

## B I L L .

An Act to abolish Imprisonment for Debt, except in cases of Fraud, and to render the remedy by Writs of Execution, in Upper Canada, more effectual.

**B**E it enacted, &c.,

That by virtue of any writ of *fiery facias* against goods and chattels, to be sued out of any Court in Upper Canada, the Sheriff or other Officer having the execution thereof, 5 may and shall seize and take all *choses* in action at Law and in Equity arising *on debt* or contract, all debts, judgments, bonds, specialties, bills, promissory notes, securities for money, writings, deeds, stocks and interest in all kinds of companies and associations, money, bank notes 10 and cheques, interests of mortgagor and mortgagee in a *chattel* or chattel security, and every other kind of personal property or right and interest therein, of the party against whose goods and chattels such execution shall issue, excepting the beds and bedding, wearing apparel, 15 and cooking utensils of himself and his family in actual use,—and may and shall expose the same to public sale, and sell them in the manner in which goods and chattels now are sold, in satisfaction of such execution, save in the case of money and bank notes or cheques current as 20 money, which may be seized and paid over to the party suing out such execution, in satisfaction of such execution, without exposing the same for sale: Provided always, that no agreement, deed, or writing in any way relating to lands, other than chattel interests therein, shall be seized 25 or sold so far as they relate to such lands, on an execution against goods and chattels.

What the Sheriff may seize and sell under a writ of *fiery facias* against goods and chattels.

Goods exempted.

Proviso: as to any interest in lands.

II. And be it enacted, That by virtue of any such writ, the Sheriff or other officer having the execution thereof, may and shall seize and take all books of account, vouchers and evidences of debts, or *choses* in action belonging 30 to the party against whose goods and chattels such execution shall issue, and shall hold them for the purposes mentioned in this Act.

Sheriff may seize and hold for the purposes of this Act.—Books of accounts, &c.

III. And be it enacted, That the sale of any *choses* in 35 action or property, made liable to seizure and sale under this Act, by any Sheriff or officer having the execution of any such writ, shall vest such *choses* in action and property in the purchaser thereof, to the same extent as it

Effect of the sale of *choses* in action.