

BILL.

An Act to provide for the appointment of Guardians to restrain the improvidence of persons incompetent to manage their own property in Upper Canada.

WHEREAS it is expedient to provide for the summary interdiction of persons in Upper Canada, who from intemperance and other causes become incompetent to manage their own affairs, and for the appointment of Guardians to such persons:—Be it therefore enacted, &c. Preamble.

That whenever any near relative, friend, or neighbour of any person in Upper Canada, hath reason to believe, and does believe that such person is from habitual intemperance, lunacy or idiocy, or from being addicted to gambling, or habits of reckless expenditure incompatible with his station of life and means, incompetent to manage his affairs without ruin or extreme injury to himself or his family, such near relative, friend or neighbour, may apply to the County Judge for the County in which the person to be interdicted resides, for the interdiction of such person; supporting his application by his own affidavit, and by the affidavits of any other persons who may be cognizant of the facts. Near relative, &c. of a drunkard, &c. may apply for his interdiction by County Judge.

II. And be it enacted, That if the County Judge shall be of opinion that a *prima facie* case for interdiction has been made out by the applicant, he shall issue a summons to the person to be interdicted to appear before him at a place and on a day to be named therein, which summons shall be served on or at the residence of the person to be interdicted, and the said Judge shall, at the same time, authorize an assembly of the relatives, friends and neighbours of the person to be interdicted, to be held before such Judge on the day and at the place where the party to be interdicted is summoned to appear; and at the time and place aforesaid, at least five of the relatives, friends or neighbours of the said party being there and then assembled, the said Judge shall, whether the party to be interdicted be present or absent, and in a summary manner, hear the arguments and evidence for or against the application, and determine upon the same; with power nevertheless to adjourn the proceedings or the decision to some future day, if in his opinion such adjournment be absolutely necessary to the ends of Justice; and if the County Judge may interdict such drunkard &c. after complying with certain formalities.