
1st Session, 8th Parliament, 27th Victoria, 1863.

BILL.

**An Act to amend the law respecting Sheriffs
Sales of Real Property in Lower Canada.**

Received and Read, 1st time, Wednesday,
9th September, 1863.

Second Reading, Thursday, 10th September,
1863.

Mr. SOMERVILLE.

QUEBEC.

**PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE STREET.**

An Act to amend the Act respecting Seizures and Sales by authority of Justice, chapter 85 of the Consolidated Statutes for Lower Canada.

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

1. The first and second sub-sections of section 4 of chapter 85 of the Consolidated Statutes for Lower Canada, intituled: "An Act respecting Seizures and Sales by authority of Justice," are hereby repealed, and the following are substituted therefor:—
- 5
4. When lands and tenements are seized by the Sheriff under a writ of execution, he shall advertise three several times in the *Canada Gazette* and in the newspaper, if published, in the district in or nearest to the Parish or Township in which the land is situated,—that the sale thereof will take place on some certain day after the expiration of four months from the date of the first advertisement.
- 10
2. If the seizure be made in a parish the Sheriff shall proclaim the said sale at the church door of the parish in which the premises are situated, immediately after Divine service on the three Sundays next preceding the sale, and shall cause a copy of the said advertisement to be fixed on the door of the parish church.
- 15
3. Lands *en roture* shall be sold at the door of the church of the parish where seized, and lands and tenements held in free and common socage or otherwise than *en roture* shall be sold at the town hall or other public place where the meetings of the Municipal Council are held, in the township or parish where the lands so seized are situated.
- 20
4. But lands or tenements in any city, town or *chef-lieu*, where the Sheriff's office is kept, or in the Banlieu (if any) of such place, may be sold as they have heretofore lawfully been at the Sheriff's office.

Sub-sections 1 & 2 of sec. 4, cap 85 Con. Stat. L. C. repealed.

Formalities to be observed by Sheriff.

If lands seized are situated in a parish.

Where lands to be sold.

Lands in city, &c., where Sheriff's office is.