

SCHEDULE A.

Treasury Department, New Brunswick.

No. Class .

Whereas, by virtue of an Act of the General Assembly of the Province of New Brunswick, intituled *An Act to facilitate the negotiation of a Loan to pay off the Public Debt*, having paid into the Treasury of the Province, for the use of the Province, the sum of _____ pounds, sterling, (or currency, as the case may be :)

Now, therefore, this Debenture is chargeable on the monies raised by virtue of the said Act, and also on all monies which may be in the Treasury of the said Province, or which shall be paid into the same on or after the _____ day of _____, which will be in the year of our Lord one thousand eight hundred and _____, for the said sum of _____, with interest, to be paid on the same semi-annually, (that is to say) on the first day of June and December, in each year, at _____ to the said _____ or to such person or persons as may be authorized to receive the same.

Dated the _____ day of _____, in the year of our Lord

A. B.

Lieutenant Governor,
(or Administrator of the Government.)C. D. }
E. F. } Commissioners.

[This Act was specially confirmed, ratified, and finally enacted by an Order of the Queen in Council, dated the 23d day of August, 1843, and published and declared in the Province on the 27th day of September, 1843.]

REMARKS.

By the IX. Section of the foregoing Act, the Treasurer is required to retain and set apart, every year, until the Instalment and the Interest due on the Loan during that or any previous year are paid, the amount accruing from the "One per Cent." Duty imposed by this Act and also the amount paid into the Provincial Treasury by the Customs.

On an average of the Importations of manufactures liable to the "One per Cent." made from the Custom House returns of Imports for the last four years, this duty would amount to £7,500, Currency, per annum,—and the average amount paid into the Provincial Treasury by the Customs for the same period is £23,472 3 5 Currency, per annum,—making together £30,972 3 5 Currency,—which sum would procure Bills of Exchange on London, at the average rate of 8 per cent. premium, to an amount exceeding £25,000, Sterling.

The above Revenues are by this Act to be set apart to meet the Interest on £70,000, Sterling,

(If at 5 per cent.)	£3,500
And the Annual Instalment	5,000
	£8,500

and which Interest will each year diminish as Instalments are paid off.

The new Imperial Tariff for the Colonies has been in operation only since the 6th of July last, but during that short period, although the scale of duties is materially diminished, the amount collected has rather increased in consequence of some articles formerly prohibited being now admitted at a duty, and others being imported in much greater quantities.

Saint John, New Brunswick, 23d October, 1843.

BEVERLEY ROBINSON,
(Province Treasurer,)LAUCHLAN DONALDSON,
JOHN WARD, JUNIOR,

Commissioners, (together with HENRY BLISS, Esquire, of London, Province Agent,) appointed by order of the Lieutenant Governor and Council, dated 10th October, 1843.

NOTICE.

THE undersigned Commissioners, appointed to negotiate a Loan of £70,000, Sterling, in pursuance of the above recited Act of the Legislature of New Brunswick, will receive Sealed Tenders for the same at the Office of the Province Treasurer, in Saint John, until 12 o'clock, at noon, on Thursday, the 25th January, 1844. The parties tendering to state the rate of Interest at which they are willing to lend the amounts named in their respective proposals, and the sums (in Sterling or Currency) for which they desire the Debentures to be issued, not to exceed £1000 each. And, as £5000 of the Loan are to be repaid in each year, if the parties tendering have any choice as to the period of re-payment, the same may be added; as the Debentures will be paid off in numerical order, and the Commissioners will endeavour to comply with the wishes of all in this respect.

B. ROBINSON, P. T. }
L. DONALDSON, } Commissioners.
JOHN WARD, JUN. }

TREASURY, Saint John, 30th October, 1843.

ORDERS IN CHANCERY.

8th December, 1843.

HIS Excellency the Chancellor, by and with the advice and consent of His Honor the Master of the Rolls, doth order and direct,—

1. That the Forms contained in the Schedule at the foot of these Orders be established as Precedents and Modes of proceeding in matters relating to Bankruptcy, and that future proceedings be made conformable thereto, with such alterations and additions as may be deemed requisite under the circumstances of each particular case.

2. That the practice in regard to Appeals from the decisions of the Commissioners of the Estates and Effects of Bankrupts be conformed as nearly as may be (subject to such modifications and restrictions as circumstances may render just or necessary) to the practice in Appeals to the Court of Review in Bankruptcy in England.

W. M. G. COLEBROOKE, CHANCELLOR.
N. PARKER, M. R.

SCHEDULE OF FORMS.

No. 1. Petition from Debtor.

To His Excellency the Chancellor, [or His Honor the Master of the Rolls,] of the Province of New Brunswick :

The humble Petition of A. B. of, and resident in, the Parish of _____ in the County of _____ and Province aforesaid, Merchant ;
Sheweth,—

That your Petitioner before and at the time of signing the Declaration hereinafter mentioned, was, and still is, indebted to B. C. of _____ in the Province aforesaid, Esquire, in the sum of two hundred and fifty pounds on a certain Promissory Note made by your Petitioner, and bearing date the _____ day of _____ in the year of our Lord _____ payable to the said B. C. or order, three months after the date thereof, [or for Goods sold and delivered by the said B. C. to your Petitioner and at his request, or as the case may be in the same way as in affidavits to hold to bail, or deposition in proof of debts in Bankruptcy.*] And your Petitioner further sheweth, that being so indebted, he did on the _____ day of _____ last, sign a Declaration of Insolvency, whereof a true copy is hereunto annexed, marked A. and which was duly attested by an Attorney of the Supreme Court of the said Province, which your Petitioner directed to be filed [or to be transmitted to be filed] in the Office of the Registrar of the Court of Chancery in this Province, and which your Petitioner verily believes was so filed on the _____ day of _____ instant. And your Petitioner further sheweth, that an advertisement of such Declaration was inserted in the Royal Gazette of the said Province on the _____ day of _____ instant, and that your Petitioner has given such bond for the payment of costs as by law required.

Your Petitioner therefore humbly prays that he may be declared Bankrupt by Fiat of Your Excellency [or Honor] according to the Acts of the General Assembly relating to Bankruptcy.

And your Petitioner will ever pray.

(Signed)

A. B.

The above named Petitioner was duly sworn to the truth of the allegations contained in the above Petition the _____ day of _____ A. D. _____ before me.)

* See Archbold's or Tidd's Forms. Archbold on Bankruptcy, &c.

No. 2. Declaration of Insolvency.

I, A. B. of _____ in the County of _____ Merchant, do hereby declare that I am unable to meet my engagements, [or am Insolvent.] Dated this _____ day of _____ A. D. _____.

(Signed)

A. B.

Witness C. D., Attorney of the Supreme Court.

No. 3. Advertisement in the Gazette.

Notice is hereby given, that a Declaration was filed on the _____ day of _____ 18—, in the Office of the Register of the Court of Chancery, signed and attested according to the Acts of the General Assembly, intituled *An Act relating to Bankruptcy in this Province*, by A. B., of the Parish of _____, in the County of _____, Merchant, that he is unable to meet his engagements, [or is insolvent.]

No. 4. Affidavit in support of Petition.

C. D. of _____, in the County of _____, and Province of New Brunswick, Esquire, maketh oath and saith that A. B., the Petitioner named in the Petition hereunto annexed, on the _____ day of _____ last, in the presence of this deponent subscribed his name to a Declaration that he was insolvent, [or unable to meet his engagements,] which said Declaration was attested by this deponent at the request of the said A. B., and by his the said A. B.'s direction, filed by this deponent [or transmitted by this deponent to G. H., of _____ in the County of _____, Esquire, to be filed] in the Office of the Register of the Court of Chancery, on the _____ day of _____ last, and that an advertisement of such Declaration was duly published in the Royal Gazette of the said Province, of date the _____ day of _____ instant; and this deponent further saith, that at the time of the making and attesting of the said Declaration as aforesaid, he, the deponent, was, and still is, an Attorney of the Supreme Court of the said Province.

Sworn, &c.

[A copy of the Gazette containing the notice to be annexed, or otherwise an Affidavit as follows.]

No. 5.

E. F. of _____, &c. Esquire, maketh oath and saith that he, this deponent, did, on the _____ day of _____ instant, see on file [or (if made by an agent to whom it was transmitted,) "receive from _____ of, &c., _____, to be filed and on the same day file,"] in the Office of the Register of the Court of Chancery of this Province, a Declaration in writing, a true copy whereof is hereunto annexed, marked A. —, that he, this deponent, is acquainted with the hand writing of C. D. of _____, &c. Esquire, having frequently seen him write, and that the signature "C. D." set and subscribed to the said Declaration, as an attesting witness thereto, is, as this deponent verily believes, of the proper handwriting of the said C. D., who at the date of the said Declaration was an Attorney of the Supreme Court of this Province. And this deponent further saith that an advertisement of such Declaration was duly published in the Royal Gazette, of date the _____ day of _____ instant.

Sworn, &c.