

X. And be it enacted, That any such action so brought as aforesaid against the Petitioning Creditor or Creditors, either alone or jointly, with the person so appointed by the Commissioner as aforesaid, for anything done in obedience to his Warrant, proof by the Plaintiff or Plaintiffs in such action that the Defendant or Defendants, or any of them, are Petitioning Creditors shall be sufficient for the purpose of making such Defendant or Defendants liable in the same manner and to the same extent, as if the Act complained of in such action had been done or committed by such Defendant or Defendants.

Proof of defendants being Petitioning Creditors to be sufficient to render them liable as if act complained of had been done by them.

XI. And be it enacted, That it shall be lawful for the respective Commissioners, by writing under their hands, to summon before them, any person known or suspected to have any of the estate of the Bankrupt in his possession, or who is supposed to be indebted to the Bankrupt, or any person whom the respective Commissioners or the Assignee to be appointed under any Fiat in Bankruptcy may believe capable of giving information concerning the person, trade, dealing or estate of such Bankrupt, or any information material to the full disclosure of the dealings of the Bankrupt, and it shall be lawful for the said Commissioner to require such person to produce any Books, Papers, Deeds, Writings or other Documents in his custody or power, which may appear to such respective Commissioners or Assignee necessary to the verification of the deposition of such person, or to the full disclosure of any of the matters which the respective Commissioners or Assignee are authorized to inquire into, and if such person so summoned as aforesaid, shall not come before the Commissioner at the time and place appointed, having no lawful impediment made known to such Commissioner at the time appointed and allowed by him, it shall be lawful for such Commissioner, by Warrant under his hand and seal, to authorize and direct the person or persons therein named to apprehend and arrest such person and bring him before him to be examined as aforesaid.

Persons having any of the estate, being indebted to, or believed to possess information relative to the Bankrupt or his Estate be summoned and brought before the Commissioner for examination.

XII. And be it enacted, That upon the appearance of any person so summoned or brought before the Commissioner as aforesaid, or if any person be present at any Court of the respective Commissioners, it shall be lawful for such Commissioner to examine every such person upon oath, either by word of mouth or by interrogations in writing concerning the person, trade, dealing or estate of such Bankrupt, and to reduce into writing the answers of every such person, and such answers so reduced into writing, the party examined is hereby required to sign and subscribe, and if any person shall refuse to be sworn or shall refuse to answer any lawful questions put to him by the said Commissioner touching any of the matters aforesaid, or shall not fully answer to the satisfaction of such Commissioner any such lawful questions, or shall refuse to sign and subscribe his examination so reduced into writing as aforesaid, not having any lawful objection allowed by such Commissioner, or shall not produce any Books, Papers, Deeds and Writings and other Documents in his custody or power, relating to any of the matters aforesaid, which such person was required by such Commissioner to produce, and to the production of which he shall not state any objection to be allowed by such Commissioner, it shall be lawful for such Commissioner to commit him to the Common Gaol of the County or City and County where such Commissioner shall then be, there to remain without bail until he shall submit himself to be sworn and full answers make to the satisfaction of such Commissioner to all such lawful questions as shall be put to him, and shall sign and subscribe such examination, and produce such Books, Papers, Deeds, Writings and other Documents as aforesaid, in his custody or power, to the production of which no such objection as aforesaid has been allowed; and any Sheriff, Gaoler or other person to whose custody such person shall be committed, shall be bound to receive and take charge of such person according to the terms of such commitment.

Such person and others present may be examined on oath, and on refusal to be sworn, answer questions, or sign examination, or to produce any books, &c., in their power, they may be committed to Gaol until they submit.

XIII. And be it enacted, That if any person be committed by any Commissioner for refusing to answer or not fully answering any question put to him by such Commissioner, such Commissioner shall, in the Warrant of commitment, specify every such question; provided that if any person committed by such Commissioner shall bring any Habeas Corpus or order to be discharged from such commitment, and there shall appear on the return of such Habeas Corpus any insufficiency in the form of the Warrant whereby such person was committed, by reason whereof he might be discharged, it shall be lawful for the Court or Judge before whom such party shall be brought by Habeas Corpus, and such Court or Judge is hereby required to commit such person to the same Prison, there to remain, unless he shall conform, unless it shall be shewn to such Court or Judge by the party committed, that he has fully answered all lawful questions

Warrant of commitment to specify questions put and refused to be answered.

Proceedings under Habeas Corpus.