

An Act to amend the Common Law Procedure Act 1856, and to facilitate the remedies on Bills of Exchange and Promissory Notes.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

- I. The Clerks of the Crown and Pleas, the Clerk of the Process and the Deputy Clerks of the Crown and Pleas in the Courts of Queen's Bench and Common Pleas in Upper Canada, shall, within two calendar months after this Act shall come into force, or within one month next after being appointed to either of the said offices, give security by bond to Her Majesty, Her Heirs and Successors in such sum (not being less than one hundred pounds) and with so many sureties (not less than two in a sum not less than fifty pounds each) as the Governor in Council shall direct, conditioned for the due rendering of the quarterly accounts and returns required from them by law, and for the due payment to the Receiver General of this Province, of all the fees, dues, emoluments, perquisites and profits received by them on account of their said offices respectively, and for and on account of any duty or service done and performed by them respectively, in their said several offices ; and the neglect to give such security by any such Clerk or Deputy Clerk or to render quarterly returns, or to pay over all such moneys within twenty days next after each quarterly day, shall *ipso facto* render his appointment void, and vacate his office : Provided that such avoidance shall not annul or affect any act, matter or thing done by any such Clerk or Deputy Clerk, during the time that he shall actually hold his appointment.

Clerks of the Crown and Pleas and their Deputies, and the Clerk of the process, to give security within a certain time ; for what purpose and to what amount, &c.

Failure to give such security, to vacate their offices.

Proviso.

- II. The Governor of this Province shall approve of the bonds and sureties to be given by the said Clerks, (and Deputy Clerks, the Judge of the County Court first certifying his approval in writing of the bond and sureties to be given by the Deputy Clerk of the Crown for his County,) and such bonds shall, as soon as they are so executed and approved, be duly recorded in the manner provided by the third section of the Statute passed in the session of the Provincial Parliament, held in the fourth and fifth years of Her Majesty's Reign, chaptered ninety-one, and then deposited in the office of the Inspector General of Public Provincial Accounts ; and if any surety in any such bond shall die or cease to reside in Upper Canada, or become insolvent, it shall be the duty of such Clerk or Deputy Clerk within one month of his knowledge of the fact or after being thereto required by the Inspector General, to give a new bond, in

Bonds and sureties to be subject to approval of the Governor.

Bonds to be recorded under 4, 5 V. c. 91.

New bond to be given in case of death, &c., of a surety.