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**No. 75.**

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**2nd Session, 6th Parliament, 22 Victoria, 1859.**

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**BILL.**

**An Act to prevent the fraudulent conveyance of real estate charged with hypothecs, after proceedings have been instituted to enforce payment thereof.**

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**Received and read, first time, Wednesday, 23rd Feb., 1859.**

**Second reading, Thursday, 24th Feb., 1859.**

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**MR. CHAPAIS.**

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**TORONTO :**

**PRINTED BY JOHN LOVELL, YONGE STREET.**

An Act to prevent the fraudulent conveyance of real estate charged with hypothecs, after proceedings have been instituted to enforce payment thereof.

**W**HEREAS it often happens that debtors, with the view of defrauding their creditors, sell or alienate their real estate after their creditors have taken proceedings at law for the recovery of debts for which such real estate has been hypothecated, thereby exposing them to the inconvenience of commencing new proceedings, and often to the loss of their debts, and it is expedient to provide for the prevention of frauds of this nature; Therefore Her Majesty, &c., enacts as follows: Preamble.

I. Every sale or alienation of any immoveable charged with hypothec, after proceedings shall have been commenced for the recovery of the debt, with the payment of which such immoveable is charged, shall be null and void as regards the creditor, who may proceed to the seizure and sale of such immoveable as though such sale or alienation had never taken place. Sale, &c., after proceeding for recovery of hypothecary debt to be void.

II. This Act shall apply to Lower Canada only.

Act limited to  
L. C.