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No. 345.

3rd Session, 5th Parliament, 20 Victoria, 1857.

BILL.

An Act to amend the Act to modify the
Usury Laws.

Received and read, first time, Monday, 11th
May, 1857.

Second reading, Thursday, 14th May, 1857.

MR. POULIOT.

TORONTO:
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to amend the Act to modify the Usury Laws.

WHEREAS the Act 16 Vict., chap. 80 does not prevent Usurers from lending out money at a rate of interest higher than the present legal rate established by the said Act, especially when the usurious stipulations do not appear in the documents securing such loans of money; And whereas, in consequence, the said Act does not fully meet the object which the Legislature had in view in passing the same—that of preventing fraud and deception: Therefore Her Majesty, &c., enacts as follows :

Preamble.

I. Any person who shall hereafter pay and disburse, in any manner whatever, under form of *bonus* or otherwise, interest exceeding the legal rate established by the said Act, shall be entitled to recover and cause to be paid back to him the said excess of interest, by an action of debt before any competent civil tribunal.

Surplus interest paid may be recovered back.

II. Monetary transactions at present existing, regulated and stipulated in virtue of the said Act, shall not be affected by this Act.

Existing arrangements not affected.