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No. 206.

2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

An Act to amend chapter nine of the Consolidated Statutes of Canada.

Received and read, first time, Thursday, 6th March, 1863.

Second reading, Thursday, 9th April, 1863.

Mr. McKELLAR,

QUEBEC:

**PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE STREET.**

An Act to amend chapter nine of the Consolidated Statutes of Canada.

WHEREAS, by the provisions of chapter nine of the Consolidated Statutes of Canada, intituled "An Act respecting the civilization and enfranchisement of certain Indians," the power to prosecute actions at law against unenfranchised Indians for the recovery of debts was taken away; And, whereas, great injustice was done to the creditors of certain Indians by the said law being held to be retrospective in its character, thereby depriving them of the power of collecting debts contracted in good faith; And, whereas, it is just and reasonable that relief should be given to such creditors: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. All debts contracted by Indians, prior to the enactment of the said recited Act, shall be recoverable in the same manner as if the said Act had never become law; And the creditors of such Indians may now sue for, and recover the amounts of such debts, with interest from the date of the contracting of such debts, and the annuities payable to such Indians from any Indian Fund, may be levied upon annually in the hands of the Agent having charge of the same, to the extent of one-half of the amount of such annuity in each year until the whole debt be paid;
- And it shall be the duty of each and every Indian Agent, on the production of the judgment of any court against an Indian for debts so contracted to apportion and pay over, from any moneys in his hands, the aforesaid proportion of the annuity of such debtor to the creditor or to the assignee or other legal representative of the original creditor.

Preamble.

Certain debts contracted by Indians, may be recorded law.