

43

No. 66.]

BILL.

[1866.

An Act to amend the Law of Upper Canada relating to Crown Debtors.

WHEREAS, by law in Upper Canada, the property real and personal, of any person entering into any bond or covenant, or being indebted to the Crown, is bound by such bond or covenant from the date thereof, and from the incurring of such debt; and whereas it is desirable that such bonds, covenants and debts made or due by a subject to the Crown, should be placed on the same footing as if they were made or due from a subject to a subject: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

10 **1.** No bond, covenant, or other security, hereafter to be made or entered into by any person to Her Majesty, Her Heirs or Successors, or to any person on behalf of or in trust for Her Majesty, Her Heirs or Successors, shall bind the real or personal property of such person so making or entering into such bond, covenant, or other security to any further, other or greater extent than if such bond, covenant, or other security had been made or entered into between subject and subject of Her Majesty.

Bonds &c., to the Crown to bind only such property as would be bound in other cases:

20 **2.** The real or personal property of any debtor to Her Majesty, Her Heirs or Successors, or to any person in trust for or on behalf of Her Majesty, Her Heirs or Successors, for any debt hereafter contracted, shall be bound only to the same extent, and in the same manner as the real or personal property of any debtor where a debt is due from a subject to a subject of Her Majesty.

And so as to personal property of Crown debtors.

25 **3.** The Statute chapter five of the Consolidated Statutes of Upper Canada, shall be and the same is hereby repealed, except as to such securities as are mentioned in the first section of that Statute, which had been made or entered into before the passing of this Act.

Cap. 5, of of Con. Stat. U.C. repealed. Exception.