

enter appearance if not personally served, and the demandant shall proceed to the trial of the right of Dower in the land, the said demandant, before the entry of any verdict in favour of such right, shall prove the marriage, *seisin* and death of the husband, in the same manner 5 as if the tenant had pleaded traversing such marriage, *seisin* and death of the husband.

How costs
shall be
allowed, &c.

V. And be it enacted, That costs shall be allowed to the demandant, in all cases, whether damages be recoverable or not, in the same manner as costs are now 10 allowed to a plaintiff or defendant in personal actions; provided it shall be made appear on the trial that a demand in writing had been made of the Dower claimed from the tenant, one month before action brought, the action to be brought within a year from demand as afore- 15 said; provided also, that the tenant shall not make it appear on the trial that he or she, offered to assign the Dower demanded, before action brought.

SCHEDULE.

Victoria, by the Grace of God, &c.

To C. D., of
County of

in the

We command you, that within eight days from the service of this writ upon you, inclusive of the day of such service, you do cause an appearance to be entered for you in our Court of Queen's Bench, (or Common Pleas) at Toronto, by filing your appearance in the office of the Clerk of the Crown (or Clerk of the Common Pleas, or Deputy, *as the case may be*) in the County of in an action of Dower, at the suit of A. B. And take notice, that in default of your so doing, the said A. B. may cause an appearance to be entered for you, and proceed thereon to judgment and execution.

Witness

at

the

day of

185

N.B. This writ is to be served within four calendar months from the date thereof, including the day of such date, and not afterwards.