



ANNO SEPTIMO

VICTORIÆ REGINÆ,

No. 11.



*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies.*

*AN ACT to extend the Order of Discharge to be granted
by the Commissioners under the Provisions of the Act of
this Island intituled An Act to make provision for
the more effectual Distribution of Insolvent Estates
to certain Cases hereinafter mentioned.*

WHEREAS an Act was passed by the Legislative Council of this Island in the third year of the reign of Her present Majesty intituled *An Act to make provision for the more effectual Distribution of Insolvent Estates* and it is provided by the said Act that the Order of Discharge to be made by the Commissioner in pursuance of that Act shall not extend to any Damages recovered in any Action for any malicious injury and no provision is made thereby for the discharge of Insolvent Debtors from such damages as aforesaid and by reason thereof such persons may suffer unlimited imprisonment and it is expedient to make provision for the discharge of such persons and also to make provision for the discharge of Insolvent Debtors in other cases hereinafter mentioned—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that from and after this Act shall come into operation every Insolvent Debtor who now is or hereafter

*37th Nov. 1861.
Sec. 92.*

shall be indebted for any costs or damages recovered in any action for criminal conversation with the wife or for seducing the daughter or servant of the Plaintiff in any action or for breach of promise of marriage made to the Plaintiff in such action or for any costs or damages recovered in any action for a malicious prosecution or for a libel or slander or in any other action for a malicious injury done to the Plaintiff therein or in any action of tort or trespass to the person or property of the Plaintiff therein where it shall appear to the satisfaction of the Commissioner that the injury complained of was malicious then it shall be lawful for such Commissioner to adjudge that such Insolvent shall be discharged so soon as he shall have been in custody at the suit of the person or persons who shall be Creditor or Creditors for the same respectively for a period or periods not exceeding two years in the whole as the said Commissioner shall direct any thing in the said hereinbefore recited Act to the contrary thereof notwithstanding.

E. EARDLEY-WILMOT.

Passed the Legislative Council, this eighth
day of January, one thousand eight
hundred and forty-four,

ADAM TURNBULL, *Clerk of the Council.*