

CHAP. XXIII.

AN ACT to repeal part of an Act passed in the seventh year of His late Majesty's reign, entitled, "An Act to protect the Public against injury from Private Banks, and for other purposes therein mentioned."

[Passed 6th March, 1838.]

WHEREAS George Truscott, and John Cleveland Green, have, and each of them has, issued a large number of Notes, purporting to be of the Agricultural Bank, and payable either in this Province or at Montreal, in Lower Canada: *And whereas* many of the said Notes remain unredeemed, and serious loss is likely to accrue to the public in consequence thereof, the said George Truscott, and John Cleveland Green, having left this Province: *Be it therefore enacted* by the Queen'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 in case any suit has been brought, or hereafter shall be brought, for a debt contracted with or due to the said George Truscott and John Cleveland Green, or either of them, in which suit the said George Truscott and John Cleveland Green, or either of them, are or may be Plaintiffs, or in which any other person or persons are or may be Plaintiffs, in any action brought upon any Note, Bill of Exchange, assigned or transferred to him or them by the said George Truscott and John Cleveland Green, or either of them, in trust for any purpose whatsoever, except upon a trust in which it shall be satisfactorily shewn to the Court that the said George Truscott and John Cleveland Green, or either of them, are in no degree interested, it shall and may be lawful for the Defendant in such suit to pay the amount claimed, together with the costs, into Court, in the Notes so issued by the said George Truscott and John Cleveland Green, or either of them, called the Agricultural Bank, whereupon the Court in which such suit is brought, or Judge thereof, shall direct all further proceedings to be stayed; or in case of Judgment having been given in favour of the said George Truscott and John Cleveland Green, or either of them, in any such suit, it shall and may be lawful for any

Preamble.

Agricultural notes to be received in payment of bills, &c. assigned by Messrs. Truscott & Green, where they are beneficially interested in the trust.