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No. 93.

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1st Session, 6th Parliament, 21 Victoria, 1858.

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**BILL.**

An Act to repeal the Act 16 Vic., cap. 80,  
and to make better provision for prevent-  
ing infractions of the Usury Laws.

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Received and read, first time, Monday, 26th  
April, 1858.

Second reading, Thursday, 29th April, 1858.

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MR. BOURASSA.

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TORONTO:  
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to repeal the Act 16 Vic , cap. 80, and to make better provision for preventing infractions of the Usury Laws.

WHEREAS it is expedient to repeal the Act hereinafter cited, and to make better provisions for preventing infractions of the Usury Laws : Therefore Her Majesty, &c., enacts as follows : Preamble.

I. The Act passed in the 16th year of Her Majesty's reign, intituled, 16 Vic. c. 80  
5 "An Act to modify the Usury Laws" shall be and it is hereby repealed. repealed.

II. If any person lending money to another shall require him to purchase or take, either secretly or openly, any property, article or thing whatsoever, the value or price of which is to be considered as forming part of the amount lent or as deducted therefrom by the lender, or if  
10 any lender shall oblige the borrower in any way whatsoever, to receive an amount less than that stated in the bon, obligation note or security given by the borrower in consideration of such loan, such lender shall in such case be only entitled to recover the amount actually lent with interest at the rate of six per cent per annum, and in case he shall have  
15 received a higher rate of interest than that authorized by this Act, the borrower shall be entitled to recover it from him, and such forfeiture and such last mentioned amount may be recovered as debts due by such lender to such borrower. In ease of evasion of the law by pretended sales lender not bound to pay more than six per cent., and may recover the excess if paid.

III. Any part of any law relating to Usury which may be inconsistent  
20 with this Act is hereby repealed. Inconsistent enactments repealed.