further ordained & declared by the Authority aforesaid, that all Judges issuing any Writ of Execution, as well where the Cause of Action shall exceed the sum of ten Pounds sterling as aforesaid, or where it shall not exceed the same, shall & may, and they are hereby authorized & required, to mark upon such Writ of Execution, the Day on which Judgement was pronounced in the Cause, and if two or more Writs of Execution shall be issued upon Judgments pronounced, the same day, against the same Defendant, or Defendants, & so marked upon the Writ, such Executions shall have the same Privileges, & be satisfied in equal proportions; & the sheriff or other persons to whom such Writs of Execution shall be awarded, is hereby authorized & commanded, after the sale of the whole of such Defendant or Defendants, real & personal Estate, where the said Writs of Execution shall be awarded against both, in case the same should not be sufficient to satisfy the whole of the said Judgements, to pay over, & divide the Produce of such sale, or sales, after deducting his own Costs & Charges, amongst the several Plaintiffs in proportion to the Amount of their respective Judgments.

\*This Clause perhaps had better be inserted after the clause establishing the Courts of the District.

\*Provided always that nothing contained in this Ordinance shall extend or be construed to extend, to prevent or hinder the Judges of any of the Courts of Judicature, established or to be established by virtue of the same, from making any other Rules & Regulations, not contrary to the Rules & Regulations herein before described, for the more orderly practice & Proceedings in the said Courts, but the said Judges of the said several Courts shall be, and they are hereby authorized & empowered to make such other Rules & Regulations, except in the Cases herein before provided for, in as full & ample manner, as all, or any of the Judges of the several Courts of Judicature in England may or of Right ought to make.

And provided also that, in all Cases where the Cause of Action shall exceed the sum of ten pounds sterling Money of Great Britain, or where any Title to Land is in question, all & every Person & Persons, who shall think him, her, or themselves, aggrieved by Virtue of any Decree, Judgment, sentence, or Order, of any of the Courts of Justice established; or to be established, in this Province, may appeal therefrom; & it shall be lawful for him, or them, to appeal therefrom to the Court of Appeals, to be held before the Gov<sup>r</sup> & Council of the Province as hereinafter appointed; such Person or Persons so appealing, having first given good security to prosecute such Appeal, &