

General creditors of such Bankrupt; and all such bargains, sales, judgments, mortgages, transfers, assignments, conveyances, agreements, payments, bills, bonds, notes or other acts so made within two months of the day of the date of the fiat as aforesaid, shall be deemed fraudulent and utterly void and not sufficient in Law or Equity to pass, incumber or affect any property whatsoever, if it shall appear that the said bargains, sales, judgments, transfers, assignments, mortgages, conveyances, agreements, payments, bills, bonds, notes or other acts, although made, done and executed for full value, were accepted or received, collusively, or with knowledge that the said Bankrupt contemplated Bankruptcy at the time of making, doing or executing the same; and the said Assignee shall be entitled to claim, sue for, recover and receive the same as part of the assets of the Bankrupt.

To be void if made collusively.

XIV. And be it enacted, That every Bankrupt who shall have duly surrendered, and in all things conformed himself to the provisions of this Act, shall be discharged from all debts due by him at the time of issuing the fiat, and from all claims and demands against him in case he shall obtain a certificate of such conformity so signed and allowed, and subject to such provisions as hereinafter directed, but no such certificate shall release or discharge any person who was a partner with such Bankrupt at the time of his Bankruptcy, or who was then jointly bound or had made any joint contract with such Bankrupt.

Bankrupt conforming to this Act, to be discharged from all debts, on obtaining a Certificate of such conformity.

XV. And be it enacted, That such certificate shall be signed by four fifths in number and value of the Creditors of the Bankrupt who shall have proved debts to the amount of ten pounds or upwards who shall thereby testify their consent to the Bankrupt's discharge as aforesaid; but no such certificate shall be such discharge unless the Commissioner shall in writing, under his hand and seal, certify to the Chancellor or Master of the Rolls, that such Bankrupt has made a full discovery of his estate and effects, and in all things conformed as aforesaid; and that there does not appear any reason to doubt the truth or fulness of such discovery; and also that the Creditors have signed in manner herein directed, and unless the Bankrupt make oath in writing that such certificate and consent were obtained without fraud.

Certificate of discharge, how to be signed and certified.

XVI. And be it enacted, That every Commissioner so to be appointed as aforesaid shall have jurisdiction in all matters and proceedings in Bankruptcy arising under this Act, or any Act hereafter to be passed on the subject of Bankruptcy within the County, City and County or District for which he shall be so appointed; and the jurisdiction hereby conferred on any and every Commissioner shall extend to all cases and controversies in Bankruptcy arising between the Bankrupt and any person claiming any debt or demand under the Bankruptcy to all cases and controversies between the Creditor and the Assignee of the Estate, whether in office or removed, to all cases and controversies between such Assignee and the Bankrupt, and to all matters and things to be done under and by virtue of the Bankruptcy, until the final distribution and settlement of the Estate of the Bankrupt, and the close of the proceedings in Bankruptcy, subject however to appeal to or review by the Court of Chancery as before and hereinafter provided.

Jurisdiction of the Commissioners.

XVII. And be it enacted, That the Court of Chancery in this Province shall have an appellate jurisdiction of all matters cognizable by the said Commissioner, and if upon the hearing of any matter whatever upon appeal or otherwise brought before the said Court relating to Bankruptcy, any question of fact shall arise which in the opinion of the said Court cannot be satisfactorily determined without a trial by Jury, such Court shall have authority to order a feigned issue to be made up in the Supreme Court, and to prescribe the manner of making up such issue so as to present the question in dispute, and to direct the County in which the same shall be tried; and the Supreme Court shall have power to grant new trials of such issues as in personal actions pending in that Court, and the final determination of such issue shall be conclusive as to the facts therein controverted in the proceedings before the Court of Chancery, and it shall be in the discretion of the said Court of Chancery to order and direct by whom and in what manner the costs and expenses attending such issue shall be paid.

Court of Chancery to have appellate Jurisdiction, with power to order the trial of feigned issues in the Supreme Court, in questions of fact.

XVIII. And be it enacted, That it shall and may be lawful for the said Commissioners respectively, from time to time, as they shall think fit, to hire and employ a Clerk or Clerks and all such other officers and servants as may by them be deemed necessary for the purpose of assisting the Assignee in the management of the Estate, and transaction of the affairs thereof, or of assisting the Commissioners in any of the proceedings in Bankruptcy, and such Commissioners

Commissioners may employ Clerks, &c.