

**BILL.**

An Act for abolishing Imprisonment for Debt in Upper Canada.

**W**HEREAS Imprisonment for Debt where fraud is Preamble.  
 not imputable to the Debtor, is not only demoralizing in its tendency, but is as detrimental to the true interests of the Creditor as it is inconsistent with that  
 5 forbearance and humane regard to the misfortunes of others which should always characterize the legislation of every Christian country; And whereas it is desirable to soften the rigor of the Laws in this Province affecting the relation between Debtor and Creditor, as far as a due  
 10 regard to the interests of commerce will permit: Be it therefore enacted, &c.

That from and after the passing of this Act no female or  
 Minister of Religion shall be arrested or held to bail by  
 reason of any debt alleged to be due or by reason of  
 15 any other cause of civil action or suit whatsoever; and that no person shall be arrested or held to bail, upon any cause of action arising in any foreign country where the defendant would not have been liable to have been arrested or held to bail had such defendant continued  
 20 within the jurisdiction of the Courts of such foreign country, or in any civil suit where the cause of action shall not amount to *twenty pounds* of lawful money of this Province; and where the cause of action shall amount to *twenty pounds* and upwards, it shall not be lawful for the  
 25 plaintiff to proceed to arrest the body of the defendant or defendants, unless an affidavit be first made by such plaintiff, his servant or agent, of such cause of action; and of the amount justly and truly due to the said plaintiff from the said defendant, exclusive of any set off whereof  
 30 he may be informed, and also that such plaintiff, his servant or agent, hath good reason (setting forth such reason or reasons at length) to believe, and doth verily believe that the defendant is immediately about to leave the Province of Canada, or that he hath made a fraudulent  
 35 assignment of his property with intent and design to defraud the plaintiff of the said debt; and that no person shall be taken or charged in execution in any such action for any sum whatever, whether the party shall originally have been held to bail, or been merely served  
 40 with common process: Provided always, that it shall be lawful for any Judge of the Court whence any process shall have issued to arrest any person or persons as aforesaid, to order any such person or persons to be discharged

In what cases and on what conditions only parties shall be held to bail in Civil suits.

Or taken in execution.

Proviso: judge may discharge the defendant from custody.