

(153)

1854.]

BILL.

[No. 153

An Act for the removal of doubts and to explain the Provincial Statute 12th Victoria, Chapter 42, to Abolish imprisonment for debt, and for other purposes.

**W**HEREAS doubts have arisen as to the true intent and meaning of Preamble. that part of the first Section of the Act passed in the twelfth year of Her Majesty's Reign, intituled "*An Act to abolish imprisonment for debt and for the punishment of fraudulent debtors in Lower Canada and for* 12 V. c. 42. "other purposes" which declares that "no writ of *capias ad satisfaciendum* or other execution against the person shall issue or be allowed after the passing of this Act" and it is necessary to explain the meaning thereof:— Be it therefore declared and enacted &c.,

10 That the said recited portion of the Act first above cited was only intended to have force and effect with respect to executions against the person upon Judgments for debt;—And that nothing therein contained was intended to prevent nor shall the same be construed to have prevented or hereafter to prevent, the issuing of any writ of execution against the person for contempt of the process of Court or other attachment (*contrainte par corps*) or 15 of the like nature against any defendant or defendants for resistance to the process of Court (*Rebellion à Justice* or for )any fraudulent evasion of any Judgment or order of Court, by preventing or obstructing the seizure of property in satisfaction thereof, which might have been legally issued and had prior to the passing of the said first above cited Act.

To what process only against the person the first section of the said Act was intended to apply.