

“VII.—No writ of *capias* to be renewed. On the expiration thereof a new order to be obtained.

VIII.—Party arrested may at any time apply to one of the Superior Courts of Common Law or to a Judge for a rule or order to show cause why he should not be discharged out of custody. Court or Judge to make such rule or order as they or he may see fit.

IX.—Prisoners in custody or on bail upon mesne process at the time of the commencement of this Act may be discharged upon entering a common appearance to the action, provided that every such prisoner is liable to be detained, or after such discharge to be again arrested by virtue of a special order under this Act.

X.—Any Judge of a County Court empowered to make such orders as are mentioned in second and fourth sections of this Statute, and to act under section eight of the same.

XI.—Debtor in close custody at the time of or after the passing of this Act, may give notice that he will after the expiration of ten days from the day of service apply to be discharged from custody. Then it shall be lawful for plaintiff to file interrogatories, or to cause the debtor to be examined *viva voce* upon oath before the Judge of the County Court in the County in which the debtor is confined, or before some one to be appointed in that behalf by the County Judge. County Judge may issue an order to Sheriff or Gaoler to bring debtor before him for the purpose of being examined.

XII.—After the expiration of ten days, debtor may upon proof of service, and upon making oath that “he is not worth £5 exclusive of his necessary wearing apparel, the bed and bedding of such debtor and his family, and one stove and cooking utensils and also the tools or implements of his trade not exceeding the value of £15, and that he hath answered all the interrogatories filed by plaintiff, and hath given due notice of such answers (or if no interrogatories served that he hath not been served with any interrogatories) and that he hath submitted himself to be examined pursuant to the order of the County Judge (or if no order that he hath not been served with any such order) apply to the Court or a Judge for a rule or summons to show cause why he should not be discharged from custody. Upon the return of summons, if answers &c. be deemed sufficient, debtor may be discharged. Provided Court or Judge may on return of Summons allow plaintiff to file further interrogatories, &c. Provided also Court or Judge may make it a condition of debtor’s discharge that he assign any right or interest which he may have or be presumed to have in any real or personal property, credits and effects other than wearing apparel, &c., before mentioned. Provided lastly in certain cases of fraud, &c., specified, debtor may be re-committed for any period not exceeding twelve calendar months.

XIII.—Any person having obtained a judgement in any Court in Upper Canada or any person entitled to enforce such judgement may apply to the Court or a Judge for a rule or order that the judgement debtor be orally examined touching his estate and effects, &c. If debtor do not attend as required by the order, or if he attend and refuse to disclose his property &c., or do not make satisfactory answers, &c., may be committed for any time not exceeding twelve calendar months, or a *Ca. Sa.* may be issued, &c.