

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1827. York: Robert Stanton, 1827.

8 George IV – Chapter 8

**An Act for the further Relief of Insolvent Debtors. Passed 17th Feb'y. 1827.**

Whereas by the Third Section of an Act entitled, "*An Act to make further Regulation respecting the Weekly Maintenance of Insolvent Debtors,*" it is enacted, "that in default of payment of the sum of Five Shillings, weekly allowance, pursuant to any Rule or Roles of Court, under the provisions of an Act passed in the Forty-fifth 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 declared by the said clause 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 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 subsisting Judgement, 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; And whereas it is expedient that Prisoners in execution for debt should be enabled to take the benefit of the said Act, although the Plaintiff or his Attorney should not be residing within the District where such defendant shall be imprisoned.

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, 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Provision for the Government of the said Province;'*" and by the authority of the same, That the said clause be Repealed, and that in default of payment of the sum of Five Shillings weekly allowance, pursuant to any Rule or Rules of Court under the provisions of an Act passed in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 Forty-fifth 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 directed to become due and payable on the Third Monday next after the service of such Rule upon the Plaintiff or his Attorney, 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.