

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Thirteenth day of February, 1813, in the Fifty-third year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Third Session of the Tenth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.

53 George III – Chapter 14

An Act in addition to, and amendment of, an Act, passed in the third and fourth years of His present Majesty's reign, entitled, "An Act for the relief of Insolvent Debtors."

Whereas, it is expedient to alter and amend those parts of the said act, which relate to the detention in prison of persons who may be desirous to procure their discharge by complying with the directions of the said act:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that where any person detained in prison for debt, shall apply for his discharge, and shall in all respects comply with the directions of the said act, such person shall be forthwith discharged from his, or her imprisonment, unless good and sufficient reason for the further detention of such prisoner, shall be shewn, by affidavit, to the satisfaction of the court or justices to which or whom the application for the discharge shall be made; in which case, if the creditor or creditors shall desire it, and shall agree to supply the prisoner with bread, according to the directions of the said act, it shall and may be lawful for the said court, or justices, to direct such prisoner to be remanded, and detained in jail for such time as the said court or justices shall think proper, not exceeding three months; at the expiration of which time, such prisoner shall be discharged; but if it shall appear to the said court of justices, by affidavit, that such prisoner has been guilty of fraud or deceit towards such creditor or creditors; or if, at the end of the said three months, further and satisfactory cause shall be shewn, by affidavit, to the said court of justices for a longer detention of the said prisoner, and if the creditor or creditors shall require the said debtor to be further confined, and shall agree to supply him with bread as aforesaid, he may be again remanded and detained for a further time, at the discretion of the said court or justices, not exceeding in any case two years from the time of his first imprisonment at the suit of such creditor or creditors; at the expiration of which time he shall be finally discharged – any thing in the said act contained to the contrary notwithstanding.

And whereas, the time limited by the said act for prisoners to apply for their discharge is too short:

II. Be it therefore enacted, that any person shall be entitled to petition for his discharge within the first term after such person shall be charged in execution, or if the application is made to two justices within forty days next after such person shall be charged in execution.

III. And be it further enacted, that such prisoners as are now in execution for debt, shall be entitled to take the benefit of this act, provided, that within sixty days from and after the publication hereof, they make application for that purpose in the manner directed by the aforesaid act for the relief of insolvent debtors.

IV. And be it further enacted, that nothing herein contained, shall extend, or be construed to extend, to persons who are or shall be confined in execution at the suit of the crown, or to persons confined for any debt or debts exceeding in the whole five hundred pounds.