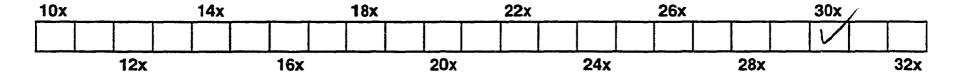
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3rd Session, 6th Parliament, 23 Victoria, 1860.

## BILL.

An Act to provide for the reduction of Law Costs in the collection of Debts, and the abolishment of Imprisonment for Debt.

Received and read, 1st time, Wednesday, 14th March, 1860.

Second Reading, Thursday, 15th March, 1860.

Mr. McMicken.

QUEBEC: PRINTED BY THOUPSON & CO., ST. UBBULE STREET.

An Act to provide for the reduction of Law Costs in the Collection of Debts, and to abolish Imprisonment for Debt.

WHEREAS it is contrary to every principal of humanity, that an honest Preamble. debtor should be oppressed, and his misfortunes made worse by reason of any system, authorized by Law, that might be otherwise obviated, and the rights of the creditor maintained; And whereas it seems unreasonable 5 that a series of persons should be authorized by any process to intervene between Debtor and Creditor, unnecessarily, for the obtaining a judgment against the former, by which his indebtedness is increased without benefit to the Creditor, and only for profit to the intervening parties; And whereas it is equally contrary to humanity that any Judge should be 10 empowered to commit an honest debtor to prison on the ground of contempt of Court, when such contempt is but a misconstruction of the Debtor's inability to pay. Her Majesty therefore enacts &c.,

I. From and after the passing of this Act, it shall and may be lawful for a Debtorto give to the Creditor or his Attorney an acknowledgment, 15 in writing, of his indebtedness in the form A. to this act appended, or to judgment. the like effect, which acknowledgment shall be taken as a judgment obtained in Court, and for which no costs shall be recoverable against such debtor.

Acknowledgment of debt in certain form to be in place of a

II. Fees on further proceedings, subsequent to such Judgment, shall Execution de-20 be as is now provided for, but no sale of goods and chattels shall be made under or by virtue of such judgment so acknowledged, within a less period than three months from the date of the same.

layed three

III. When a creditor refuses to accept such acknowledgment, on the ground that it does not cover the amount due to him, then the proceedings 25 may be as if this Act had not been passed, but, in the event of the deemed injudgment obtained being for a sum not exceeding the amount expressed sufficient; but in the acknowledgment tendered by virtue of this Act, then no costs if no more is recovshall be recoverable from the Debtor, on the proceedings taken in such ered. suit, further than is allowed in cases where such acknowledgment is made 30 and accepted.

Action, if knowledgedis

IV. This Act shall not be construed so as to interfere with the provisions of the Law preventing fraudulent preferences and assignments.

Not to affect law of fraudulent assignments.

V. No person shall be held in custody, nor shall any person be im-35 prisoned on account of any Debt whatever, under any construction of Law whatsoever, after the passing of this Act, saving and excepting, for debt, unless fraud bewhere Fraud or Concealment of property is distinctly charged, upon Oath, against such Debtor, then the existing Laws shall apply as if this Act had not been passed.

No one to be

Act limited to VI. This Act shall apply to Upper Canada only. U. C.

## FORM A.

Ports.

I of do hereby on this day of 18 acknowledge myself to be indebted to of in the sum of and am content that this be accepted and recorded as a judgment, obtained by process of Court against me

Witnessed by