

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to amend the Law of Lower
Canada, as regards the District in
which Real or Mixed Actions may be
commenced.

Received and Read a first time, Wednesday, 14th
March, 1849.

Second Reading, Wednesday, 21st March, 1849.

Mr. CHAUVEAU.

BILL.

An Act to amend the Law of Lower Canada, as regards the District in which Real or Mixed Actions may be commenced.

WHEREAS it is expedient to make Preamble.
 better provision as to the District in which any Real or Mixed Action may be brought in Lower Canada; Be it therefore
 5 enacted, &c.

And it is hereby enacted by the authority In what Dis-
 of the same, That in all Real and Mixed trict any real
 Actions in Lower Canada, the Plaintiff or mixed Ac-
 may, at his option, bring such action, either tion may be
 10 in the Court of Queen's Bench for the commenced,
 District wherein the real property in ques- and what pow-
 tion is situate, or in the Court of Queen's ers the Court
 Bench for the District in which the Defen- in which it is
 15 dant, or any one of the Defendants, if there brought shall
 be more than one, has his domicile; and in have.
 any such action, the Court in which the same
 is brought, shall have the same power, autho-
 20 rity and jurisdiction, as well with regard to
 proceedings before as to those subsequent to
 judgment, as if the cause of action had arisen,
 and the Defendant or Defendants resided
 within the District in which the action is
 25 brought; and the said Court may address
 all writs, orders and proceedings to the She-
 riff or any Bailiff of the Court of Queen's
 Bench for any District in which the Defen-
 30 dant, or one of the Defendants, has his
 domicile, or in which the real property is
 situate, as the case may require, and such
 Sheriff or Bailiff to whom any such writ or
 order shall be addresssed shall execute
 the same as if it had issued from the
 Court of Queen's Bench for the District in
 35 which he is Sheriff or Bailiff, and shall make
 his return to the Court out of which it issued.