

No. 107.

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

B I L L .

**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.

WHEREAS 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 household furniture, for debt, be reduced to absolute distress and misery: Be it therefore enacted, &c.

That the Ordinance of the Governor and Special Council of Lower Canada, passed in the second year of Her Majesty's Reign, and intituled, "*An Ordinance to exempt*" Former laws repealed.
 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for the satisfaction of any judgment thereof, or under any other process for debt, shall be and are hereby repealed,—and instead thereof be it enacted, That it shall always be lawful for the debtor to point out to the sheriff, or other officer or person
 20 having the execution of any writ issued out of any Court of Civil Jurisdiction or other process against the goods and chattels of such debtor, such of his tools of 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 there-
 30 of in writing, signed by the debtor or a person acting for him, and accompanied by an affidavit in writing made before a Justice of the Peace by such debtor or person acting for 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.

What goods and chattels shall hereafter be exempt from seizure and on what conditions.