

ANNO TERTIO

GEORGII IV. REGIS.

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All Property vested in him shall go to his Successor.

and all and every the Real or Personal Estate, Money and Effects, vested in or possessed by such Provisional Assignee by virtue of the said recited Act or this Act, shall not remain in him, if he shall resign or be removed from his Office, or in his Heirs, Executors, or Administrators, in case of his Death, but shall, in every such Case, go to and be vested in his Successor in Office.

Provisional Assignee to sue in his own Name.

All his Acts done before Dismissal of Petition shall be valid.

II. And be it further enacted, That it shall be lawful for the Provisional Assignee to sue in his own Name, if the said Court shall so order, for the recovery, obtaining, and enforcing of any Estate, Debts, Effects, or Rights of any such Prisoner; and in case of the Dismission of the Petition of any such Prisoner praying for his Discharge, which the said Court is hereby empowered to dismiss, whenever it shall seem fit, all the Acts done before such Dismission by the said Provisional Assignee, or other Persons acting under his Authority, according to the Order of the said Court, shall be good and valid.

Court may appoint an Assignee at any Time after filing Petition.

III. And whereas it is enacted by the said recited Act, that when the said Court shall adjudge any Prisoner to be entitled to his Discharge, such Court shall appoint a proper Person or Persons to be Assignee or Assignees of the Estate and Effects of such Prisoner, for the Purposes of the said recited Act; it is hereby further declared and enacted, That it shall and may be lawful for the said Court, as often as it shall see Cause, for the better preserving and securing the Property of any Prisoner, to appoint at any Time after the filing of such Prisoner's Petition, and before the said Court shall adjudge him entitled to his Discharge, as well as after such Adjudication, One or more Assignee or Assignees of the Estate and Effects of such Prisoner, for the Purposes aforesaid; and when such last-mentioned Assignee or Assignees shall have signified to the said Court his or their Acceptance of the last-mentioned Appointment, every such Prisoner's Estate, Effects, Rights, and Powers vested in such Provisional Assignee as aforesaid, shall immediately be assigned by such Provisional Assignee to such last-mentioned Assignee or Assignees, in trust, for the Benefit of such last-mentioned Assignee or Assignees and the rest of the Creditors of every such Prisoner, in respect of or in proportion to their respective Debts, according to the Provisions of the said recited Act; and the Assignee or Assignees of every such Prisoner, at any Time appointed, shall be and is and are hereby empowered to use and exercise all the Powers, Authorities, Rights, and Duties, and shall be subject to all the Duties, Liabilities, and Punishments, given or ordained by this or the said recited Act with respect to the Provisional or other Assignee or Assignees of any Prisoner; and in all Cases after Assignment by the Provisional Assignee, all the Estate and Effects of every such Prisoner shall be, to all Intents and Purposes, as effectually and legally vested by relation in all and every such Assignee or Assignees, as if the First Assignment had been made by such Prisoner to him or them; but no Act done under or by virtue of such First Assignment shall be thereby rendered void or defeated, but shall remain as valid as if no such relation had taken place.

Power to all Assignees to exercise the Powers given to Provisional Assignee.

Assignment to Assignees to vest by relation from Time of First Assignment.

Enabling Court to charge As-

IV. And be it further enacted, That from and after the passing of this Act, in all Cases in which any Assignee or Assignees of any Insol-

vent's Estates shall wilfully retain in his or their Hands, or otherwise employ for his or their own Benefit, any Sum or Sums of Money Part of the Estates of such Insolvent, the said Court shall have full Power and Authority to order such Assignee or Assignees to be charged in his or their Accounts with the Estates of such Insolvents with such Sum or Sums of Money as shall be equal to the Amount of Interest computed at a Rate not exceeding Twenty Pounds *per Centum per Annum*, on all Sums of Money appearing to the said Court to be so retained or employed by him or them, for the Time or Times during which he or they shall have so retained or employed the same; and the said Court shall in pursuance of such Order charge such Assignee or Assignees in their Accounts with such Sum or Sums of Money accordingly.

Assignees with Interest at a Rate not exceeding 20*l.* per Cent. for using the Money belonging to the Insolvent's Estate.

VI. And be it further enacted, That the said Court or the Justices acting under the Authority of the said recited Act, shall have the same Power to examine into all Debts in the Prisoner's Schedule, whether the same shall be therein stated to be admitted or disputed, or to be admitted in part and disputed in part, as is enacted by the said recited Act as to the Debts stated to be admitted therein; and shall also have Power to inquire whether any of such Debts have been improperly admitted or improperly disputed by the Prisoner with any fraudulent Intent.

The Court shall have Power to examine Debts, whether stated admitted or disputed in the Schedule.

VI. And be it further enacted, That in the Adjudication of the said Court, that any Prisoner is entitled to the Benefit of the said Act, and the Order thereon, it shall not be necessary to specify the several Creditors and Persons claiming to be Creditors of such Prisoner, as required by the said recited Act, but it shall be sufficient, if the said Court shall think fit, to refer in such Order to the Schedule of such Prisoner as specifying such Creditors, or Persons claiming to be Creditors of such Prisoner, as to whom the said Court shall adjudge the said Prisoner to be entitled to the Benefit and Protection of the Act, and to be discharged forthwith; and that in all Cases where it shall appear to the said Court that any Prisoner shall have done or committed any Act for which the said Court is by the said recited Act authorized to order that such Prisoner shall not be discharged out of Custody by virtue of the said recited Act, or receive or be entitled to any Protection, until he or she shall have been in Custody at the Suit of some One or more of the Persons who were Creditors at the Time of petitioning the said Court, or had since become Creditors in respect of Debts then growing due, and from whose Claims he or she shall be discharged by the Judgment of the said Court, for a Period or Periods not exceeding Three Years in the whole, the said Court may adjudicate thereon in the Words of the said recited Act, without naming any such One or more Creditor or Creditors in such Adjudication; and thereupon the said Insolvent shall under such Adjudication be subject and liable to be detained in Prison by his or her then detaining Creditor or Creditors, and to be arrested or charged in Custody by any of the other Creditors in his or her Schedule, until he or she shall have been in Custody for such Period or Periods in the whole as shall be specified in such Adjudication.

Directing to refer to Schedule as to Creditors instead of specifying them in Adjudication, and to enable the Court to adjudicate generally, without naming particular Creditors, &c.

VII. And

The Court may order Expences of Reference to be paid out of the First Proceeds.

VII. And be it further enacted, That where it shall have been referred to an Officer of the said Court, or to any Examiner appointed by Justices of the Peace, by virtue of the said recited Act, to investigate the Accounts of any Prisoner, and to examine into the Truth of the Schedule of such Prisoner, or the Matters thereof, it shall be lawful for the said Court, if it shall see Cause, to order all the Fees and Expences thereof, paid by any Creditor or Creditors, to be repaid to him or them out of the first Money received by the Provisional or other Assignee or Assignees of such Prisoner, from or by his Estate or Effects; and when it shall have been so referred to any Officer or Examiner, it shall be lawful for such Officer or Examiner to order the Attendance of such Prisoner, or of any Prisoner who shall be a material or necessary Witness in any Matters so referred to such Officer or Examiner, as often as such Officer or Examiner shall think fit; and the Prisoner mentioned in such Order shall be accordingly carried before such Officer or Examiner, for which such Order shall be a sufficient Warrant; and the Keeper of the Prison or his Deputy, so carrying any Prisoner before such Officer or Examiner, shall receive for the same the Sum of Ten Shillings and no more, to be paid by the Person or Persons at whose Requisition the said Reference shall have been had, and such Officer or Examiner shall and may, under such Reference, administer Oaths, and accept the solemn Affirmation of any Person being a Quaker, and examine all Witnesses and Parties upon their Oaths or Affirmations touching all Matters relating thereto; and if any Prisoner or other Person taking an Oath, or making any such Affirmation, under the Provisions of this Act, shall wilfully forswear and perjure himself or herself in any Oath to be taken under this Act, or shall make any wilful false Affirmation, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of wilful and corrupt Perjury: Provided always, that no Keeper of any Prison shall be required or compelled to carry any Prisoner a greater Distance than Two Miles from his Prison, to or before such Officer or Examiner; except that the Keepers of Prisons in *Middlesex* or *London*, and of the Prisons of the *King's Bench* and *Marshalsea*, and in *Horsemonger Lane*, and of and in the Borough of *Southwark* in the County of *Surrey*, shall carry their Prisoners before such Officer at the Office of the said Court, or at such other Place within the Bills of Mortality as the said Court shall direct.

Prisoner to attend if required in Matters of Reference.

Fee to Keeper.

False Swearing Perjury.

Limitation as to Distance in conveying Prisoners.

Court may order Prisoners to be confined within the Walls.

VIII. And be it further enacted, That in all Cases in which the said Court shall order any Prisoner to be discharged from Custody, so soon as such Prisoner shall have been in Custody during a certain Period, or not to be discharged until he shall have been in Custody during a certain Period, according to the Provisions and Limitations in the said recited Act, the said Court may, if it shall see Cause, order such Prisoner to be confined during any such Period within the Walls of such Prison, and not within any Rules or Liberties thereof.

The Sessions empowered to remand a

IX. And be it further enacted, That it shall be lawful to the Justices at their General or Quarter or Adjourned Sessions, to remand,

to

to Prison any Prisoner brought before them, who shall refuse to be sworn, or to answer upon Oath all such Questions as to the said Justices shall appear relevant and proper, or for the Purpose of amending his Schedule, or for further Examination or Hearing, and to order him to be brought before them at the same or some subsequent General or Quarter or Adjourned Sessions; and such Order shall be a sufficient Warrant to the Keeper of the Prison wherein he shall be in Custody, to bring him before the same or such subsequent Sessions, according to the Direction thereof; and that the said Justices at Session shall certify to the said Court the said Remand, with the Cause thereof; and that the said Justices shall have such and the same Powers of compelling the Attendance of Witnesses, and of requiring and compelling the Production of Books, Papers, and Writings, for the Purposes of the said recited Act or this Act, as now are possessed by any of the superior Courts at *Westminster*; and the Clerk of the Peace, who is hereby authorized to issue such Subpœnas as may be requisite, and in each of which the Names of not more than Four Persons shall be inserted, for each Subpœna, receive from the Person requiring the same the Sum of Two Shillings and Sixpence, and no more: Provided always, that nothing herein contained shall extend to the compelling of the Attendance of any Witness, unless the Party on whose Behalf such Witness shall be required to attend, shall have previously tendered such Allowance for Expences for his Attendance, as in the Judgment of the said Court or of the said Justices, at the General or Quarter or Adjourned Sessions, shall appear to be reasonable.

Prisoner who refuses to be sworn, or to answer proper Questions, &c.

To compel the Attendance of Witnesses and Production of Papers.

Expences to be previously tendered.

X. And be it further enacted, That where it shall appear to the Satisfaction of the said Court, that any Prisoner in actual Custody, or arrested within the Counties of *Middlesex* or *Surrey*, or the City of *London*, had, at or immediately before such Arrest, his usual Place of Abode in some other County or Place, and had been arrested in the said Counties of *Middlesex* or *Surrey*, or in the said City of *London*, it shall and may be lawful for the said Court to receive Affidavits of any Creditor or Creditors, or of any other Person or Persons not resident within the said Counties of *Middlesex* and *Surrey*, or the City of *London*, in opposition to the Discharge of such Prisoner under the said recited Act, and, if the said Court shall think fit, to permit Interrogatories to be filed, for the Examination or Cross-examination of any Person making or joining in such Affidavit, and also to stay the Discharge of every such Prisoner, until such Interrogatories shall be fully answered, to the Satisfaction of the said Court, or until the Expiration of Six Weeks from the filing of such Interrogatories.

In case of collusive Arrest in Middlesex, London, or Surrey, of Prisoner residing in another County, Affidavits may be used in opposition.

XI. And be it further enacted, That no Prisoner who shall have petitioned the said Court for Relief under and by virtue of the said recited Act, shall be discharged out of Custody as to any Action, Suit, or Process in or by which he or she shall be charged or detained in Custody, for any Debt or Damages which are or shall be admitted by such Prisoner in his or her Schedule filed in the said Court under the said recited Act, or which shall be disputed therein only as to the Amount of the

No Prisoner shall be discharged as to any Action for any Debt admitted in his Schedule, &c. for Want

Plaintiff proceeding therein.

Amount of such Debt or Damages, by or by virtue of any Supersedeas, Judgment of Non-pros, or Judgment as in the Case of a Nonsuit, for want of the Plaintiff or Plaintiffs in such Action, Suit, or Process proceeding therein.

Petitions from Married Women petitioning to be discharged from Debt may be received by the Court without requiring the Conveyance required by the recited Act; but Conveyance for vesting Property shall be made to Provisional Assignee, &c.

XII. And whereas by the Provisions in the said Act any Prisoner petitioning for the Benefit of the said Act must execute a Conveyance and Assignment of all the Estate, Right, Title, Interest, and Trust of such Prisoner to all the Real and Personal Estate and Effects of such Prisoner (except as therein excepted), so as to vest all such Real and Personal Estate and Effects in the Provisional Assignee of the said Court, and the said Court is empowered to order a Judgment to be entered up against such Prisoner in one of Superior Courts at *Westminster* for the Amount of the Debts of such Prisoner which shall at the Time of such Order remain due and unpaid, from which such Prisoner shall be discharged by the said Court; and such Prisoner is required to execute a Warrant of Attorney to authorize the entering up such Judgment: And whereas a Married Woman being a Prisoner for Debt cannot execute such Conveyance or Assignment, or such Warrant of Attorney for the Purposes aforesaid, and therefore cannot petition for and obtain a Discharge under the said Act, without special Provision being made for such Purposes; be it therefore enacted, That if any Married Woman being a Prisoner within the Intent and Meaning of the said Act, shall petition to be discharged from any Debt or Debts under the Provisions of the said Act, it shall be lawful for the said Court to receive such Petition without requiring such Married Woman to execute such Conveyance or Assignment, or such Warrant as aforesaid, according to the Provisions of the said Act; but instead thereof, that the said Court shall require such Married Woman to execute a Conveyance and Assignment for vesting in such Provisional Assignee as aforesaid, all Property, Real and Personal, to which she may be entitled for her separate Use, or over which she shall have any Power of Disposition notwithstanding her Coverture, or which shall be vested in any Trustees or Trustee or other Persons or Person for her Benefit, and to deliver up all Personal Estate and Effects of which she shall have the actual Possession, except her Wearing Apparel, Bedding, and other such Necessaries, not exceeding in the whole the Sum of Twenty Pounds; and also all other Real and Personal Estate and Effects to which she shall be entitled in any Manner whatsoever, in Possession, Remainder, or Reversion, subject only to such Right, Title, or Interest as her Husband may have therein; all which Acts she is hereby empowered to do without her Husband, notwithstanding her Coverture, so nevertheless as not to prejudice any Rights of her Husband in such Real and Personal Estate and Effects respectively; and all such Estate and Effects, Real and Personal, in Possession, Reversion, or Remainder, shall, by such Conveyance and Assignment so to be executed under the Order of the said Court, be as effectually vested in such Provisional Assignee as aforesaid, as the same might have been vested in such Assignee by the Conveyance or Assignment of such Woman if she had been sole and unmarried, subject only to the Rights of her Husband therein as aforesaid; and all Provisions in the said Act or in this Act contained, touching the Real and Personal

Estate of any Prisoner seeking to be discharged under the Authority of the said Act, shall apply to such Real and Personal Estate and Effects respectively, in the same Manner as the same would apply to such Personal Estate and Effects if such Woman had been sole and unmarried, subject only to the Rights of her Husband therein; and such Married Woman shall also execute a Warrant of Attorney to confess Judgment in one of the Superior Courts aforesaid, for the Amount of the Debts remaining unpaid, from which she shall be discharged under the Authority of the said Act as aforesaid; and such Warrant of Attorney so executed shall be sufficient Authority for entering up Judgment against such Woman accordingly, notwithstanding her Coverture; but such Judgment shall not in any Manner prejudice or affect the Rights of her Husband, except that the same shall be deemed and taken to be her Debt in case she shall die in the Life-time of such Husband, to the End that the same may be discharged out of her Personal Assets in a due Course of Administration, or out of her Real Estate, if any she shall have at the Time of her Death, but without Prejudice to any Estate or Interest of her Husband therein as Tenant by the Curtesy; and in case such Woman shall, during the Life-time of her Husband, become entitled to any Property for her separate Use, such Judgment may be enforced against such separate Property, by Suit in Equity, or otherwise, under the Order of the said Court, for the Purpose of obtaining Payment of so much of the Debts from which such Woman shall have been discharged by such Court as shall then remain unpaid; and in case such Woman shall survive her said Husband, such Judgment may be after his Death enforced against such Woman or her Property, Real and Personal, in such and the same Manner and with the same Effect as it might have been if she had been sole and unmarried at the Time she executed such Warrant to confess Judgment, and at the Time when such Judgment shall have been entered up as aforesaid: Provided always nevertheless, that the Discharge of any Married Woman under the Authority of the said Act or of this Act, shall not operate to discharge her Husband from any Debt from which his Wife shall be so discharged, but such Debt, so far as the same shall remain unpaid or unsatisfied, shall be chargeable upon and in force against such Husband, as fully, to all Intents and Purposes, as if his Wife had not obtained such Discharge.

Prisoners obtaining Discharge shall be discharged against any Creditor for any Sum payable at a future Time.

XIII. And be it further enacted, That any Prisoner who shall have been or shall be declared entitled to the Benefit of the said recited Act, and who shall have obtained or shall obtain a Discharge under the said Act, shall be discharged against every Creditor for any Sum of Money payable at any future Time or Times, who shall under the said recited Act have become entitled to a Dividend of the Estate of such Prisoner in respect to any Debt or Claim so growing due and payable, and which shall not be due or payable at or before the Time of such Prisoner obtaining his or her Discharge, in like Manner, to all Intents and Purposes, as if such Debt or Claim were payable presently and not at a future Day.

XIV. And

Court may cause Insolvent to be apprehended and remanded when he refuses to appear.

XIV. And whereas by the said recited Act the said Court is authorized in certain Cases, upon the Application of any Creditor of a Prisoner, to direct such Prisoner after his Discharge to be brought again before them, and upon due Notice to be given by such Creditor, to rehear the Matter, and make such further Order as to them shall seem fit, in Execution of the Powers in the said recited Act contained; be it further enacted, That where in any such Case the Insolvent after his Discharge shall refuse or neglect to appear before the said Court, or before the Justices at their General or Quarter or Adjourned Sessions, when the said Court shall direct the Matter to be reheard before such Justices, who are hereby authorized to rehear the same, and to make such further Order as to them shall seem fit, in Execution of the Powers in the said recited Act contained, on the Day and at the Time specified in any Rule of the said Court, a Copy whereof shall have been duly served on such Insolvent, it shall and may be lawful for the said Court to order the said Insolvent to be apprehended and remanded into Custody, in such Prison as the said Court shall direct, and to issue their Warrant accordingly, and to cause him to be brought up for Examination as often as to the said Court or to the said Justices shall seem fit.

Sessions authorized to rehear if Court so directs.

Court may rehear and revise their Adjudication and Order where Insolvent has been remanded for a Period.

XV. And be it further enacted, That if any Prisoner shall have been adjudged and ordered by the Court to be discharged from Custody after a certain Period, or not to be discharged out of Custody, or receive or be entitled to any Protection under the said recited Act, until he shall have been in Custody at the Suit of certain Creditor or Creditors in such Order named, for a certain Period therein mentioned, and the said Court shall see good and sufficient Cause to believe that such Adjudication or Order has been obtained on false Evidence, or otherwise fraudulently obtained or improperly made, it shall and may be lawful for the said Court to direct such Prisoner to be brought again before them, and upon due Notice to be given to the Creditor or Creditors named in the said Order, to rehear the said Matter, and set aside the said Adjudication and Order, if they shall see Cause, and to make such further Order as to them shall seem fit, in Execution of the Powers in the said recited Act contained.

An Attorney or Agent removed from the Files of the Court and practising, shall be guilty of a Contempt.

XVI. And be it further enacted, That in case any Person having been admitted on the Files of the said Court, to practise therein as an Attorney or Agent on the Behalf of any Prisoner in actual Custody, shall be by the said Court removed from the said Files of the said Court, and shall after such Removal practise in the said Court as an Attorney or Agent, on Behalf of any Prisoner in actual Custody, he shall be deemed and taken to be guilty of a Contempt of the said Court, and shall be liable to Fine as well as Imprisonment for the same, as shall every Attorney and Agent, not admitted on the Files of the said Court, who shall practise contrary to the Provisions of the said recited Act or of this Act.

XVII. And

Before whom Affidavits are to be sworn.

XVII. And be it further enacted, That all Affidavits to be used before the said Court, or any Commissioner thereof, or any Justices of the Peace, or any Officer of the said Court, to whom a Reference shall be made by the said Court, or any Examiner appointed under the said recited Act, shall and may be sworn before the said Court, or any Commissioner thereof, or any Commissioner appointed by the said Court for the Purpose of taking Affidavits, or any Master Extraordinary in Chancery, or Commissioner for taking Affidavits in any of the superior Courts of *Westminster Hall*, or in *Scotland* or *Ireland*, before a Magistrate of the County, Division, City, Town, or Place, where the Affidavit shall be sworn.

All Estates, &c. of Insane Persons vested on their Discharge in Provisional or other Assignees.

XVIII. And be it further enacted, That in every Case where a Prisoner shall be or become of unsound Mind, and Proceedings shall be had under the said recited Act for the Discharge of such Prisoner by the said Court, all and every Estate, Right, Title, Interest in Law and Equity, Real and Personal, Power, Benefit, and Emolument whatsoever, which if such Prisoner were of sound Mind could or ought to be assigned by such Prisoner, pursuant to the Provisions of the said recited Act or this Act, shall by force and virtue of the Order for the Discharge of such Prisoner be vested in the Provisional Assignee of the said Court, or in other Assignee or Assignees appointed by the said Court, and named in the said Order, as fully and effectually, and in the same Manner, and with all and every the same Consequences and Effects, both in Fact and Law, to all Intents and Purposes whatsoever, as if such Prisoner had been of sound Mind, and had duly conveyed the same to such Provisional Assignee at the Time and in the Manner in the said recited Act provided; and every Assignment hitherto made in such Case by the said Court is and shall be good and effectual to all Intents and Purposes; and that it shall be lawful for the said Court to order Judgment to be entered up against such Prisoner, in the same Manner as if he or she had been of sound Mind, and had executed a Warrant of Attorney to authorize the entering up of such Judgment, in the Manner by the said recited Act provided.

Assignments hitherto made shall be good.

Court may order Judgment to be entered up.

After Assignment avoided by Commission of Bankrupt, no Action to be brought, &c.

XIX. And be it further enacted, That when any Assignment shall be avoided by a Commission of Bankrupt being issued against any Prisoner, no Action or Suit shall be commenced for any thing done under or by virtue of the said Assignment, except to recover any Property, Estate, Money, or Effects of the said Bankrupt, detained after Demand thereof.

Court may invest unclaimed Money, and apply the Profits towards Expences of the Court.

XX. And whereas it may happen that Money may remain in the said Court, produced by the Estate and Effects of Insolvent Debtors who have taken the Benefit of the said recited Act, or some other Act for the Relief of Insolvent Debtors, which has not been, or may not be claimed by the Assignees or Creditors of such Insolvent; be it further enacted, That it shall and may be lawful for the said Court to cause the same, or any Part thereof, to be invested in Government Securities, and to apply the Interest and Profit arising therefrom, towards defraying the Expences of the said Court: Provided always,

that no such Money shall be so invested, until the same shall have been in the Hands of the said Court for Twelve Months at the least.

After the Court is built in Portugal Street, all Matters to be heard there, &c.

XXI. And whereas it is intended to erect a Building for the said Court in or near to *Portugal Street, Lincoln's Inn Fields*, which will be at a convenient Distance from the several Prisons in *London* and *Middlesex*, and from the Prisons of the *King's Bench*, *Marshalsea*, *Horsemonger Lane*, and of the Borough of *Southwark*, in the County of *Surrey*; be it further enacted, That from and after the same Court shall be erected, and ready for the Dispatch of Business therein, all Petitions and other Proceedings and Matters of all Persons confined in the said Prisons, shall be heard and determined therein, unless the said Court shall at any Time see cause to adjourn its Sittings to any other Place, and shall adjourn accordingly, which it is hereby empowered to do; and that the said Keepers of the said several Prisons, or their Deputies, shall be entitled to receive the Sum of Three Shillings and no more from each Prisoner, for carrying him before the said Court, on the Hearing of the Matter of his Petition and Schedule.

Fee to Keepers, 3*s.* from each Prisoner.

In all Rules, &c. it shall be sufficient to set out the Substance, without setting out the other Proceedings.

XXII. And be it further enacted, That in all Rules, Orders, Warrants, and other Proceedings of the said Court, under the said recited Act or this Act, or any Act for the Relief of Insolvent Debtors, it shall be sufficient to set forth such Rule, Order, or Warrant, or in case of a Warrant for the Apprehension or Detention of any Person, for a Contempt in disobeying any Order or Rule of the said Court, or for the Apprehension or Detention of any Person for the Appearance of such Person before the said Court, or for the enforcing any Rule or Order of the said Court, it shall be sufficient to set forth such Rule or Order, and the Warrant thereon, and that the Insolvent in any Order, Rule, Warrant, or other Proceeding mentioned, has been duly discharged under the said recited Act or this Act, or some other Act for the Relief of Insolvent Debtors, if he has been discharged, or if he has not been discharged, that the Prisoner has applied by Petition to the said Court for his or her Discharge from Confinement, according to the Provisions of the said Acts, without setting forth in any such Order, Rule, Warrant, or other Proceeding, the Petition, Conveyance or Assignment to the Provisional Assignee, Appointment of Assignee or Assignees, or any Assignment whatever, or the Schedule, Balance Sheet, Order for Hearing, Adjudication, Order for Discharge, or any other Rule, Order, or Proceeding of or in the said Court, or any Part thereof, except as aforesaid.

Court to regulate its Sittings within certain Periods.

XXIII. And be it further enacted, That from and after the Expiration of Six Weeks from the last Day of *Trinity* Term until the First Day of *November* in every Year during the Continuance of the said recited Act and this Act, the said Court shall have full Power and Authority to regulate and appoint the Sittings of the said Court at such Times as to the Commissioners of the said Court shall appear fit and necessary for the due Administration of Justice in the said Court;

Court; any thing in the said recited Act to the contrary thereof in anywise notwithstanding: Provided always, that no Adjournment of the said Court shall be at any Time for more than Six Weeks.

In Indictments, &c. for omitting, &c. Property from Schedule, or aiding therein, it shall be sufficient to set out the Substance of the Offence charged.

XXIV. And be it further enacted, That in every Information or Indictment against any Person, for having, with Intent to defraud his Creditors, wilfully and fraudulently omitted in his Schedule, as finally amended and filed in the said Court, at the Time of the Order for his Discharge from actual Custody, any Effects or Property whatsoever, or retained or excepted out of the Schedule, as Wearing Apparel, Bedding, Working Tools, and Implements, and other Necessaries, more in Value than Twenty Pounds, or against any Person for aiding and assisting him to do the same, it shall be sufficient to set forth the Substance of the Offence charged on the Defendant, without setting forth the Petition, or Conveyance or Assignment to the Provisional Assignee, Appointment of Assignee or Assignees, or any Assignment whatever, or Balance Sheet, Order for Hearing, Adjudication, Order for Discharge or Remand, or any Warrant, Rule, Order, or Proceeding of or in the said Court, except so much of his Schedule as may be necessary for that Purpose.

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