

SESSIONAL PAPER No. 18

sonal Property of the Defendant or Defendants in the Action shall be found insufficient.

And it is further ordained and declared by the Authority aforesaid, that upon the issuing of any Writ or Writs of Execution for the sale of any Houses, Lands or Tenements, or so soon after as conveniently may be, the Sheriff of the District in which such Houses, Lands or Tenements shall lie or be situated shall cause the same to be advertized in the Quebec Gazette, both in English and French, and therein set forth as near as may be the Quantity, Quality & Condition of such Lands & Houses, together with the Terms & Day of sale, which Day of Sale shall not be 'till six Months after such Publication as aforesaid; and at the same time or so soon after as conveniently may be, he shall also cause a true Copy of the said Advertisement in the English and French Language to be sent to the Head Bailiff of the Parish where such Houses & Lands shall lie & be, who is hereby ordered & required to fix the same upon the Door of such Parish Church, & replace the same so often as it shall be removed, defaced, or rendered illegible by time or accident; and also to publish & declare the Contents thereof every sunday at the Door of the said Church immediately after Divine service, that the same may be fully known & understood by the Inhabitants thereof for which the said Bailiff shall receive out of the Produce arising from the Sale of the said Estate the Sum of one Spanish Dollar & no more to be paid by the sheriff & allowed him in his Accounts.

Provided always, and it is hereby and by the Authority aforesaid further ordained and declared, that from and after the Publication of this Ordinance, all Houses Lands & Tenements against which any Writ or Writs of Execution shall be awarded for the sale of the same, shall be taken to be and they are hereby & by the Authority aforesaid declared, to be obliged & bound in Law to pay & satisfy all & every judgment & Judgements which shall or may be obtained against the Owners & Proprietors thereof, from the Day on which such Judgement or Judgements shall be pronounced & given, and that no Mortgage Sale or Assignment, or any Deed of Conveyance or any Disposition without Deed, whatsoever, howsoever, or to whomsoever made on or after the Day on which such Judgement or Judgements shall be pronounced & given as aforesaid shall defeat, avoid, suspend, or delay the Force and Operation of such Judgment, but all & every such Mortgage, Sale, Assignment, Deed & Disposition, shall be taken to be, and all & every of them is, & are hereby declared to be fraudulent, as against the said Judgment, Creditor, or Creditors, & to have no Validity, Power, Effect, or operation,