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No. 75.

1st Session, 8th Parliament, 27th Victoria, 1863.

BILL.

**An Act to explain section eighteen of the
Indigent Debtors' Act.**

Received and read first time, Monday, 7th
September, 1863.

Second reading, Wednesday, Sept. 9, 1863.

Mr. COCKBURN.

QUEBEC:

**PRINTED FOR THE CONTRACTORS BY H. LINTH
ROSE & LEMIEUX, ST. VERGIL-ST.**

An Act to explain the eighteenth section of the Indigent Debtors' Act of Upper Canada.

WHEREAS doubts exist as to the interpretation to be put on certain expressions in the eighteenth section of chapter twenty-six of the Consolidated Statutes for Upper Canada, and it is desirable to remove the same: Preamble.

5 Therefore, Her Majesty, &c., enacts as follows:

1. The words "Insolvent circumstances or unable to pay his debts in full," shall not be deemed to apply to a person who is possessed of real estate, which, if sold at a fair value as between a vendor and purchaser, would either alone or in connection with his personal property, Effect of certain words in the said section explained.
- 10 realize sufficient to pay twenty shillings in the pound on such person's debts; nor shall any such case of insolvency as is contemplated by the said section be taken to invalidate any gift, conveyance, assignment, transfer or delivery of property by any debtor with the intention of giving one or more of his creditors a preference over his other creditors
- 15 or any one of them, unless the knowledge of such person's insolvency shall have been acquired by the person or persons obtaining the preference, previously thereto.

2. The said section shall not be deemed to apply to any *bona fide* sale or mortgage of that estate. Not to apply to certain cases.