



BY AUTHORITY.

ANNO NONO VICTORIÆ REGINÆ.

CAP. LVIII.

An Act to repeal the Acts to afford relief to persons unfortunate in business.

Passed 14th April 1846.

Acts 7 V. c. 32, and

8 V. c. 94,
repealed.Proceedings al-
ready instituted
may be completed.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to afford relief to persons unfortunate in business in certain cases*, and also an Act made and passed in the eighth year of the same Reign, in amendment thereof, intituled *An Act to explain and amend the Act to afford relief to persons unfortunate in business in certain cases*, be and the same are hereby repealed; provided always, that in any case where the Master of the Rolls, before the passing of this Act, shall have made his Order for the calling of a Meeting of the Creditors of any petitioning Debtor, the same may be proceeded with to the final discharge of such Debtor from all debts and liability in all respects the same as if the said recited Acts had not been repealed.

CAP. LIX.

An Act to extend the provisions of an Act further to amend the Law relating to Bankruptcy.

Passed 14th April 1846.

Preamble.

8 V. c. 88.

‘WHEREAS in and by the twelfth section of an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act further to amend the Law relating to Bankruptcy*, it was enacted, that when orders had been made for any Certificate of Conformity under the provisions of the Act relating to Bankruptcy, that such Certificate should be confirmed within a certain time therein expressed, which has expired: And whereas it is just and reasonable that Certificates ordered under the provisions of the said Law should be confirmed, notwithstanding the time limited in and by the said recited Act shall have expired: And whereas the said Act requires amendment in other respects;

Time for confirma-
tion of Certificates
of Conformity
limited.

5 V. c. 43.

5 V. c. 43, s. 12,
in part repealed.Power to transfer
to the Bankrupt
Books of Accounts,
extended to Pro-
missory Notes, &c.Assignment duly
executed to be
prima facie evi-
dence of right of
Bankrupt to re-
cover debts.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That every Certificate of Conformity, whether absolute or conditional, ordered or made under the Acts relating to Bankruptcy, shall and may be confirmed, or the confirmation of the same shall be applied for, agreeably to the provisions of the said Acts, within twelve calendar months from the passing of this Act; and if the said Certificate shall not be confirmed, or the same applied for, as aforesaid, within such time, the said Certificate shall be deemed and taken to be finally refused, within the meaning of the twenty fourth section of the Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act relating to Bankruptcy in this Province*.

II. And be it enacted, That so much of the said twelfth section of the said recited Act as declares that any Certificate which shall not be confirmed, or the same applied for, within the time specified in and by the said recited Act, be and the same is hereby repealed.

III. And be it enacted, That the power and authority given to the Assignee in the ninth section of the said recited Act, to transfer the Books of Accounts to the said Bankrupt, shall be construed to extend to include Promissory Notes, Bonds, Due Bills, and all other assurance for money or debts due the said Bankrupt, so that the whole Personal Estate of the said Bankrupts may be re-invested in the said Bankrupts, agreeably to the provisions of the said ninth section of the said recited Act.

IV. And be it enacted, That the assignment of the Assignee of the said Bankrupt's Estate, duly executed, with an Affidavit of the Assignee indorsed thereon, that the said assignment was made according to Law, which Affidavit may be made before any Commissioner authorized to take Affidavits in the Supreme Court, shall be deemed *prima facie* evidence of the right of such Bankrupt to recover any such debt so assigned in his own name.