



WESTERN AUSTRALIA.

ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXVII.

AN ACT to facilitate the arrest of Absconding Debtors.
[17th January, 1871.]

WHEREAS the laws now in force for the arrest of debtors
absconding from the Colony are insufficient for that purpose,
and frauds may be perpetrated upon creditors by debtors whose debts
may be less than fifty pounds; Be it therefore enacted, by His
Excellency The Governor of Western Australia and its Dependencies,
by and with the advice and consent of the Legislative Council
thereof:—

Preamble.

1 THAT if any professing creditor shall by affidavit of himself
or some other competent person satisfy the Resident Magistrate or
other Justice of the Peace at or near any seaport in the said Colony
that any person is indebted to such creditor in any sum not less
than ten pounds and under fifty pounds, and that there is probable
ground for believing that the person so indebted is about to quit the

Arrest of persons about to
quit the Colony indebted.

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Arrest of Absconding Debtors.

Colony in some vessel then in such port, unless he be forthwith apprehended, it shall be lawful for such Resident Magistrate or Justice of the Peace, by a warrant to be signed and sealed by him, to direct any constable to apprehend such person.

Magistrate to hear and determine the case.

2 THAT upon the arrest of any such person by any professing creditor as aforesaid, it shall be competent for the aforesaid Magistrate forthwith to proceed to hear and determine the case, and to ascertain whether such debtor is truly so indebted, and upon being satisfied that he is so indebted, to commit the said debtor to prison, there to be kept, in default of payment of the said debt, until the departure of the said vessel from the said port, or until such debtor shall give security not to depart from the said Colony in such vessel.

P E R T H :

By Authority: RICHARD PETHER, Government Printer.