



Debtors Act 1869

1869 CHAPTER 62 32 and 33 Vict

PART I

ABOLITION OF IMPRISONMENT FOR DEBT

4 Abolition of imprisonment for debt, with exceptions.

With the exceptions herein-after mentioned, no person shall be arrested or imprisoned for making default in payment of a sum of money.

There shall be excepted from the operation of the above enactment:

- (1) Default in payment of a penalty, or sum in the nature of a penalty, other than a penalty in respect of any contract:
- (2) Default in payment of any sum recoverable summarily before a justice or justices of the peace:
- (3) Default by a trustee or person acting in a fiduciary capacity and ordered to pay by a court of equity any sum in his possession or under his control:
- (4) Default by [^{F1}a solicitor] in payment of costs when ordered to pay costs for misconduct as such, or in payment of a sum of money when ordered to pay the same in his character of an officer of the court making the order:
- (5) Default in payment for the benefit of creditors of any portion of a salary or other income in respect of the payment of which any court having jurisdiction in bankruptcy is authorized to make an order:
- (6) Default in payment of sums in respect of the payment of which orders are in this Act authorized to be made:

Provided, first, that no person shall be imprisoned in any case excepted from the operation of this section for a longer period than one year; and, secondly, that nothing in this section shall alter the effect of any judgment or order of any court for payment of money except as regards the arrest and imprisonment of the person making default in paying such money.

*Changes to legislation: There are currently no known outstanding effects
for the Debtors Act 1869, Section 4. (See end of Document for details)*

Textual Amendments

F1 Words substituted by virtue of [Solicitors Act 1974 \(c. 47\), s. 89\(6\)](#)

Modifications etc. (not altering text)

C1 [S. 4](#) extended with modification by [Crown Proceedings Act 1947 \(c. 44\), s. 26\(2\)](#)

C2 [S. 4](#) amended as to exceptions (3) (4) by [Debtors Act 1878 \(c. 54\), s. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Debtors Act 1869, Section 4.