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No. 5.

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2nd Session, 5th Parliament, 19 Victoria, 1856.

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**BILL.**

An Act to secure to creditors attaching the effects of their debtors, a privileged claim for their costs of suit, upon the moneys arising from judicial sales in civil proceedings.

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Received and read, first time, Thursday, 23th  
February, 1856.

Second reading, Monday, 3rd March, 1856.

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**MR. LOBANGER.**

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**TORONTO :**

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to secure to creditors attaching the effects of their debtors, a privileged claim for their costs of suit, upon the moneys arising from judicial sales in civil proceedings.

**W**HEREAS the Law of Lower Canada does not afford to creditors attaching the effects of their debtors, any privilege upon the moneys arising out of judicial sales in civil proceedings, for reimbursement of their costs of suit, and in cases of the insufficiency of the proceeds of such sales paid into Court, the absence of such privilege is injurious to them : Therefore Her Majesty, &c., enacts as follows :

I. In every case of the distribution of monies being the proceeds of a judicial sale of real or personal estate, paid into any civil Court in Lower Canada, the creditors attaching such property shall hereafter have a privilege over all their other creditors, for their costs of suit over and above the costs of execution, and shall be collocated accordingly.

II. This Act shall apply to Lower Canada only.