
BILL.

An Act to amend the law respecting the Recorder's Court of the City of Quebec.

WHEREAS it is necessary to amend the existing legislative provisions Preamble.
respecting the Recorder's Court of the City of Quebec :

Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

- 5 **1.** The said Recorder's Court may, by a Writ of Summons in the manner prescribed by law, order any debtor of the Corporation of the said city, residing in the District of Quebec, to appear before it in any civil action over which it has jurisdiction. Summoning of debtors of city, residing in District of Quebec. . .
- 10 **2.** If such debtor resides without the limits of the said city, but within the limits of the said District, there shall be added to the required interval of two days, between the service and the return of a summons, when the Defendant resides in the said city, an interval of one day for every five leagues of distance between the said city and the domicile of the Defendant, between the service of the summons and the return thereof before the said Court ; and every fraction of a league shall be reckoned as a league. Delay between the service and return of the Summons.
- 15 **3.** If the proprietor or possessor of vacant or unoccupied immovable property in the said city is absent from the District, and such immovable property is subject to the payment of any assessment, tax or due whatever to the Corporation of the said city, then such proprietor shall be proceeded against in the manner prescribed by law (*mutatis mutandis*) for the summoning of absent debtors. Manner of summoning an absent debtor.
- 20 **2.** Execution against the property of a debtor shall not issue until eight days after the rendering of the judgment against him. Delay for execution.
- 25 **2.** The costs in every civil action, or in every complaint or prosecution, shall be taxed by the Clerk of the said Court, or his Deputy, subject to an appeal from such taxation to the said Court, whose judgment in this respect shall be final. Taxation of costs.
- 30 **3.** In case a Defendant has no movable effects or property within the District of Quebec, or if the said property is insufficient for the payment and satisfaction in principal, interest and costs of the judgment rendered against him, but possesses immovable property in the said District, a Writ *de terris*, addressed to the Sheriff of the said District, may be issued out of the said Court ; and the procedure in that case shall be that prescribed by the Act 24 Victoria, Chapter 26. Writ de terris may be issued in certain cases.
- 35 **3.** In case of the seizure in execution of the movable effects and property of a Defendant, every creditor of such Defendant having a right to make an opposition *à fin de conserver* on the moneys arising from the sale of the said property, may place such opposition in the hands of the Bailiff making the seizure, and the said Recorder's Court shall hear and determine the said opposition according to law. Oppositions a fin de conserver.
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