

Court File No. _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

BETWEEN: _____ **APPLICANT**
_____ **APPLICANT**
_____ **APPLICANT**

AND: _____ **RESPONDENT**
_____ **RESPONDENT**
_____ **RESPONDENT**

Applicant’s Bond for a Recovery Order

WHEREAS the applicant _____, seeks to obtain a recovery order herein against _____, to recover the property described in the schedule;

NOW KNOW BY ALL MEN by these presents that I, _____, as applicant, and _____ and _____ as sureties, (upon the applicant depositing with the Registrar or Sheriff as agent of the Registrar) at _____ Newfoundland and Labrador, the money or securities listed below as security, firmly _____ to _____, his or her executors, administrators or assigns, to pay to him, her or them the penal sum of _____ upon breach of the following conditions, namely that the applicant shall,

- (a) on the delivery of the property to the applicant, or the filing of a bond under rule 27.06 of the *Rules of the Supreme Court, 1986* obtain, without delay, an order settling who is entitled to the ownership or possession of the property;
 - (b) return the property to the party or person from whom it was taken if the applicant fails without delay to obtain the order referred to in paragraph (a), or the Court so orders;
- and

(c) pay such damages and costs awarded by the Court against the applicant as the result of the issue of the recovery order;

and upon the applicant fulfilling these conditions, or if the sheriff fails to recover any part of the property sought to be recovered herein and deliver same to the applicant, this bond shall be void, but unless the Court otherwise orders, it shall remain in full force and effect.

This bond shall enure the benefit of and be binding upon the parties hereto, their and each of their executors, administrators, successors and assigns.

DATED at _____, Newfoundland and Labrador, this _____ day of

_____, _____.

SIGNED, SEALED AND DELIVERED
in the presence of:

SCHEDULE

(insert a description of the property sufficiently to identify it)

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In the Supreme Court of Newfoundland and Labrador
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BETWEEN: _____ **APPLICANT**

_____ **APPLICANT**
_____ **APPLICANT**

AND: _____ **RESPONDENT**

_____ **RESPONDENT**
_____ **RESPONDENT**

AFFIDAVIT

I, _____ of _____, in the Province of _____
_____ and say that I was present and did see the within
bond duly executed by the parties named therein, and that the name _____ set and
subscribed as a witness thereto, is of the proper handwriting of me, this deponent, and that the
same was executed at _____.

_____ at
_____, in the
Province of _____,
this ____ day of _____,
_____, before me

A Commissioner, etc.

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In the Supreme Court of Newfoundland and Labrador
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BETWEEN: _____ **APPLICANT**

_____ **APPLICANT**
_____ **APPLICANT**

AND: _____ **RESPONDENT**

_____ **RESPONDENT**
_____ **RESPONDENT**

We, _____ and _____, _____ of _____

in the Province of _____ and _____ of _____

in the Province of _____ severally _____ and say:

That we are the proposed sureties on behalf of _____, the applicant name in the foregoing bond; and I the said _____ for myself _____ and say that I am worth property of the amount of _____ dollars, over and above all encumbrances, and over and above what will pay my debts and every other sum for which I am now bail, or for which I am liable as surety or endorser, or otherwise; and I the said _____ for myself _____ and say that I am worth property to the amount of _____ dollars over and above what will pay my debts, and every other sum for which I am now bail, or for which I am liable as surety or endorser, or otherwise.

The above named _____ and _____ were severally _____, _____, this _____ day of _____, _____, before me

A Commissioner, etc.