

tion of the year a writ is also placed in the hands of the Sheriff of Toronto, indorsed with a notice that priority is claimed by virtue of the Act, in which case the writ is to retain the priority it had in the hands of the Sheriff of York, unless in the meantime (we presume within the year) it has been suffered to run out, or has otherwise lost its priority in the hands of the Sheriff of York.

Chapter 9 empowers Surrogate Courts to seal foreign British probates and letters of administration, so as to give such probates or letters force in this Province. The Act is not to go into operation, however, until a day to be named by proclamation of the Lieutenant-Governor, and is only to apply to the United Kingdom and other British possessions if they pass similar Acts. Nothing is said about fees, but we presume no additional fees are intended to be payable. No provision is made for notifying the Surrogate Clerk of the re-scaling of such foreign probates or letters of administration, which appears to us an oversight which should be corrected. Provision is made for the giving of further security in cases where the security given in the foreign court is insufficient to cover the assets in this province.

It would be too much to expect that the Revised Statutes should be allowed to pass a session without being tinkered. Accordingly we have two or three Acts amending them. The amendments made by chapter 10 to the Division Court Act, R. S. O. c. 51, seem to be such as might have been reasonably refused; the amendment to section 100 appears to us to be wholly immaterial,—the words, "either before or after the issue of the summons," are inserted after the word "absconded," in the eighth line, but seem to add nothing to the effect of the section. Section 148 is amended by extending the right of appeal in Division Court cases to parties to garnishee proceedings, and parties added by order of a judge. Formerly it was a cause for committal of a defaulting debtor to gaol, if it appeared that he had contracted the debt without any reasonable expectation of being able to pay it; now the wisdom of our legislators has determined that this is not a sufficient reason for gaoling a debtor, and this provision of section 240 is struck out.

The complicated provisions of the Creditors' Relief Act, R. S. O. c. 65, also comes in for a few amendments. Chapter 11 provides that section 4 is to apply to moneys received by a sheriff as the proceeds of a sale under an interpleader order, but when the money is ordered to be paid into court, the entry required to be made by the sheriff is not to be made until the money is paid out to him again. Section 2 provides that creditors having only *fi. fas.* goods are to share ratably with all other creditors in moneys realized under *fi. fas.* lands, and creditors having only *fi. fas.* lands are also to share ratably with all other creditors in moneys realized under *fi. fas.* goods. Section 4 provides that when a sheriff is unable to satisfy a Division Court judgment or execution filed with him, upon a return thereof by the sheriff, the creditor may file it in the office of the Clerk of the Division Court where the judgment was recovered, or in the place where the cause of action arose, or the debtor, or one of the debtors (if more than one) resided, and thereupon it shall become a judgment of the said court for the unpaid balance. One would have thought that it being already a