

in Lower Canada, or against any person who shall have had no domicile in Lower Canada, but shall have personal or real estate within the same, it shall be lawful for the plaintiff, if such person be not personally served with process, to summon and implead such person, by a Writ issued in the usual way out of the Superior Court, or out of the Circuit Court, in the District or Circuit wherein such person may have had his domicile, or where such property may be situate, and that upon the return of the Sheriff or Bailiff to the Writ, that the defendant cannot be found in the said District or Circuit, it shall be lawful for the Court, or for any Judge thereof in vacation, to order that the defendant shall by an advertisement to be twice inserted in the English language in any newspaper published in that language, and twice in the French language in any newspaper published in that language in Lower Canada, (such newspapers to be designated by the Court or Judge) be notified to appear and answer to such suit or action within two months after the last insertion of such advertisement; and that upon the neglect of the defendant to appear and answer to such suit or action within the period aforesaid, it shall be lawful for the plaintiff to proceed to trial and judgment as in a case by default.

Advertisement
to be inserted
in newspapers.

XCVII. And be it enacted, That all the powers vested in any Judge or Judges of the Superior Court by virtue of this Act and of the Act of the Legislature of Lower Canada passed in the Third year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to regulate the exercise of certain rights of Lessors and Lessees*, and the Ordinance of the Legislature of Lower Canada, passed in the Second year of Her Majesty's Reign, and intituled, *An Ordinance to amend and continue the Act to regulate certain rights of Lessors and Lessees*, shall be and are hereby vested in, and may be exercised by any

Powers under
Lessors and
Lessees Acts,
and by whom
to be exer-
cised.

Act of L. C. 3
W. 4. c. 1.

Ordinance L.
C. 2 V (3) c.
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