


ANNO PRIMO & SECUNDO

# GEORGII IV. REGIS.

## CAP. XL.

**An Act to repeal so much of an Act, made in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of King *George* the Third, for preventing Frauds committed by Bankrupts, as inflicts Capital Punishment on certain Offences therein specified; and to provide more suitable and effectual Punishment for such Offences**

[28th *May* 1821.]

WHEREAS by an Act made in the Parliament of *Ireland*, holden in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act to prevent Frauds committed by Bankrupts*, it is among other Things enacted, that if any Person or Persons who shall become Bankrupt, within the Intent and Meaning of the said Act, and against whom a Commission of Bankrupt under the Great Seal of *Ireland* shall be awarded and issued out, whereupon the said Person or Persons against whom such Commission shall issue, shall be declared Bankrupt or Bankrupts, shall not within Forty-two Days after Notice thereof in Writing, to be left at the usual Place of Abode of such Person or Persons, or Personal Notice, in case such Person or Persons be then in Prison, and Notice given in the *Dublin Gazette*, that such Commission or Commissions is, are, or have been issued, and of the Time and

11 & 12 G. 3. c. 8. s. 24. (I.) reciting that on Bankrupt's refusing to surrender, or be examined, or to deliver up his Effects, &c. such Bankrupt shall be declared guilty of Felony without Clergy.

and Place of a Meeting of the Commissioners therein named, or the major Part of them, surrender him, her, or themselves to the said Commissioners named in the said Commission, or the major Part of them, and sign or subscribe such Surrender, and submit to be examined from Time to Time upon Oath, or being of the People called *Quakers*, upon the solemn Affirmation by Law appointed for such People, by and before such Commissioners, or the major Part of them, by such Commission authorized, and in all Things conform to the said Statute; and also upon his, her, or their Examination, fully and truly disclose and discover all his, her, or their Effects and Estate, Real and Personal, and how and in what Manner, to whom, and upon what Consideration, and at what Time, he, she, or they have or hath disposed of, assigned, or transferred any of his, her, or their Goods, Wares, Merchandizes, Monies, or other Estate and Effects, and all Books, Papers, and Writings relating thereto, of which he, she, or they was or were possessed, or in or to which he, she, or they was or were anyways interested or entitled, or which any Person or Persons had or hath, or have had, in trust for him, her, or them, or for his, her, or their Use, at any Time before or after the issuing of the said Commission, or whereby such Person or Persons, or his, her, or their Family or Families, hath or have, or may have or expect any Profit, Possibility of Profit, Benefit, or Advantage whatsoever, except only such Part of his, her, or their Estate or Effects as shall have been really and *bonâ fide* before sold or disposed of, in the Way of his, her, or their Trade and Dealings, except such Sums of Money as shall have been laid out in the ordinary Expence of his, her, or their Family or Families; and also upon such Examination deliver up unto the said Commissioners by the said Commission authorized, or the major Part of them, all such Part of his, her, or their the said Bankrupt's Wares, Goods, Merchandizes, Money, Estate and Effects, and all Books, Papers and Writings relating thereunto, as at the Time of such Examination shall be in his, her, or their Possession, Custody, or Power, (his, her, or their necessary Wearing Apparel, and the necessary Wearing Apparel of the Wife and Children of such Bankrupt only excepted); then he, she, or they, the said Bankrupt or Bankrupts, in case of any Default and wilful Omission in not surrendering and submitting to be examined as aforesaid, or in case he, she, or they shall remove, conceal, or embezzle any Part of such his, her, or their Estate, Real or Personal, to the Value of Twenty Pounds, or any Books of Account, Papers, or Writings relating thereto, with an Intent to defraud his, her, or their Creditors, and being thereof lawfully convicted by Indictment, shall be deemed and adjudged to be guilty of Felony, and shall suffer as Felons, without Benefit of Clergy, or the Benefit of any Statute made in relation to Felons: And whereas it is expedient that so much and such Parts of the said recited Act as inflicts Punishment of Death in the Cases aforesaid, should be repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of Thirty-one Days after the passing of this Act, so much of the said recited Act as inflicts Punishment of Death on the Offences herein-before recited, shall be and the same is hereby accordingly repealed.

Recited Act, so far as inflicts Punishment of Death, repealed.

II. And

II. And be it further enacted, That from and after the Expiration of Thirty-one Days after the passing of this Act, all Persons duly convicted of the Offences herein-before recited, which were punishable with Death under the herein-before recited Act, shall be liable to be transported beyond the Seas for Life, or for such Term not less than Seven Years as the Court before whom such Person shall be convicted shall adjudge; or such Person shall be liable, in case the said Court shall think fit, to be imprisoned and kept to hard Labour in the Common Gaol, Penitentiary House, or House of Correction, for any Time not exceeding Seven Years. Such Offences may be punished with Transportation for Life, &c.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1821.