

Production of the bond to the Judge for allowance, &c.

confined, and such allowance to be endorsed thereon by the said Judge ; and for this purpose the sheriff shall, upon reasonable notice by the debtor given, cause such first mentioned bond to be produced before the Judge, and upon such allowance being so endorsed, the sheriff shall be discharged from all responsibility respecting such debtor, unless such debtor be again committed to the close custody of such sheriff in due form of law ; and the said bond shall, upon any breach of the above mentioned condition, be assignable in like manner and the like remedies be had thereon as is provided in respect of other breaches in the three hundred and fifth section of the said Common Law Procedure Act contained.

Allowance of bond to be on motion and after notice.

XXVI. Such allowance shall be made upon motion by the debtor, and four clear days' notice thereof shall be given in writing to the plaintiff or his attorney, who may object thereon to the sufficiency of the sureties ; and if the Judge shall refuse his allowance of such bond, then the debtor may cause another bond made to the sheriff in the same terms and under the same conditions, to be executed without any further application to the sheriff, and may move in like manner and upon the like notice for the allowance thereof ; and such bond, if allowed an endorsed as aforesaid, shall be substituted for and take place of and have the like effect in all respects, and the like remedies shall be had thereon, as the bond so first given to the sheriff as aforesaid would have had upon the allowance thereof, and such first given bond shall thereupon become void.

Its effects.

And with respect to interpleader ; Be it enacted as follows :

Sheriff's right of interpleading.

XXVII. In all cases of attachments against absconding debtors, the sheriff shall have the like right of interpleading as is provided in respect of writs of execution, and all the provisions of law in that behalf shall in such cases apply.

And with respect to the service of writs ; Be it enacted as follows :

Fees not taxable for service of writs unless return endorsed.

XXVIII. No fees shall be taxed or allowed for the service of any writ whereby an action at law is commenced in either of the Superior Courts of Common Law or in any County Court, unless a return of the sheriff (or coroner, in actions against the sheriff) of the County in which such service is made, shall be endorsed thereon, unless when the sheriff shall have omitted to serve the said writ within fifteen days after it has been delivered to him for service.

Exception.

Section 19 of 12 V. c. 63, repealed from 21st August, 1857.

XXIX. From and after the twenty-first day of August next, the nineteenth section of the Act of the Parliament of this Province, passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to make further provision for the administration of Justice, by the establishment of an additional Superior Court*

Court