

vince or abscond, or remain concealed therein, with intent to defraud his creditors, and every such trader who shall make, or cause to be made within this Province, any fraudulent grant or conveyance of any of his lands, household goods, or chattels, or any fraudulent gift, delivery, or transfer of any of his goods or chattels, or other effects or assets, or of his credits or evidences of debt; and every such trader who shall willingly or fraudulently procure himself to be arrested, or his goods or chattels, debts or credits, lands or tenements, to be attached, distrained, sequestered or taken in execution, and every such trader who shall remove or cause to be removed, or who shall conceal or cause to be concealed any of his goods, chattels or effects, in order to prevent their being seized upon or taken in execution under attachment or other process, shall be deemed to have thereby committed an act of bankruptcy.

Compounding
with petition-
ing creditor.

III. If any trader as aforesaid, after the issuing of any Commission of Bankruptcy, or the fying of any petition or adjudication of bankruptcy against him, shall pay money to the petitioning creditor, or give or deliver to such petitioning creditor any satisfaction or security for his debt, or for any part thereof, whereby such petitioning creditor may receive more in the pound in respect of his debt than the other creditors, such payment, gift, delivery, satisfaction or security shall be an act of bankruptcy; and if adjudication of bankruptcy shall have been made under such petition, the Court may either declare such adjudication to be valid, and direct the commission to be proceeded in, or may order it to be annulled, and a petition or new petition for adjudication may be fyled, and such petition or new petition may be supported either by proof of such last mentioned, or any other act of bankruptcy.

A trader may
be summoned
by his credi-
tor.

IV. If any creditor of any such trader, or the duly accredited and appointed agent or attorney of any such creditor of such trader, shall make an affidavit before a Judge of the Court of Bankruptcy, in the form specified in the Schedule hereunto annexed, (B No. 1,) of the truth of his debt, and that the debtor, as he verily believes, is such trader as aforesaid, and that he has caused to be delivered to such trader personally, or to some such person belonging to his family or his establishment, at his usual place of business, an account, in writing, of the particulars of his demand, with a notice thereunder requiring immediate payment thereof, in the form specified in the said Schedule (B, No. 2), which affidavit shall be duly fyled; it shall be lawful for the Court of Bankruptcy to issue a summons, in writing, in the form specified in the said Schedule (B No. 3), calling upon such trader to appear in the said Court of Bankruptcy, and stating in such summons the purpose for which such trader is called upon to appear, as hereinafter provided: Provided always, that if the demand of such creditor appear by such affidavit to be due from two or more persons carrying on trade in partnership, the delivery of such account and notice to any one of the partners in person, or to some adult inmate, at his usual or last known place of abode or business, and also at the place of business of the firm as aforesaid, if any such there be, shall be sufficient to authorize the Court to issue such summons against any of such partners, as well as against the partner served personally with such account and notice, which said summons, and all other proceedings incident thereto, may, in cases of partnership, be effectually served in like manner.

Proviso.