

which payment well and truly to be made we bind ourselves and each of us by himself, our, and each of our heirs, executors and administrators respectively, firmly by these presents. Witness our hands and seals respectively, the — day of — in the year of our Lord —.

Whereas the (appellant) alleges and complains that in the giving of judgment in a certain suit in her Majesty's Court of Queen's Bench, (or the Court of Common Pleas, as the case may be) in Upper Canada, between (the defendant) and (the appellant) in a plea of —, manifest error hath intervened, wherefore the said (appellant) desires to appeal from the said judgment to the Court of Error and Appeal.

Now the condition of this obligation is such, that if the said (appellant) do and shall effectually prosecute such appeal and pay such costs and damages as shall be awarded in case the judgment aforesaid to be appealed from shall be affirmed or in part affirmed, then this obligation shall be void, otherwise shall remain in full force.

Amount of
security.

VI. That when the judgment to be appealed from directs the payment of money, and the appellant desires to stay the execution thereof, then the bond or security aforesaid shall be double the amount of such judgment, unless the same shall be in debt or bond for a penal sum or upon a warrant of attorney or *Cognovit Actionem* or otherwise, exceeding in amount the sum really due, in which case the bond shall be in double the true or real debt and costs only; and the amount so recovered, and of such true and real debt and costs shall be stated in the condition or recital to the condition of the bond or security, immediately after the statement of the nature of the action, and the condition shall be to the effect that the said (appellant) shall effectually prosecute such appeal, and if the said judgment so to be appealed from or any part thereof shall be affirmed, shall pay the amount directed to be paid by the said judgment, or the part of such amount as to which the said judgment shall be affirmed (if it be affirmed only in part) and all damages which shall be awarded against the said appellant in the appeal: Provided always, that in cases where the security to be given shall be in a sum above five hundred pounds, it shall be in the discretion of the court appealed from, or of a judge thereof in vacation, to allow security to be given by a large number of obligors, apportioning the amount among them as shall appear reasonable.