

shall issue to the Sheriff or Bailiff, commanding him to remove therefrom all persons and their effects, and to put the plaintiff in possession thereof.

possession shall issue.

IX. And be it enacted, That the Sheriff or Bailiff executing any writ of possession under this Act, shall have full power to use force, if necessary, to execute the same, and to call, in the Queen's name, on all persons to aid him if need shall be, and any person so called upon and refusing or neglecting to give such aid, shall thereby incur a penalty of pounds.

Powers of Sheriff, &c. executing such writ.

X. And be it enacted, That an appeal shall lie from any judgment under this Act, when the sum or value in property shall be sufficient, in the same manner and on the same conditions as in other cases, but in addition to the usual security, the appeal bond shall be conditioned for the payment of all damages arising from the non-execution of the judgment, in consequence of such appeal; and no surety shall be received unless he shall give in writing, signed by him, a description of real property to him belonging, the value whereof shall be equal to the amount for which security is to be given, over and above all hypothecs, charges or incumbrances, payable out of, or affecting the same, nor unless he shall (if required by the opposite party), justify his sufficiency on oath, and produce the titles to such real property as aforesaid.

Appeal to lie if the sum in question be sufficient.

Sureties must specify their real property, &c.

XI. And be it enacted, That if in any case the rent of the immovable in question shall not exceed fifty pounds per annum, the matter shall be decided by one Judge of the Superior Court sitting in the District in which the said property lies, or by one Circuit Judge residing in the said District, whatever be period of the lease, or the supposed value thereof, or of the immovable or of the then possession thereof.

Certain Judges may decide cases whatever be the value of the property, &c.

XII. And be it enacted, That nothing in this Act shall apply to, or affect any proceeding commenced before the passing thereof.

Not to affect pending cases.