I have fully considered that objection, and however unwilling to give effect to it as one of a mere technical character where the inability to respond of the surety was not attacked or even suggested, and consequently no injury expected to be done to the Respondent, I would nevertheless have felt bound to do so could I conclude that more than one were, under the circumstances, legally necessary. On the contrary, however, I concur as well in the finding of Mr. Russell as in the reasons given for the conclusions arrived at by him as to the construction of the rules. The correctness of his conclusions may be further seen by reference to section 25 of those rules—The first form of recognizance there given is for one surety only as appears by the words, "came A. B. of *(name and description as above described)*, and acknowledged himself, &c.,"—showing that it is intended but for one person, whilst the second form provides for any number up to *four* (which is the limited number):—"and acknowledged themselves," &c., are the words immediately following. Besides, the second form is headed by these significant words: "In cases where the recognizance is entered into by more than one surety,"—showing, by irresistible implication, a recognizance to be good if under the first form signed by even only one surety.

My attention moreover was called on the argument to Sub-Section 17 of Section 7 Cap. 1, of the Dominion Act, 1867, for the interpretation of statutes (which is identical in language with Sub-Section 20 of Cap. 1 of the Revised Statutes of Nova Scotia, 3rd series.) It provides as follows,—"the word 'sureties' shall mean sufficient sureties and the word 'security' shall mean sufficient security, and when these words are used one person shall be sufficient therefor, unless otherwise expressly required." Whatever conclusion might otherwise have been arrived at on the point in question, but one, in view of this legislation directly in point, can be properly reached, and as neither the statutes nor rules "expressly require" more than one surety, I consider myself bound by these plain words of the Statutes and for all the reasons given, to dismiss the appeal with costs.

In accordance with the above judgment an order passed in the following terms:—

On hearing read the papers on file in this cause the order of the Clerk of this Court dated the 10th April, 1874, declaring the sufficiency of the