

Statutes of Upper-Canada, Passed in the third session of the fifth provincial parliament (1811).
From *The Provincial Statutes of Upper-Canada: Revised, Corrected, and Republished* (York, R. C. Horne, 1818.)

51 George III – Chapter 6

An Act to amend the Process of the District Courts, and also further to regulate the Proceedings of Sheriffs in the Sale of Goods and Chattels taken by them in Execution. (Passed 13th March, 1811.)

Whereas it is expedient that certain amendments should be made in the process of Summons issuing from the respective District Courts of this Province, and also that certain Regulations should take place, respecting the proceedings of the Sheriffs in the sale of Goods and Chattels taken by them in Execution: Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North-America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the first day of June, in the year of our Lord one thousand eight hundred and eleven, the course and proceedings in the respective District Courts in this Province, shall be by Summons issuing, in the King's name, directed to the Sheriff of the District where the Court shall be held, and Tested in the name of the first Judge of the said Court, which may be in the following form:—

District }
To Wit. } George the Third by the Grace of God, of the United Kingdom of
 } Great Britain and Ireland King, Defender of the Faith.

To the Sheriff of the _____ District, Greeting:

We command you that you summons A. B. to appear either in person or by his Attorney, at our District Court, to be holden at _____ on the _____ day of _____ to answer the complaint of C. D. in a plea of _____ contract, whereby the said, A. B. hath promised to pay to the said C. D. the sum of _____ for (the consideration) and which the said A. B. doth refuse to pay him, as he says.

II. And be it further enacted by the authority aforesaid, That when and so often as Goods and Chattels are seized by the Sheriff, his Deputy Officer or Officers, under and by virtue of Execution, issued out of the Court of King's Bench, or District Courts, the said Sheriff his Deputy Officer or Officers, shall, on request, deliver to the person or persons to whom the said Goods and Chattels did belong, his, her, or their Agents or Servants, an Inventory of the said Goods and Chattels, before they shall be removed from the premises on which they were so seized as aforesaid.

III. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any Sheriff or his Deputy, or any Bailiff or Constable, directly or indirectly, to purchase any Goods or Chattels exposed by him to sale, under and by virtue, of any Execution from the said Court of King's Bench, or District Court in this Province respectively.