

Provincial Statues of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 17

An Act to afford relief to Insolvent Debtors. (17th March, 1845.)

Whereas experience has shewn the necessity of making certain amendments to the Act hereinafter mentioned, for the purpose of affording relief to Insolvent Debtors, arrested or to be arrested under Writs of Capias ad Satisfaciendum: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted by the authority of the same, That the first and second Sections of an Act of the Legislature of Lower Canada, passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled, "An Act to afford relief during a limited time to Insolvent Debtors," shall be and the same are hereby repealed.

II. And be it enacted, That from and after the passing of this Act, any person who now is or shall be hereafter arrested and detained by virtue of any Writ of Capias ad Satisfaciendum, shall, on giving good and sufficient security to the satisfaction of any Justice of the Court of Queen's Bench for the District in which he shall have been arrested, that he will not depart from or exceed the limits of that part of this Province formerly known as Lower Canada, be entitled to his liberty and to go at large within that part of this Province; and the condition of every recognizance in this behalf shall be, that the Cognizors shall not become liable unless the Defendant shall depart from or exceed the limits of that part of this Province formerly known as Lower Canada, without having paid the debt, interest and costs, for which the action shall have been brought.