

1960

## c 28 Bail Act

Ontario

© Queen's Printer for Ontario, 1960

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Bail Act*, RSO 1960, c 28

### Repository Citation

Ontario (1960) "c 28 Bail Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 1, Article 31.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss1/31>

## CHAPTER 28

### The Bail Act

1. In cases in which a person has been committed for trial and is admitted to bail, the Crown attorney shall, and, in any other case in which a person is admitted to bail, the Crown attorney may, deliver or transmit a certificate of lien (Form 1) to the sheriff of the county in which the land mentioned therein is situate. 1957, c. 3, s. 1.

Crown attorney to deliver or transmit certificate of lien

2. Upon the receipt of a certificate of lien, the sheriff shall, without fee, endorse thereon the day of the year, the month, the hour and the minute of its receipt and shall enter in an alphabetically-arranged index book kept for the purpose the name of the surety shown on the certificate of lien. 1957, c. 3, s. 2.

Endorsement and index book

3.—(1) The sheriff forthwith upon the receipt of a certificate of lien affecting land under the land titles system shall deliver or transmit to the proper master of titles a copy of the certificate of lien without his endorsement.

Sheriff to deliver or transmit copy to land titles office

(2) Upon the receipt of a copy of a certificate of lien, the proper master of titles shall, without fee, endorse thereon the day of the year, the month, the hour and the minute of its receipt and shall enter in an alphabetically-arranged index book kept for the purpose the name of the surety shown on the certificate of lien. 1957, c. 3, s. 3.

Entry by master of titles in index book

4. Where the land mentioned in the certificate of lien is under the land registry system, the Crown, as soon as the entry mentioned in section 2 is made, has a lien against the surety's property mentioned in the certificate of lien for an amount equal to the amount for which he offered himself as a surety as shown in the certificate of lien. 1957, c. 3, s. 4.

Where land under registry system

5. Where the land mentioned in the certificate of lien is under the land titles system, the Crown, as soon as the entry mentioned in subsection 2 of section 3 is made, has a lien against the surety's property mentioned in the certificate of lien for an amount equal to the amount for which he offered himself as a surety as shown in the certificate of lien. 1957, c. 3, s. 5.

Where land under land titles system

Certificate  
re execution  
against  
lands

**6.** Where a certificate respecting executions against lands is required from a sheriff, master of titles or local master of titles, he shall, without additional fee, include in the execution certificate a statement as to whether there is a name shown on the index book mentioned in section 2 or subsection 2 of section 3, as the case may be, that is the same as the name shown on the certificate. 1957, c. 3, s. 6.

Crown  
attorney  
to deliver  
or transmit  
copy of  
certificate  
of discharge

**7.** As soon as a surety is discharged, the lien is discharged, and the Crown attorney shall deliver or transmit a certificate of discharge (Form 2) to the sheriff to whom the certificate of lien was delivered or transmitted. 1957, c. 3, s. 7.

Disposal of  
certificate  
of lien in  
sheriff's  
office

**8.** Upon the receipt of a certificate of discharge, the sheriff shall attach the certificate of discharge to the proper certificate of lien and strike the name of the surety from the index book kept pursuant to section 2. 1957, c. 3, s. 8.

Sheriff to  
deliver or  
transmit  
copy of  
certificate  
of discharge  
to master's  
office

**9.—(1)** Where the land mentioned in a certificate of discharge is under the land titles system, the sheriff forthwith upon the receipt of the certificate of discharge shall deliver or transmit to the proper master of titles a copy of the certificate of discharge.

Disposal of  
certificate  
of lien in  
land titles  
office

**(2)** Upon the receipt of a copy of a certificate of discharge from the sheriff, the proper master of titles shall attach the copy of the certificate of discharge to the proper certificate of lien and strike the name of the surety from the index book kept pursuant to subsection 2 of section 3. 1957, c. 3, s. 9.

FORM 1

(Section 1)

CERTIFICATE OF LIEN

I, ....., Crown attorney for the.....  
..... of ....., hereby certify  
that ..... of the .....  
of ....., is a surety for bail in the  
sum of \$..... for the appearance of .....  
The surety has real property as follows:

Street address .....  
Lot and plan number.....

(or if in land titles)

Parcel number.....

Dated at ..... this ..... day of .....,  
19.....

.....  
Crown Attorney  
for the County of.....

1957, c. 3, Form 1.

FORM 2

(Section 7)

CERTIFICATE OF DISCHARGE

The certificate of lien, dated the ..... day of .....,  
19....., wherein ..... was named  
surety for the appearance of ..... in the amount  
of \$....., is discharged.

Dated at ..... this ..... day of .....,  
19.....

.....  
Crown Attorney  
for the County of.....

1957, c. 3, Form 2.

100  
100  
100

100  
100  
100

100  
100  
100

100