

Action to enforce the same.

and purposes whatsoever, and it shall be lawful for every such Society to cause the same to be enforced and executed by an action or proceeding in the usual course in any Court of Law within that part of this Province called Lower Canada, having competent jurisdiction, and such action may be brought in the corporate name of any such Society, or in the names of the President and Treasurer of any such Society, describing them to be such President and Treasurer. 5.

What it shall be sufficient to allege in any such action.

II. And be it enacted, That in any action or proceeding to be instituted by any such Society for the purpose of realizing or bringing to sale any property or estate hypothecated, mortgaged or assigned to the said Society by any person or persons as aforesaid, it shall not be necessary to set forth the special matter in the declaration, but if shall be sufficient to allege that the defendant hypothecated, mortgaged or assigned (as the case may be), the real estate, describing the same, to the said Society, and that the amount, or a sufficient part of the amount stipulated by such party to be paid, has become and remains due and owing, whereby by virtue of this Act and of the Act hereby amended, an action hath accrued to the said Society, to have the said estate and property sold; and in order to maintain such action, it shall be sufficient, in addition to the customary evidence of the hypothec, mortgage or assignment of such property or estate, to prove by any one witness, whether in the employment of, or a shareholder in such Society or not, or by any other means, that the defendant is in arrear and indebted to the said Society in or exceeding a sum on the accruing of which, by the terms of such hypothec, mortgage, assignment or agreement, the said Society may have the right to have the said property or estate sold; and thereupon the Court shall give judgment for the said amount, and by such judgment order the property to be sold by the Sheriff of the District wherein it may be, after three insertions in the course of four months in the Gazette or paper wherein real property within the said District is by law required to be advertised; and it shall not be necessary for the Sheriff to go through any formalities in seizing the said lands or otherwise; but all the laws of that part of the Province called Lower Canada, with respect to the protection of immovable property under seizure, and with respect to the fying of oppositions to, and after the sale of lands or immovable property, to the payment, return, and distribution of the money, to the re-sale of such immovable property at the *folle enchere* of any purchaser, and to the obtaining possession of any such immovable property after sale, shall be applicable to the proceedings authorised by this Act; and the provisions of all laws and ordinances of Lower Canada, or of this Province, regulating the sale of real estate, and the judicial proceedings relative thereto, are, in so far as applicable and not otherwise provided for by this Act, hereby ex-

What only need be proved to maintain such action.

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Advertisement and sale of the property.

Certain provisions extended to proceedings under this Act.