

the return day of the Process; or when he shall abscond to escape such arrest; or be imprisoned or confined on the limits of a Gaol for more than thirty days; or escape from such imprisonment, or depart from the Province, or remain concealed therein, to avoid being served with Process, or with intent to defraud his creditors; or who shall make any fraudulent conveyance or gift of any of his lands, goods or credits, or evidences of debt; or fraudulently procure himself to be arrested, or his goods, chattels, lands or tenements to be taken in execution, or remove or conceal his goods to prevent their being taken in execution, or who shall wilfully waste or improvidently dispose thereof.

The 27th Section makes the filing of a Declaration of Insolvency by a Trader who has been a resident of the Province for twelve months previously, in the manner therein prescribed, an act of Bankruptcy; and the 28th attaches a like effect to the payment by the Trader of any money to the petitioning Creditor, or the giving of any security to him, with a view of giving him a preference. The 29th Section provides that if judgment be recovered against a Trader, and the Plaintiff shall be in a position to sue out Execution thereon, if the Trader, after twenty one days notice, shall not pay, secure or compound, to the satisfaction of the Plaintiff, he shall be deemed to have committed an act of Bankruptcy. The 30th Section attaches the same consequences to the non-payment by the Trader, after notice, of money ordered to be paid by Decree in Equity or Rule of Court, a day being first fixed by the Court for that purpose. The 31st Section we have taken from Lord John Russell's Bill, and it describes a particular manner in which Members of the Legislature may commit acts of Bankruptcy. The 33rd Section provides that no Trader shall be adjudged a Bankrupt by reason of an act of Bankruptcy committed more than six months prior to the filing of any Petition for adjudication.

4. Under the fourth general heading is described the mode of procedure to obtain adjudication. This is done in Sections 34 to 46 inclusive. The proceedings are commenced by Petition to the Commissioner in whose district the Bankrupt resides, if he be a resident of the Province, and if he be not, then in any County where he may have property. The 34th Section, and the Schedules therein referred to, prescribe the forms of the Petition and the Affidavits in verification thereof. The 45th Section provides that, whenever a Petition may be filed before a Commissioner, and it is proved to his satisfaction that there is probable cause for believing that the person against whom it is filed is about to quit the Province, or to conceal his property to defraud his creditors, the Commissioner may issue his Warrant, directed to such person as he shall see fit, giving him authority to arrest the person against whom the Petition is filed; and to seize his books, papers, goods and chattels, and to bring such person before the Commissioner, and to keep his books, papers, goods and chattels, until the time allowed for adjudication on the Petition shall have expired. And the Commissioner is by the same Section empowered, on the person being arrested and brought before him, to commit him to the Gaol of the County in which such Commissioner resides, there to remain until adjudication on the Petition, or until the time for adjudication shall have expired.

It is imperatively necessary, for the purposes of the Act, that the Commissioner should be invested with the authority which is given to him by this Section. The Bankrupt is not divested of his property till adjudication, and if he be permitted to convey away, secrete and dispose of all his property, and then abscond, before he is adjudged a Bankrupt, the whole object of the Law would be defeated. The 46th Section enables the Commissioner to summon before him all persons possessed of any information in connection