

all such costs and damages as he the said Sheriff may have sustained or be liable for by reason of such departure from the said limits or other breach of the said bond.

Sheriff must assign such bond, if requested, to the party arresting.

IX. And be it enacted, That the Sheriff, upon such party so arrested withdrawing or departing from the said limits, or committing a breach of the condition of the said bond, shall be bound, upon request, to assign over the said bond to the party in the cause, at whose instance the arrest took place, and such Sheriff shall thereupon be discharged from any claim such arresting party may have on him the said Sheriff for or on account of the party so arrested. 5 10

And such party may sue in his own name as aforesaid.

X. And be it enacted, That upon such assignment of the said bond to the said party so causing such arrest, he, she or they may, as Assignee or Assignees, sue thereon in his, her or their own name or names, and it shall not be in the power of the Sheriff in whose name such bond was taken, to release the same or any action brought thereon. 15

Party giving such bond to be liable to interrogatories, &c., under the said Act.

XI. And be it enacted, That the said party so arrested as aforesaid, shall, after the execution of the said bond, and such admission to the limits under the same, be subject to interrogatories, committal to close custody and recommittal, with all other privileges and liabilities, in like manner as if he had been upon the said limits under a recognizance, as mentioned in the fifth section of the said in part recited Act. 20 25

Mileage to be taxed only to Sheriff, Bailiff or Coroner.

XII. And be it enacted, That in the taxation of costs in any cause in either of the said Superior Courts of Common Law or in the County Courts in Upper Canada, no fees shall be allowed for the mileage or service of Writs of Summons, or other mesne process, unless served by the Sheriff, his Deputy or Bailiff, (or by a Coroner when the Sheriff is a party to a suit) and sworn to in the affidavit of service as served by such Sheriff, Deputy Sheriff, Bailiff or Coroner as aforesaid, except as hereinafter provided. 30

On what days Sheriffs shall keep their offices open.

XIII. And be it enacted, That the Sheriff of each County or United Counties in Upper Canada, shall keep his office open each day except Sunday, Christmas Day, Good Friday, and the Birth day of the Sovereign, from ten o'clock in the forenoon, until four o'clock in the afternoon, and during all that time the said Sheriff, his Deputy or some Clerk competent to do business for him, shall be present to transact the business of the office, and that upon the delivery of any Writ of Summons at the said office to be served by the Sheriff, he, his Deputy or Clerk, shall indorse thereon the time it was so delivered, and in case such Summons shall not be fully and completely served within ten days after such 40