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No. 25.

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1st Session, 6th Parliament, 21 Victoria, 1858.

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**BILL.**

An Act for the better Protection of the  
Rights of Property in Lower Canada.

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Received and read, first time, Friday, 9th  
April, 1858.

Second Reading, Monday, 12th April, 1858.

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MR. OUMET.

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TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act for the better Protection of the Rights of Property in Lower Canada.

**W**HEREAS the period allowed for the bringing of actions for the rescission of contracts in cases of *lésion d'outré moitié*, and of *lésion du tiers au quart*; is too extended, and ought to be limited to a term less distant from the date of the sale or of the partition giving rise to such actions; Therefore Her Majesty, &c., enacts as follows: Preamble.

I. The action for the rescission of contracts on account of *lésion d'outré moitié* in cases of sale, and of *lésion du tiers au quart* in cases of sale or partition between co-heirs, is hereby declared to be prescribed by the lapse of two years to be computed from the date of the contract, the day of such date being included; any law or usage to the contrary notwithstanding. The action for rescission on account of lesion limited to two years.

II. The action for the rescission of a contract for the causes above mentioned shall not be maintained in cases in which the purchase money or consideration of the contract does not include any consideration of an aleatory nature; any law to the contrary notwithstanding. Action not to be sustained in certain cases.

III. Any party interested may plead this Act in any action pending at the time of the passing thereof, in case such action was not brought within two years from the date of the contract; any law or usage to the contrary notwithstanding. This Act may be pleaded in actions now pending.

IV. This Act shall apply only to Lower Canada.

To apply only in Lower Canada.