

personal property either out of the Province or from one county to another, or keeps concealed to avoid service of process, the creditor, by making affidavit to that effect, may procure a warrant to attach such of the goods as are liable to seizure for debt. Care must be taken, however, not to seize the exemptions or to stop their removal or there would be a case for damages.

In Ontario, if the debt is not less than \$4 nor more than \$100, the writ of attachment may be obtained from the Clerk of the Division Court, but over that amount from the Judge of the County Court. In Quebec attachment is allowed if the debt is \$5 or upward.

In British Columbia, if the debt exceeds \$100, the writ may issue from the County Court if within its jurisdiction, if not, then from the Supreme Court.

In Manitoba, if the debt is not less than \$10 nor more than \$250, the writ may issue from the County Court, over that from King's Bench. In case of absconding from the Province the debtor loses his exemptions unless the family has been left and are in need of such goods. Then the exemptions will be in the option of the judge.

In North-West Territories, if the amount of debt exceeds \$50, a writ may issue, and if absconding debtor leaves no wife or family no property is exempt.

In New Brunswick, for a sum of \$40 and upwards, writs may issue by a Judge of the Supreme Court, and also from County Court when the debt is within its jurisdiction.

In Nova Scotia, if the sum is \$80 and upwards, the writ may issue from the Supreme Court, or the County Court if debt is from \$20 to \$400.

Prince Edward Island, if debt is \$33, and Newfoundland, if \$20, the goods may be attached before judgment.

A debtor leaving Canada and going into the United States may be followed and suit brought in the American court. *The Canadian law prevails in the case*, but the "homestead exemptions" over there are so numerous that in the majority of cases nothing could be recovered.

Also, a judgment obtained in any of the courts in any of the Provinces of the Dominion of Canada may be sued upon in any of the States. It would be necessary to obtain an exemplification of the judgment from the court where the same is entered, under the seal of that court, and then sue upon it in the proper court of the State where the debtor resides or is domiciled.

531 Arrest of Debtors. The *fiction* is that no one in Canada can be arrested for debt, but it is only true because other names are used for the cause of arrest—fraud, absconding debtor, contempt of court, etc.

All the Provinces allow an absconding debtor to be arrested and held for bail, also imprisonment for fraudulent assignments, obtaining goods under false pretenses, and for contempt of court.

In Ontario, Manitoba and British Columbia absconding debtor can only be arrested and held for bail by a person having a claim against him for \$100 or upwards.

In Quebec, if absconding from Quebec and Ontario and debt is \$50 or upward.