

discovering collecting and selling the Effects and Debts of such Person, and distributing the produce thereof rateably amongst all the said Creditors of such Person so declared insolvent, and for that purpose shall authorize any one or more Creditors of the said Defendant, who shall be chosen by the major part in value of such Creditors, whose debts amount respectively to the sum of ten Pounds and upwards, to perform the same; and that such Court shall from time to time make such Order therein as shall be deemed proper for better discovering collecting and selling the Effects and Debts, and making a rateable distribution thereof among the said Creditors. 8

Distribution of Effects of insolvent Parties.

And be it further Enacted, That in the distribution to be made of the Estate and Effects of such person so declared insolvent, every Fisherman and Seaman employed in the Fishery, who shall be a Creditor for Wages become due in the then current season, shall first be paid twenty Shillings in the Pound so far as the Effects will go; and in the next place every Person who shall be a Creditor for Supplies furnished in the current season shall be paid twenty Shillings in the Pound; and in the next place every Person who shall have become a Creditor within two years shall be paid twenty Shillings in the Pound; and lastly, all other Creditors shall be paid equally as far as the Effects will go.

Certificate of the Court to be a Bar to Suits for Debt prior to Declaration of Insolvency.

And be it further Enacted, That if such insolvent Person shall make a true disclosure and discovery of all his or her Goods and Effects whatsoever, and shall conform him or herself to the order and direction of the said Court, the same shall and may (with the consent of one-half in number and value of his or her Creditors) be certified by the said Court, and such certificate, when pleaded, shall be a bar to all Suits and Complaints for Debts contracted within the Island of *Newfoundland* and on the Islands and Seas aforesaid, and on the Banks of *Newfoundland*, and in Great Britain or Ireland, prior to the time when he or she was declared insolvent. 9

Chief Justice may grant Administration of Effects.

And be it further Enacted, That the said Chief Justice, or any Person or Persons appointed by him for that purpose under his hand and seal, shall have power to grant administration of the Effects of Intestates, and the Probate of Wills, and that the Effects of deceased Persons shall not be administered within the Island of *Newfoundland* or on the Islands and Seas aforesaid, or on the Banks of *Newfoundland*, unless administration thereof, or Probate of Wills respecting the same, shall have been duly granted by such Authority as aforesaid.

Act 23 Geo. III. c. 76. continued until the opening of the Supreme Court.

And be it further Enacted, That an Act passed in the thirty-third year of His present Majesty's reign, intituled, "An Act for establishing Courts of Judicature in the Island of *Newfoundland*, and the Islands adjacent;" which has by several subsequent Acts been continued to the twenty-fifth day of March one thousand eight hundred and nine, shall be and continue in force until the opening of the Supreme Court instituted by virtue of this Act, and no longer; and every Suit or Complaint which shall at that time be depending in the said Court of Civil Jurisdiction shall and may be proceeded upon in the said Supreme Court, in the same manner as any Suit or Complaint originally commenced in the said Supreme Court. 10

For holding Pleas.

And be it further Enacted, That it shall not be lawful for any Court in the Island of *Newfoundland*, or Islands aforesaid (except the Supreme Court and the Surrogate Courts appointed by virtue of this Act) to hold Plea of any Suit or Complaint of a Civil nature, any Law Custom or Usage to the contrary notwithstanding: Provided nevertheless, that the Court