
Bill to secure the costs and disbursements to the Plaintiffs at whose suit the sale of property may be effected.

WHEREAS the Laws of this Province do not permit the issuing of Execution against the Estate of Debtors, unless judgment have been previously obtained, and whereas the costs incurred and expended in obtaining judgment, in virtue of which the Debtor's property is sold in execution, are necessary expences, incurred and expended for the common advantage of the Creditors, and it is therefore just and equitable that the same should be considered as costs of justice (*frais de justice*) in the distribution of the proceeds arising from such execution and sale: 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 for making further provision for the Government of the said Province :* And it is hereby enacted by the authority of the same, that in all distributions and collocations of, or upon the proceeds arising from any sale of moveable or immoveable property by execution, all the costs and disbursements made and incurred in obtaining the judgment in virtue of the execution and sale of such property shall have been sued and effected, shall be considered as costs of justice (*frais de justice*) and shall as such be priveleged and preferred to all others; any law, usage or custom to the contrary, in any wise notwithstanding.