

No 6.

BILL.

*For better regulating the Sales of
immoveable property taken in
Execution, by the Sheriffs, and
to afford relief in certain cases
therein-mentioned.*

WHEREAS it frequently occurs, especially in times of public distress, from the failure of the harvest and other causes, that real property taken in Execution and sold at Sheriff's sale, in satisfaction of debts, is to the utter ruin of Debtors and to the prejudice of their Creditors, sold at rates far under the real value; to prevent which, and for the benefit as well of the Creditor as for the relief of the Debtor, in the cases herein-after-mentioned; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "An Act for making more effectual provision for the Government of the Province of Quebec in North-America;" and to make further provision for the Government of the said Province,"—And it is hereby enacted by the authority of the same, that it shall be the duty of the Sheriffs in this Province, whenever a seizure of any immoveable property shall have been made, by virtue of any Writ of Execution, to any of them directed, to cause the immoveable property seized and to be sold by virtue of such execution, to be estimated and appraised, by appraisers or *experts*, being disinterested and discreet persons, freeholders in the County where such seizure shall have been made, to be named and appointed in the manner following, that is to say: the Defendant upon being thereunto requested by the Sheriff, shall within days after request, name in writing to the Sheriff, his appraiser or *expert*, of which the Sheriff shall immediately give notice in the form prescribed in the appendix to this Act (letter A) to the Plaintiff or his agent or attorney, upon Record, who shall be bound within days next, after the day of service of such notice, to name in like manner, his appraiser or *expert*, and in default thereof by such Defendant or Plaintiff, or both as the case may be, such appraisers or *experts* shall, on their respective parts and behalves, on application of the Sheriff to that effect, be named by any Judge of the Court, out of which the Execution as