

No. 179.

1st Session, 8th Parliament, 27th Victoria, 1863.

BILL.

An Act to explain and amend section 41 of chapter 24 of the Consolidated Statutes for Upper Canada, relating to arrest and imprisonment for debt.

Received and read first time, Friday, 18th
September, 1863.

Second reading, Monday, 21st Sept., 1863.

Mr. Wood.

QUEBEC:

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BILL.

No 179.]

[1863.—2nd Sess.

An Act to explain and amend section forty-one of chapter twenty-four of the Consolidated Statutes for Upper Canada, relating to arrest and imprisonment for debt.

WHEREAS doubts have arisen as to the right of a defendant obtaining a judgment against a plaintiff to avail himself of the provision of section forty-one of chapter twenty-four of the Consolidated Statutes for Upper Canada; and whereas it is expedient to remove such doubts: Preamble.
5 Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. The words “any party who has obtained a judgment in any Court in Upper Canada” as used in section forty-one of chapter twenty-four of the Consolidated Statutes for Upper Canada, shall, for all the purposes of the said Act, be taken to have meant and to mean as well a party defendant as a party plaintiff, and to extend to all judgments, whatever the cause of action for which the same may have been or may be recovered. The meaning of the said section explained.