

generally known throughout this Province, several associations of persons were engaged in carrying on the business of Banking, not being among the number of those enumerated in that Act as intended to be exempt from its provisions : *And whereas* it is expedient to afford facility to such Associations in collecting their debts, and in the final arrangement of their affairs, in order that the prohibition against the continuance of their business may not operate injuriously to the public : *Be it therefore 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, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, '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 if any person, or Association of persons, were before the first day of April now last past, engaged in carrying on the business of Banking in this Province, and in the issuing of Bills or Notes, contrary to the provisions of the said Act passed in the seventh year of His present Majesty's reign, which person, or Association of persons, not being specified in the said Act, remains subject to the prohibitions and provisions therein contained, it shall and may be lawful for the person or persons in every such case, to apply by petition to the Judge of the District Court, for the District in which their principal Office or place of business was situated, to approve of any three persons to be named by them as Commissioners, for the purpose of settling the affairs of such Bank or Institution ; and in case the persons so named shall be approved of by such Judge, as being men of good character and substance, then such persons shall be and are hereby enabled, (using their individual names) to sue as Commissioners for settling the affairs of such Bank or Institution, for any debt or demand arising upon any Mortgage, Bond, Bill, Note or other Security, given to the said Bank or Institutions, or to any person or persons for their use, or in trust for them, or in order to secure any monies advanced by them ; and the amount due upon any such security may be recovered in an action for money had and received, to the use of the persons suing as Commissioners, a copy of the instrument or writing being attached to the copy of process which may be served upon the Defendant.

Provision made for the appointment of Commissioners to settle the affairs of persons engaged in the business of Banking, contrary to Act of last Session, upon application of the parties ; and authority given to such Commissioners to recover debts, &c.

Parties applying for appointment of Commissioners to state their names in a list to be filed in Office of Clerk of District Court, &c.

II. *And be it further enacted by the authority aforesaid,* That before any appointment of Commissioners shall take place under this Act, the names of all persons who have been parties to the Association applying for the nomination of such Commissioners, from the commencement