

DIARY FOR JUNE.

1. SUNDAY	1st Sunday after Ascension.
2. Monday	Last day for Notice of Trial County Court.
3. SUNDAY	Whit-Sunday.
10. Tuesday	Quarter Sessions and Co Court Sittings in each County.
12. Thursday	Sittings of Court of Error and Appeal commences.
15. SUNDAY	Trinity Sunday.
22. SUNDAY	1st Sunday after Trinity.
29. SUNDAY	2nd Sunday after Trinity.
30. Monday	Last day for County Council finally to revise Assessment Rolls, and to appoint School officers by C S S. Chief Superintendent to report state of Grammar School.

IMPORTANT BUSINESS NOTICE.

Persons indebted to the Proprietors of this Journal are requested to remember that all our past due accounts have been placed in the hands of Messrs. Patton & Artyagh, Attorneys, Barrie, for collection; and that only a prompt remittance to them will save costs.

It is with great reluctance that the Proprietors have adopted this course; but they have been compelled to do so in order to enable them to meet their current expenses which are very heavy.

Now that the usefulness of the Journal is so generally admitted, it would not be unreasonable to expect that the Profession and Officers of the Courts would accord it a liberal support, instead of allowing themselves to be sued for their subscriptions.

The Upper Canada Law Journal.

JUNE, 1862.

BAIL TO THE LIMITS.

The law of debtor and creditor is much less rigorous at present than it was in the early history of Upper Canada. Both in England and here much has been done to relax if not to abolish imprisonment for debt.

The first step was to suppose the debtor in custody when he had the privilege of locomotion within circumscribed limits, from time to time increased in extent. The next step was to suppose him on the limits when he had the privilege of going where he pleased.

It is interesting to trace the gradual relaxations of the law on the subject of bonds to the limits, and in truth it is necessary to do so in order to understand the effect of that which now goes by the name of a limits bond.

Close custody is the starting point: originally the only limits were the four walls of the gaol. This was the law till 1822.

On 17th January, 1822, the Legislature passed the 2nd Geo. IV., cap. 6, intitled "An Act for assigning limits to the respective Gaols of this Province." It recited that it was expedient to assign certain limits to the gaols within Upper Canada in which debtors might have the benefit of exercise and air without subjecting the Sheriff or other officer in whose custody the debtor might be to any action at law for an escape. It authorized the Justices of the Peace, in Quarter Sessions assembled, from time to time, in each district in Upper Canada, to order, determine and appoint certain limits of ground not exceeding six acres to each and every gaol, and that after the establishment of such limits it should be lawful for any debtor confined in such gaols to be and remain at any part or place within such

limits without subjecting the Sheriff or other officer in whose custody such debtor might be, to any action or suit for an escape from such gaol or limits. It was not made incumbent on the Sheriff to give the benefit of the limits to a debtor till furnished with satisfactory security that the debtor should not at any time during his confinement "go or remove beyond such established limits." If there was a breach of the condition of the bond, the Sheriff was enabled to sue upon the bond and to recover the amount for which the debtor was in custody, and costs. Provision was made for the assignment of the bond to the judgment creditor upon request. The assignee was authorized to sue upon the bond in his own name. An acceptance of an assignment of the bond was made to operate as a discharge of the Sheriff from all responsibility in respect of the debtor. The Act was an experiment merely, and was made to have force for four years and no longer.

On 30th January, 1826, the Legislature passed the 7th Geo. IV., cap. 7, by section 1 of which the previous Act was extended for four years further. Provision was by the same act made for the surrender of the debtor into close custody by his bail.

On 17th February, 1827, the Legislature passed the 8th Geo. IV., cap. 9. It recited the 2nd Geo. IV., cap. 6, and authorised the Justices of the Peace for the District of Niagara, in sessions assembled, from time to time to order, determine and appoint certain limits for the Gaol in that District, not exceeding sixteen acres.

On 50th January, 1830, the Legislature passed the 11th Geo. IV., cap. 2, continuing the 2nd Geo. IV., cap. 6, for four years longer.

On 6th March, 1830, the 11th Geo. IV., cap. 3, was passed. It consolidated and made permanent the provisions of previous acts. It authorized the Justices of the Peace, in general Quarter Sessions assembled, in each and every district other than the District of Niagara, to assign and make as limits to the respective gaols "sixteen acres of ground contiguous to the gaols." Authority was given to extend the limits of the gaol in the Niagara District to twenty-six acres. The debtor while on the limits was in law considered as in the custody of the Sheriff. The judgment creditor was authorized to administer interrogatories to his debtor while on the limits. Neglect or refusal to answer for twenty days subjected the debtor to confinement in close custody.

On 6th March, 1834, the Legislature passed the 4th Wm. IV., cap. 10. It enacted that the limits of the respective gaols situate in any town in Upper Canada should be co-extensive with the limits of the towns in which situate. In the case of gaols not situate in towns, the justices of the peace were authorised to extend the limits