

No. 316

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

**An Act to allow an appeal to Bankrupts
to whom Certificates may have been
refused.**

Received and Read a first time,

Second Reading,

Mr. ARMSTRONG.

B I L L.

An Act to allow an appeal to Bankrupts to whom
Certificates may have been refused.

WHEREAS it is expedient to provide for the relief Preamble.
of Bankrupts to whom Certificates may have been
refused without sufficient cause, in Lower Canada : Be it
therefore enacted, &c.

5 And it is hereby enacted by the authority of the same, Bankrupts to
whom Certifi-
cates have
been refused
in L. C. may
appeal.
That any Bankrupt to whom in Lower Canada a Certi-
ficate of Discharge has been or shall be, by reason of the
non-consent or opposition of his creditors, or from any
other cause whatever, refused by any Commissioner of
10 Bankrupts or Circuit Judge acting as such, may within
appeal from such decision to the
Court of Review.

II. And be it enacted, That public notice of such How the ap-
peal shall be
notified and
decided upon,
&c.
appeal shall be given during _____ months in the
15 *Canada Gazette*, in English and in French, and in such
form as the Court of Review shall direct, naming a day
on or after which such appeal will be heard and deter-
mined upon by the said Court, and up to and before
20 Bankrupt or any Creditor may fyle any *moyens d'opposition*
they may have to the granting of such Certificate; and
upon or after such day the said Court of Review shall
hear the said appellant and any opposant, and may order
such proof on the part of either as such Court shall deem
25 necessary, and may grant or refuse such Certificate or
annex such terms to the granting thereof as to the said
Court shall seem meet, and notwithstanding any opposition,
if the Court shall deem such opposition to be unsup-
ported by sufficient reasons; and such decision shall
30 be final and conclusive, and the Certificate of Discharge
if granted shall have the same effect to all intents and
purposes as if granted by the Commissioner or Circuit
Judge, and without opposition on the part of any creditor
or other party.