

CAP. LVIII.

An Act for the relief of Robert Hill and William Hill, Insolvent Debtors.

(PASSED THE 16th DAY OF APRIL, 1834.)

Preamble

WHEREAS, Robert Hill is now confined in Jail at Windsor, in this Province, under a Writ of Execution, at the Suit of James Murison, of Glasgow, in that part of the United Kingdom called Scotland, Merchant, issued upon a Judgment recovered for the sum of Four Hundred and Nine Pounds Nineteen Shillings and Six Pence, Debt and Costs, by the said James Murison, against the said Robert Hill, and his former partner, William Hill, for a debt contracted with, and due to, the said James Murison, who is resident in Glasgow aforesaid, and the said Robert Hill and William Hill being unable to pay the said debt, for which the said Robert Hill is so confined, are both willing and desirous to assign and make over, for the benefit of their said Creditor, all their Estate, property, effects and credits, whatsoever, either joint or individual, and to have and take the benefit of the several Acts of this Province made for the relief of Insolvent Debtors, but are unable so to do owing to the operation of some of the provisions of the said Acts. *And whereas*, it appears that the said James Murison, by his Attorney, Alexander Primrose, hath consented that a Bill shall pass to extend the benefit of the Acts for the relief of Insolvent Debtors to the said Robert Hill and William Hill, notwithstanding that the said James Murison, the Creditor, resides in Great-Britain :

Robert Hill & William Hill allowed benefit of Insolvent Acts

I. Be it therefore enacted, by the President, Council and Assembly, That it shall and may be lawful, when and so soon as the said William Hill shall have rendered himself a prisoner to the custody of the Sheriff of the County of Hants, under the Judgment aforesaid, for any one of the Justices of the Supreme Court, upon the application and petition of the said Robert Hill and William Hill, to make an order under his hand for bringing before him the said Robert Hill and William Hill, in order to afford them an opportunity of taking the benefit of the several Acts of this Province made for the relief of Insolvent Debtors, and to proceed thereon in like manner as in ordinary cases, and, upon the said Robert Hill and William Hill taking the oath prescribed by the said Acts and making the Assignment hereinafter mentioned, it shall and may be lawful for the said Justice to proceed to discharge the said Robert Hill and William Hill in manner as is prescribed and directed by the said Acts, and to make an order for that purpose, and such proceedings, order and discharge, shall, to all intents and purposes, be as valid, good and effectual, and shall be of the like force and effect, and have the same operation in Law, as any proceeding, order and discharge, made under and by virtue of the said Acts now in force for the relief of Insolvent Debtors ; and the said Robert Hill and William Hill shall be forthwith discharged from Custody under the said Judgment and Execution of the said James Murison. *Provided always*, that before the said Robert Hill and William Hill shall be so discharged as aforesaid, if no person shall attend before the said Justice on behalf of the said James Murison, it shall be proved by affidavit in writing to the satisfaction of the said Justice, that a Copy of the order of the said Justice, made for bringing the said Robert Hill and William Hill before him, hath been and was served upon the Attorney or Agent of the said James Murison, at least six days previous to the day in such order specified and appointed for the consideration of the petition and application of the said Robert Hill and William Hill.

Proviso

Assignment to be made of Property, &c.

II. And be it further enacted, That the said Robert Hill and William Hill, before obtaining or becoming entitled to their discharge as aforesaid, shall make and execute a good, legal and sufficient Assignment, transfer and conveyance, in such manner as by the said Justice shall be deemed proper, and to such person or persons as by the said James Murison, his Attorney or Agent, may be named as Assignee or Assignees, or in default of such nomination to the said James Murison, of all Estate, Lands, Tenements, and Hereditaments, Goods, Chattles, Effects and Credits, Debts, Dues, Claims and Demands, which they the said Robert Hill and William Hill jointly, or either of them severally have,