

No. 277.

4th Session, 3d Parliament, 14 & 15 Vict., 1851.

BILL.

**An Act for the Relief of the Creditors
of Indians of Upper Canada.**

Received and read a first time, Saturday, 2d
August, 1851.

Second reading, Monday, 4th August, 1851.

Mr. MACKENZIE.

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BILL.

An Act for the Relief of the Creditors of Indians of Upper Canada.

WHEREAS by the third section of the Act of the Preamble.
 13th and 14th year of the reign of Queen Victoria,
 chapter 74, passed on the 10th of August, 1850, it is en-
 acted " That no person shall take any confession of judg- Sect. 3, of 13
 5 " ment or warrant of attorney from any Indian within and 14 Vict.
 " Upper Canada, or by means thereof or otherwise how- c. 74, cited.
 " soever, obtain any judgment for any debt or pretended
 " debt, or upon any bond, bill, note, promise, or other
 " contract whatsoever, unless such Indian shall be seised in
 10 " fee simple, in his own sole right of real estate in Upper
 " Canada, the title to which shall be derived, directly or
 " through others, by Letters Patent from the Crown, and
 " shall be assessed in respect of such real estate, to the
 " amount of twenty-five pounds or upwards ;" And whereas
 15 complaint is made that merchants, traders and others, who
 were in the habit of dealing with and trusting the Indians
 of Upper Canada before that time, had, at the time of its
 passage, large sums of money due them by said Indians,
 which are still unpaid, and that the said recited provision
 20 enables those of said Indians who are so inclined, to evade
 payment of the same : Be it therefore enacted, &c.,

That the said recited third section of the said Act shall
 not be applicable to debts, bonds, bills, notes, promises,
 and contracts which were made, due, or outstanding be-
 25 fore the said 10th day of August, 1850, but that the cre-
 ditors of said Indians shall be entitled to the remedies for
 recovery of their several claims or transactions which took
 place previous to that date, which they would have had,
 had said Act never been passed ; Provided however, that
 30 nothing in this Act shall be taken to authorise the impri-
 sonment of any Indian for non-payment of any debt.

The said sec-
 tion not to ap-
 ply to debts,
 &c. contracted
 before the
 passing of the
 said Act.