

AN ACT

RELATING TO BANKRUPTCY.

Be it enacted by the Governor, Council, and Assembly, as follow :

1. The governor in council may appoint a judge of bankruptcy, a registrar of bankruptcy, and an official assignee of bankruptcy being a person skilled in mercantile accounts, for each of the counties of this province; such persons shall hold office during pleasure, and be sworn before a judge of the supreme court, or the custos of the county.

2. The official assignee, before being sworn, shall file in the office of provincial secretary, a bond to the queen, with two sureties, in the penal sum of £2000, conditioned for the faithful discharge of the duties of his office, and shall produce a certificate to that effect to the judge or custos administering the oath of office, such certificate to be filed with the registrar.

3. In case of the death, resignation, or dismissal of an official assignee, the judge may appoint a suitable person to act as his successor until a new official assignee is appointed, such acting official assignee shall give a like bond to be filed with the registrar. An official assignee may in writing appoint a suitable person to act as his deputy in case of illness or unavoidable absence, but the principal and his bondsmen, shall be held liable for all acts or omissions of the deputy. An official assignee shall be exempt from serving on juries.

4. When the judge of bankruptcy shall be interested in the estate of a bankrupt to the extent of £200 and upwards, the case shall be transferred to the bankrupt court of the next adjoining county, and shall be there disposed of and settled. And so soon as settled the judge shall transmit to the court of the county where the bankrupt dwells, or last dwelt, a certified copy under his hand and the seal of his court, of his proceedings, and the same shall be recorded in the books of registry of the court to which they are transmitted.

5. No judge or registrar shall be directly or indirectly employed or professionally concerned as counsel, attorney, solicitor, proctor, or advocate for any party or any matter pending, or to be brought before the court of which he is judge or registrar.