



Debtors Act 1869

1869 CHAPTER 62 32 and 33 Vict

PART I

ABOLITION OF IMPRISONMENT FOR DEBT

6 Power under certain circumstances to arrest defendant about to quit England.

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Where the plaintiff in any action in [^{F2}the High Court] in which, if brought before the commencement of this Act, the defendant would have been liable to arrest, proves at any time before final judgment by evidence on oath, to the satisfaction of a judge of [^{F2}the High Court], that the plaintiff has good cause of action against the defendant to the amount of fifty pounds or upwards, and that there is probable cause for believing that the defendant is about to quit England unless he be apprehended, and that the absence of the defendant from England will materially prejudice the plaintiff in the prosecution of his action such judge may in the prescribed manner order such defendant to be arrested and imprisoned for a period not exceeding six months, unless and until he has sooner given the prescribed security, not exceeding the amount claimed in the action, that he will not go out of England without the leave of the court.

Where the action is for a penalty or sum in the nature of a penalty other than a penalty in respect of any contract, it shall not be necessary to prove that the absence of the defendant from England will materially prejudice the plaintiff in the prosecution of his action, and the security given (instead of being that the defendant will not go out of England) shall be to the effect that any sum recovered against the defendant in the action shall be paid, or that the defendant shall be rendered to prison.

Textual Amendments

F1 Words repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)

F2 Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), s. 224\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Debtors Act 1869, Section 6.