

N. 5.

BILL

To extend the provisions of a certain Act therein-mentioned, with respect to Purchasers of real Property sold at Sheriffs' Sales in this Province.

WHEREAS by an Act passed in the forty-first year of the Reign of His late Majesty, George the Third, intituled, "An Act to amend certain forms of proceeding in the Courts of Civil Jurisdiction in this Province, and to facilitate the administration of Justice," it is among other things provided, that when any Plaintiff or Plaintiffs, who has or have sued out a Writ of Execution in virtue of which any real property has been put to sale, shall become the purchaser or purchasers of the whole or any part of such Property, it shall be lawful for such Plaintiff or Plaintiffs to retain in his or their hands, so much of the purchase-money as shall not exceed the amount of the sum remaining due and unsatisfied on such Writ of Execution, until a return thereof shall have been made by the Sheriff, and the Court from whom such Writ issued shall have ordered a final distribution of the proceeds, on which such purchaser or purchasers shall be held to pay into the hands of the Sheriff so much of his, her, or their purchase-money as shall exceed the sum decreed by such order of distribution to be due to such purchaser or purchasers. And whereas it would be to the general benefit of all persons interested in, or having a claim upon any monies arising from the sale of any real Property as aforesaid, if every purchaser, whether such purchaser be the Plaintiff suing out such Execution as aforesaid, or a Creditor of the Defendant or otherwise, were, in all cases where oppositions *afin de conserver* are filed, allowed to retain in his hands the amount of purchase-money, paying interest thereupon, until the Court from whence the Writ of Execution may have issued shall have ordered a final distribution of the proceeds; 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