

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1791. Saint John, NB: Christopher Sower, Printer to the King's Most Excellent Majesty, 1791.

31 George III – Chapter 14

An Act for the Support and Relief of Confined Debtors.

I. Be it enacted, by the Lieutenant Governor, Council and Assembly, That when ever any person, committed to any Gaol in this province, for debt not exceeding one hundred pounds at the suit of any creditor, shall be incapable, to provide or secure their necessary support, it shall be lawful for such debtor after fourteen days confinement, to make application to any Justice of the Court out of which the process issued, upon which such debtor shall be confined, for a weekly support or maintenance: And such Justice, after fourteen days previous notice to such creditor or his attorney, shall examine on oath such confined debtor or any witness produced, as to the ability of such debtor to support him or herself, and if on examination to be taken in writing on oath as aforesaid, which shall be filed in the office of the Clerk of the Court out of which such process issued as aforesaid, it shall appear to such Justice that such debtor is utterly unable to support him or herself, it shall and may be lawful for such Justice to make an order for such creditor to pay such debtor a weekly sum to be applied for the support of such debtor; which sum shall be paid weekly, and from the first day of November until the last day of March shall be three shillings and six pence per week, and the remainder of the year two shillings and six pence per week; And after such order it shall be the duty of such creditor to pay such weekly support, and in case of failure thereof it shall and may be lawful for any such Justice as aforesaid, on such failure being made known to him to make an order under his hand and seal to the Sheriff or Gaoler to discharge the said debtor out of confinement. Provided, That nothing in this act shall prevent such creditor from prosecuting his suit (if on *mesne process*) to final judgment; or from taking out his *Fieri Facias* against the goods and chattels, lands and tenements of such debtor in the same manner as if no application or order had been made in manner aforesaid.

II. And be it further enacted, That every person who shall be convicted of making or taking a false oath to any of the facts herein before directed or required to be sworn, shall be deemed guilty of perjury, and shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

III. And be it further enacted, That this act shall continue and be in force three years and no longer.