

scribers shall take place until a notice is published in all the public Newspapers of this Province at the distance of not less than thirty days from the time of such notification. *And whereas*, in consequence of the delay occasioned by the reservation of the said Act, for the signification of His Majesty's pleasure, it was impossible to proceed to the election of Directors before the first Monday in June in the year of our Lord One Thousand Eight Hundred and Twenty-One and in consequence doubts have arisen for what period the first Board of Directors shall serve. *And whereas* from the present scarcity of specie, the said sum of Twenty Thousand Pounds required to be paid in before the Directors can commence the business and operations of the said Bank, is found to be too large and it is expedient to reduce the same, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province" and by the authority of the same, That the said Board of Directors who shall be first chosen shall be capable of serving until the expiration of the first Monday in June One Thousand Eight Hundred and Twenty-Two.

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1st Board of Directors may serve until June 1822.

II. *And be it further enacted by the authority aforesaid*, That the said Directors shall and may as soon as a Deposit amounting to Ten Thousand Pounds upon the Stock subscribed or to be subscribed to the said Bank shall be paid to the said Directors, commence the business and operations of the said Bank, and that so much of the said Act above recited as requires that a Deposit of Twenty Thousand Pounds shall be made before commencing the business and operations of the said Bank shall be and the same is hereby repealed.

Bank may commence business on £10,000 being paid in.

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## C H A P. VIII.

An Act to make further regulation respecting the Weekly maintenance of Insolvent Debtors

[Passed 17th January 1822.]

**W**HEREAS it is necessary for the prevention of fraudulent conveyances or property by insolvent Debtors claiming the weekly allowance granted by Law, to compell the said debtors when required to answer such Interrogatories as shall be filed by the Plaintiff at whose suit he shall be confined, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and Assembled by virtue of

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and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province'" and by the authority of the same, That when and so often as any Prisoner or Prisoners in custody and charged in execution for debt in any civil suit, shall apply to the Court whence such process or execution issued, either to be discharged or allowed a weekly maintenance by reason of any alleged insolvency, it shall and may be lawful for the Plaintiff or Plaintiffs at whose suit such Prisoner is detained his her or their attorney to file such interrogatories as he she or they shall be advised or think expedient, touching or concerning, or for the purpose of discovering any property or credits which the said Prisoner may be possessed of, or which he or she may be suspected or having secreted or fraudulently parted with, which Interrogatories the said Prisoner is hereby required to answer upon oath, before some person authorised to receive and take affidavit in the Court in which such suit shall be depending who is hereby authorised to administer the same.

Plaintiff may tender Interrogatories to insolvent debtor, claiming weekly allowance touching their solvency

Answer may be sworn before Commissioners for taking Affidavits.

Debtor to receive no benefit from any order for a weekly allowance until he has answered the said Interrogatories

II. *And be it further enacted by the authority aforesaid,* That after any interrogatories shall have been filed as aforesaid, and a copy thereof delivered to the said Prisoner his or her Attorney the said Prisoner shall not receive any further benefit from his or her application and the orders and other proceedings thereon shall be stayed until the said Prisoner shall have fully answered the same and filed such answer or answers thereto in the Court from whence the Writ on which he or she shall be confined, shall have issued, and given notice thereof to the Plaintiff or Attorney in such suit.

III. *And be it further enacted by the authority aforesaid,* That in default of the payment of the sum of five shillings weekly allowance, pursuant to any rule or rules of court under the provisions of an Act passed in the 15th year of His late Majesty's reign, entitled "An Act for the relief of insolvent debtors," the first payment of which said sum of five shillings is hereby declared to become due and payable on Monday next after the service of such rule on the Plaintiff or his attorney within the District where such defendant shall be imprisoned: the Prisoner upon application to the said Court from which such execution issued, in term time, or a Judge thereof in vacation, shall by order of the said Court or Judge be discharged out of custody, *Provided Nevertheless* that such discharge shall not be construed as a release or satisfaction of the subsisting Judgment, or to deprive the Plaintiff or Plaintiffs of his her or their remedy thereafter against the Goods and Chattels, Lands and tenements of such prisoner so discharged.

Court in term time or Judge in vacation may order Prisoners to be discharged on Non payment of their weekly allowance.

Such Discharge not to operate as a release of the Debt.

## C H A P. IX.

An act to continue an Act passed in the fourth sixth year of His late Majesty's reign, entitled "An act to make provision for certain Sheriffs in this Province" and certain other Act of the Par-