

has or shall have issued as aforesaid, or invalidate any certificate obtained under, or affected by the provisions of the said Act hereby repealed, but all proceedings pending under such commissions and warrants in bankruptcy shall be completed as if this Act had not been passed, except that all new proceedings under such commissions and warrants shall be commenced and conducted as far as may be in conformity with the provisions of this Act.

CXXI. All estates which now are vested in assignees under the provisions of the statute above mentioned, shall, after the time when this Act shall come into force and effect, vest in such assignees and in the official assignee jointly, in each District of this Province respectively, and the said assignees shall be officers of the said Court in their said capacity, and be subject to the direction and order of the Court: Provided that no suit or proceeding shall abate or be affected by the joinder of such official assignee with the existing assignees, but such suit or proceeding shall be conducted to completion, as if this provision had not been made; and provided that the official assignee shall not be entitled to claim, on behalf of the Bankruptcy Expense Account, any per centage on the moneys had and received by the existing assignees, but only an equitable share of the per centage on the moneys which shall be hereafter received by them.

Estates vested in assignee and official assignee jointly.

CXXII. All sums of money forfeited under this Act, or by virtue of any conviction for perjury committed in any oath hereby directed or authorised, may be sued for by the assignee of the estate and effects of any bankrupt, in any of Her Majesty's Superior Courts of Record in this Province, and the money so recovered (the charges of suit being deducted) shall be divided among the creditors.

Penalties how recovered.

CXXIII. The words and expressions hereinafter mentioned, which in their ordinary signification may have a more confined or different meaning, shall, in this Act, except when the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows, that is to say, the word "Governor" shall mean also and include the Lieutenant Governor, or person administering the Government of the Province; the word "month" shall mean a calendar month; the word "oath" shall include affirmation when by law such affirmation is required or allowed to be taken in place of an oath; and every word importing the singular number shall extend and be applied to several persons and things, as well as one person or thing, and bodies corporate as well as individuals; and every word importing the plural number shall extend and be applied to one person or thing, as well as several persons or things; and every word importing the masculine gender only, shall extend and be applied to a female as well as a male; and that this Act shall extend to aliens, denizens, and females, both to make them subject thereto, and to entitle them to all the benefits given thereby; and the word "assignee" shall be construed to mean the official assignee; and the word "Court" shall be construed to mean the Court of Bankruptcy or a section thereof, except where the nature of the provision or the context shall give to the said words a different significancy; and this Act shall be construed in the most beneficial manner for promoting the ends thereby intended, and may be shortly cited in all proceedings, suits and documents as "The Bankruptcy Act of 1858."

Interpretation clause.