

to keep the keys thereof until a Factor be named or the custody thereof devolved upon the Sheriff for want of such Factor being appointed, as aforesaid; subject in the meantime to such orders and directions, as, either the Court, or two Judges thereof in vacation or the Sheriff may think proper to give on the application of the person concerned in the preservation of the effects.

The power and duty of a Factor or interim Manager to take possession of Effects, &c.

Bankrupts to grant all powers requisite for recovery of his Estate.

Factor to find security for execution of his trust.

Factor to preserve a register of proceedings.

A Merchant, &c. may apply for sequestration with

VI. And be it further enacted, that the said Factor chosen ad interim Manager or the Sheriff appointed for want of such choice, shall be entitled to take possession of the Bankrupt's whole Estate and Effects, and of the Bills, Bonds, Mortgages, Notes, and other Vouchers, Title-Deeds and instruments respecting his Estate; and also of his books and papers and the Bankrupt or failing debtor shall if required by the said Factor or Sheriff, or by the Creditors at the meeting aforesaid, grant and execute all such Powers of Attorney or other Deeds, which may be deemed necessary or proper for the recovery of the Estate and Effects situate in foreign parts or out of this Province, under the pain of fraudulent Bankruptcy and of being deprived of all benefit from this Statute, and the Factor, if required at the time of appointment shall find security for the faithful execution of his Trust, and to such extent as the majority of the Creditors appointing shall think reasonable, and he, or failing him, the Sheriff, shall be entitled to an allowance and reward for his trouble and care, to be fixed by a majority of the Creditors in value, assembled at any general meeting, subject to the control and modification of the Court ensuing such Sequestration; and the said Factor or Sheriff shall engross the minutes of the meeting at which he is appointed in a book for that special purpose kept by him as a warrant for his acting in the premises; and the principal minutes of the said meeting shall be signed by three of the principal creditors present at such meeting, and by the interim Manager, and shall be filed among the Records of the Court issuing such warrant of Sequestration.

VII. And be it further enacted, that if any merchant or other person described as above, whether process may be issued against his