

## SESSIONAL PAPER NO. 18

“.....Costs, or else to appear in Person, or by your  
 “Agent, before our Judges of our Court of Common Pleas at the  
 “Court House of the City of <sup>Quebec</sup><sub>Montreal</sub> on the..... Day  
 “of..... when the matter of Complaint against  
 “you as ascertained in the above Declaration, will be heard and  
 “finally determined, otherwise Judgment will be given against  
 “you by Default. Witness the Honourable .....one  
 “of the Judges of our Said Court of Common Pleas, this.....  
 “Day of.....in the Year.....and.....  
 “Year of our Reign.”

Services. This Summons shall be signed by one of the Judges of the Court and a Copy thereof, and of the Declaration, served on the Defendant Personally, or left at his Dwelling House, or ordinary Place of Residence, with some Grown Person there, and the Person serving the same shall inform the Defendant or such Grown Person of the Contents thereof. If at the Time mentioned

Non-appearance. in the Summons, the Defendant does not appear (Proof of the Service thereof being produced in Court) the Judges or any one of them, shall hear the Cause on the Part of the Plaintiff, and make such Order, Decree or Judgment, and award such reasonable Costs of suit, as to him or them shall appear agreeable to Equity and good Conscience.

Appearance. But if the Defendant does appear by himself or his Agent, and the Plaintiff or his Agent does not appear, or appearing does not prosecute, or prosecuting fails in his Action, the Judge or Judges shall dismiss the Defendant with Costs. If the Plaintiff makes good his Charge against the Defendant, the Judge or

Judgment. Judges shall give Judgment accordingly and award Costs, and Execution, but the Execution shall not issue until Eight Days after Judgment given.

Execution. The Execution shall go against the Moveables only of the Defendant, which shall be seized by some Person to be for that Purpose appointed by the Court, and sold by him in the manner mentioned in the 32<sup>d</sup> Article of this Ordinance. But the Execut-

Exception. ion shall contain an Exception of the Party's Beasts of the Plough, Implements of Husbandry, Tools of his Trade, and One Bed and Bedding, unless his other goods and Chattels shall prove insufficient, in which case such Beasts of the Plough, Implements of Husbandry, and Tools of his Trade, shall be sold, but not the Bed and Bedding. The Judge or Judges may, if

Debt to be levied by installments. they think proper, order the Debt to be levied by Installments, provided the Time shall not exceed the Space of Three Months from the day of issuing the Execution.

If Defendant secretes his Effects, or op- Art 37. In matters as well above as of or under the Value of Ten Pounds Sterling, if the Defendants shall convey away or