

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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CAP. XLVIII.

An Act to substitute a Declaration for an Oath in Cases of Bankruptcy. [21st *July* 1845.]

WHEREAS it is highly desirable that Oaths shall not be administered unnecessarily by public Authority, and there is reason to believe that the Examination of a Bankrupt or of the Wife of a Bankrupt before Commissioners in Bankruptcy will be equally effectual for obtaining a Disclosure of the Truth, and a full Discovery of all that can be useful for the Benefit of Creditors, when such Examination is conducted without Oath: Be it therefore enacted by the Queen'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 all Persons who are now or shall be hereafter declared Bankrupts under any Fiat, or the Wives of such Persons respectively, shall and may be hereafter examined before such Commissioners without being sworn, but after making and signing the Declaration contained in the Schedule hereunto annexed.

Bankrupts may be examined after making and signing Declaration.

II. And be it enacted, That if any such Person so to be examined shall, in the course of the Examination, wilfully make any false Statement, such Person may be thereupon convicted of a Misdemeanor, and shall be, at the Discretion of the Court before which the

Penalty for making false Declaration.

the Conviction shall take place, liable to undergo the Pains and Penalties now by Law imposed upon Persons guilty of wilful and corrupt Perjury.

Not to affect Right of Commissioners to commit for unsatisfactory Answers, &c.

III. Provided always, and be it enacted, That nothing herein shall in anywise affect the Right of the Commissioners of Bankrupt to judge how far the Answers to be made are satisfactory, or to commit to Prison in case they shall hold such Answers to be unsatisfactory, nor the Right of any Commissioner or Creditor to withhold his Signature from the Certificate of Conformity.

SCHEDULE.

Form of Declaration to be made by the Bankrupt or the Bankrupt's Wife.

I *A. B.*, the Person declared a Bankrupt under a Fiat in Bankruptcy, [*or* I *C. D.*, the Wife of, *et cetera*,] do solemnly promise and declare, That I will make true Answer to all such Questions as may be proposed to me respecting all the Property of the said *A. B.*, and all Dealings and Transactions relating thereto, and will make a full and true Disclosure of all that has been done with the said Property, to the best of my Knowledge, Information, and Belief.

(Signed) *A. B.*
[*or C. D.*, the Wife of the said *A. B.*]

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