

missioner shall take and subscribe the following Oath in the manner and before the Officer in the said Act prescribed, that is to say:—

‘I, A. B., do swear that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a Commissioner of Bankruptcy for the City and County of Saint John, (or County of *as the case may be,*) and such other County and Counties as may hereafter be united thereto, by virtue of an Act relating to Bankruptcy in this Province, and of any Act or Acts made or to be made in addition to or alteration or amendment of the same.—So HELP ME GOD.’

XVI. And be it enacted, That the time mentioned in the sixth section of the Act in addition to and in amendment of the Law of Bankruptcy, for the notice to be served on the Bankrupt, and for the surrender of the said Bankrupt, and for contesting the alleged Bankruptcy, shall be seven days instead of thirty as therein specified.

Time of notice for surrender and contesting alleged Bankruptcy to be seven days.

XVII. And be it enacted, That the notice required to be given on the application of the Bankrupt for a Certificate of conformity shall be thirty days instead of the time specified in the twenty fifth section of the said Act in addition to and in amendment of the Law of Bankruptcy.

Notice of application for Certificate of conformity to be thirty days.

CAP. XXXII.

An Act to afford relief to Persons unfortunate in business in certain cases.

Passed 13th April 1844.

‘**W**HEREAS it is deemed expedient to make some further provision for the relief of Insolvent Debtors, and for enabling them to make arrangements with their Creditors, by which they may obtain a discharge from their debts;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act it shall and may be lawful for any Debtor or joint Debtors finding himself or themselves unable to meet his or their engagements, to make application by Petition to His Honor the Master of the Rolls for the time being, for an order for a public meeting of the Creditors of such petitioning Debtor or Debtors, setting forth in such Petition a full statement of his or their affairs upon oath, shewing the amount of his or their liabilities in detail, with the names; additions and places of abode of the Creditors, and also a detailed schedule of his or their real and personal property (if any) and assets, distinguishing the good from the bad debts; and on such Petition, which shall be in duplicate, and one copy to be filed with the Master of the Rolls, and the other with the Clerk of the Peace for the County in which such Debtor or Debtors reside, it shall and may be lawful for the said Master of the Rolls, and he is hereby required by order to be entered by the Registrar of the Court of Chancery in a Book to be by such Registrar kept for that purpose, to direct the Clerk of the Peace of the County, or City and County, in which such Debtor or Debtors shall reside, to call a public meeting of the Creditors of such Debtor or joint Debtors, within the Shire Town of the County, at such time and place as the Master of the Rolls shall in such order direct and appoint.

Any insolvent debtor may prefer a Petition to the Master of the Rolls for a meeting of his Creditors.

Clerk of the Peace of the County wherein the debtor may reside to be directed to call the meeting.

II. And be it enacted, That on such order being granted and served by such petitioning Debtor or Debtors, on the Clerk of the Peace of the County, it shall and may be lawful for such Clerk of the Peace, and he is hereby required at the costs and charges of such petitioning Debtor or joint Debtors, forthwith to call a public meeting of the Creditors of such petitioning Debtor or Debtors, (for the purpose of enabling such Debtor or Debtors to offer a composition to or make terms with his or their Creditors, and to render an exposition of his or their affairs,) by publishing a copy of such order in the Royal Gazette of the Province, and the time and place of such meeting, and continuing the same therein for a period not exceeding sixty days nor less than twenty days, and also in one of the local newspapers in the County, or City and County, where such Debtor or Debtors reside, if any such paper be published, and also by posting up hand bills in six or more of the most public places of the County, or City and County, in which such Debtor or Debtors shall reside; at which meeting it shall be the duty of such Clerk of the Peace to attend and preside, and to take a minute or record of the proceedings thereof, the publication of the notices required by this Act, of the time and place of such meeting, being first made to appear by affidavit sworn before some Commissioner for taking affidavits in the Supreme Court, or Master or

Clerk of the Peace on service of order to call a meeting to enable the debtor to offer a composition, &c.