

49. A defendant may appear at any time before judgment. C.R. 175, *amended*.

50. A defendant appearing to a writ, indorsed to recover a money demand, may, in his appearance, state that he disputes only the amount claimed. The plaintiff may thereupon proceed to take an account of the amount due to him before the officer with whom the judgment is to be signed on four clear days' notice, and judgment may be signed for the amount found due, or the plaintiff may move for a judgment of reference. C.R. 176.

51.—(1) A defendant in an action for dower, may, with his appearance, file an acknowledgment that he is tenant of the freehold of the land named in the writ, together with his consent that the plaintiff may have judgment for her dower therein, and may take the proceedings authorized by *The Dower Procedure Act* to have the same assigned to her, unless the parties otherwise agree, and he shall forthwith serve the plaintiff or her solicitor with a copy of such acknowledgment and consent, and upon such consent the plaintiff may enter judgment of seisin, and may obtain a writ of assignment of dower, but shall not, without an order, be entitled to tax or recover the costs of the action or judgment against the defendant.

(2) The entry of a judgment of seisin and the taking of proceedings for the assignment of her dower thereunder shall not prevent the plaintiff from proceeding with the action for the recovery of arrears of dower or damages.

(3) Where the defendant has filed and served such acknowledgment and consent, and the plaintiff does not within 3 months thereafter sue out and cause to be executed a writ of assignment of dower, the defendant may, by leave, sue out such writ; and the writ shall be, as nearly as may be, in the same form as a writ sued out by the plaintiff, and the like proceedings shall be had thereon. C.R. 177 and 178.

52. In an action for dower the landlord or other person under whom a tenant in possession, who is not also tenant of the freehold, holds or entered into possession, may, without leave, appear and defend, by filing with his appearance an affidavit that he is tenant of the freehold, and is advised and believes that there is good ground for disputing the plaintiff's claim to dower. C.R. 179.

53. Any person not named as a defendant in a writ for the recovery of land, may, without leave, appear and defend, by filing with his appearance an affidavit stating that he is in possession either by himself or his tenant (as the case may be). C.R. 180.