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3d Session, 3d Parliament, 13 & 14 Vict. 1850.

BILL.

An Act to exempt a certain amount of Goods and Chattels of certain kinds from seizure under Execution in Civil Cases.

Received and Read a first time, Thursday, 27th June, 1850.

Second Reading, Monday, 8th July, 1850.

Hon. Mr. Cameron, (Kent.)

BILL.

An Act to exempt a certain amount of Goods and Chattels of certain kinds from seizure under Execution in Civil Cases.

HEREAS it is inconsistent with humanity and with Preamble, sound policy, that the debtor and his family should by the seizure and sale of the tools or implements of his trade or calling, or of their clothing and necessary house-5 hold furniture, for debt, be reduced to absolute distress and misery: Be it therefore enacted, &c.

That the Ordinance of the Governor and Special Coun- Former laws

cil of Lower Canada, passed in the second year of Her repealed. Majesty's Reign, and intituled, "An Ordinance to exempt 10 "certain articles from seizure in satisfaction of debts," and so much of any Act, Ordinance or law in force in Upper or Lower Canada as prescribes what goods and chattels (if any) of a debtor shall be exempt from seizure under any writ of execution issuing out of any Court of 15 Civil Jurisdiction, for the satisfaction of any judgment thereof, or under any other process for debt, shall be and are hereby repealed,—and instead thereof be it enacted, That it shall always be lawful for the debtor what goods to point out to the sheriff, or other officer or person and chattels shall hereafter 20 having the execution of any writ issued out of any Court be exempt of Civil Jurisdiction or other process against the goods and on what and chattels of such debtor, such of his tools of conditions. trade, or the implements, books or apparatus necessary to the exercise of his trade, profession or calling, wearing 25 apparel of himself or family, beds, bedding and household furniture, firewood or other fuel, provisions or stores intended for the use and consumption of his family, as shall not all together exceed the value of one hundred pounds, and to deliver to such sheriff, office or person a list thereand accompanied by an affidavit in writing made before a Justice of the Peace by such debtor or person acting for

30 of in writing, signed by the debtor or a person acting for him, him, to the effect that the goods and chattels mentioned in such list are not worth more than one hundred pounds, and 35 the said goods and chattels shall thereupon be exempt from seizure and sale under such writ or process, unless the seizing creditor or some person acting for him shall forthwith pay to the debtor or person acting for him,

the sum of one hundred pounds, (which sum shall be 40 also exempt from seizure) in which case such goods and chattels may be seized and sold, and the proceeds of the sale may be dealt with as in the case of goods and chattels not exempted from seizure and sale.