

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1805.
York: John Bennet, 1805.

45 George III – Chapter 7

An Act for the Relief of Insolvent Debtors. Passed 2d March, 1805.

Whereas no special provision has been made by law, since the division of the Province of Quebec, for the support of Insolvent Debtors, detained in execution; and whereas it is inexpedient that the support of such, should depend upon the District, or the precarious charity of individuals, Be it 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, intituled, "*An Act to repeal certain parts of an Act, passed in the fourteenth year of his Majesty's reign, intituled, "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 same, That if any prisoner, in execution for debt, shall apply to the Court, whence such execution issued, and make oath, that he or she, is not worth five pounds, the plaintiff, at whose suit he, or she is detained, shall be ordered by the said Court, by rule, to be served on the plaintiff, or the attorney, to pay to the defendant in execution, the sum of five shillings, weekly maintenance, so long as he, or she shall be detained in prison, at the suit of the plaintiff, and that such payment shall be made in advance, to the prisoner or gaoler, for his or her use, on Monday in every week on failure of which, the Court from whence the execution issued, shall order the defendant to be released. Provided always, That the plaintiff shall not be obliged to make such payment, if he can prove, to the satisfaction of the Court, that the defendant has secreted, or conveyed away, his or her effects, to defraud his or her creditors.

