

allowance thereof. The bond if allowed and endorsed was substituted for and took the place in all respects of the bond first given.

On 6th May, 1859, the Legislature passed the 22nd Vic., 2nd Sess., cap. 33; section 6 of which enacted that persons giving bail under a writ of *ca. sa.*, or writ of attachment should not be bound to remain or abide within the gaol limits, but might depart therefrom at their discretion. It also enacted that the bond to the Sheriff should not contain that part of the usual condition that the debtor should remain and abide within the limits of the gaol, but that the condition should provide that the person arrested "should observe and obey all notices, orders and rules of court touching or concerning the debtor or person ordered to pay, or his answering interrogatories, or his appearing to be examined *via voce* or otherwise, or his returning or being remanded into close custody." It was declared that the party or his bail should not be entitled to claim longer time for so observing and obeying than he would have been entitled to if the party had remained on the limits as before the passing of the Act. Power was given to the Court to grant further time if the Court were of opinion that the same might be done without substantial injury to the interests of the party entitled to receive the money.

Such is now the law as consolidated in Con. Stats. U. C. cap. 24, sec. 24, *et seq.*

The effect of 22 Vic., 2nd Sess., cap. 33, was to make a bond to the limits a bond without limits. It is as it were the retention of the shadow by some process of Legislative photography, though the substance is no more. One step more and legal custody for debt is gone—vanished like a dream. We have seen how, little by little, it was blotted out of the Statute book, till now its appearance is so faint that its very existence is a matter of uncertainty. What it is can only be ascertained by a knowledge of what it was. That knowledge we have here endeavored to impart.

COMMON LAW COURTS.

DELIVERY OF JUDGMENTS.

QUEEN'S BENCH.

Monday, 16th June 10 o'clock.
Saturday, 21st June 2 o'clock.

COMMON PLEAS.

Monday, 16th June 2 o'clock.
Saturday, 21st June 10 o'clock.

COMMON LAW—RULES OF COURT.

FEBRUARY 14TH, 1862.

It is Ordered, That the several sheriffs in Upper Canada shall be allowed, in addition to the fees and disbursements heretofore authorised for services rendered by them in the county

courts, to charge and receive the fees and disbursements following:

For return of Writ of Execution against Lands or Goods, where nothing has been made under the writ. £0 2 6
For removing or retaining property taken under any statute of this province relating to replevin, reasonable and necessary disbursements and allowances, to be approved by the clerk, or by order of the judge.

JOHN B. ROBINSON, C. J.
W. H. DRAPER, C. J., C. P.
WM. B. RICHARDS, J.
JOHN H. HAGARTY, J.
ROBERT E. BURNS, J.

FEBRUARY, 15TH, 1862.

It is Ordered, That the form of Writs of Assignment of Dower to be used under the statute 24th Vic., ch. 40, shall be as follows:

The Writ of Assignment of Dower required to be issued after a judgment in an action of Dower has been entered in favour of the demandant, shall be in the form hitherto in use in Upper Canada.

And the Writ of Assignment of Dower required to be issued under the second clause of the said statute, when the right of dower is acquiesced in by the owner of the estate, may be as follows:

UPPER CANADA. }
County of — } VICTORIA, by the Grace of God, &c.

TO THE SHERIFF OF THE COUNTY OF —

GREETING:

WHEREAS, A. B., widow, who was the wife of C. D., deceased, demands against E. F., the third part of (here describe the estate in which dower is claimed, as in other writs of assignment of dower) as the dower of the said A. B. of the endowment of the said C. D., heretofore her husband: *And whereas* it has been made to appear to us in our Court of Queen's Bench, (or Common Pleas, as the case may be,) in Upper Canada, that the said E. F. is the owner of the said real estate out of which such dower is claimed, and that he acquiesces in the said claim, and is willing to assign to the said A. B. her proper dower, but that the said A. B. and E. F. are not agreed as to the admeasurement thereof: *We therefore command you* that without delay you do deliver to the said A. B. seisin of her third part of the said — with the appurtenances, to hold to her in severalty by metes and bounds; *And* that you do proceed in the execution of this our writ, according to the provisions of the statute, in that behalf passed by the Legislature of our province of Canada, in the twenty-fourth year of our reign.

Witness, &c.

(When the Demandant has married again since the death of her late husband, under whom she claims dower, her name and description must be made such as to suit the circumstances.)

JOHN B. ROBINSON, C. J.
W. H. DRAPER, C. J., C. P.
ROBERT E. BURNS, J.
WM. B. RICHARDS, J.
JOHN H. HAGARTY, J.