

The General Issue may be pleaded in prosecutions for doings under this Act.

VII. And be it enacted, That all and every person or persons who shall or may be sued or prosecuted for any thing by him or them done or committed under the powers given, or liabilities created by virtue of this Act, he or they shall be allowed to plead the General Issue in such suit and give any special matter in evidence.

Governor may remove to the Lazaretto persons diseased and without the limits of the Boards of Health.

VIII. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, in his discretion, by warrant under his hand, to direct and require the removal to such Lazaretto, of any person or persons who upon examination and inspection shall be found to be labouring under or infected with such Disease, and who may be found in any part of the Province to which the powers hereby given to the Board of Health to be constituted under this Act may not extend, there to be detained as provided by the third section of this Act.

Limitation.

IX. And be it enacted, That this Act shall continue and be in force until the first day of May, which will be in the year of our Lord one thousand eight hundred and forty six.

CAP. XXIX.

An Act to establish the value of certain British Coins in this Province and to amend the Acts relating to the establishment of a Legal Tender.

Passed 13th April 1844.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first and second sections of an Act made and passed in the fifty eighth year of the Reign of His Majesty King George the Third, intituled *An Act in addition to an Act, intituled 'An Act for establishing a Tender in all payments to be made in this Province;'* also so much of an Act made and passed in the thirty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for establishing a Tender in all payments to be made in this Province,* as shall be contrary to any of the provisions of this Act, be and the same are hereby repealed.

53 G. 3, c. 23, s. 1 and 2, and

26 G. 3, c. 16

26 G. 3, c. 6, in part repealed.

Value of English Sovereign and Crown, defined.

II. Be it enacted, That from and after the passing of this Act, the several Coins hereinafter enumerated, and the several respective aliquot parts of the several respective Coins hereinafter enumerated, shall pass current and be received and be a Legal Tender in all payments to be made in this Province, at the following rates and valuation: The English Sovereign at one pound four shillings currency; the English Crown at six shillings currency.

CAP. XXX.

An Act further to continue an Act to provide for the prompt payment of all demands upon the Provincial Treasury.

Passed 13th April 1844.

Preamble.

2 V. c. 44.

‘ **W**HEREAS in and by virtue of the provisions of an Act made and passed in the second year of the Reign of Her present Majesty, intituled *'An Act to provide for the prompt payment of all demands upon the Provincial Treasury,* a certain agreement was made and entered into by and between the Treasurer of the Province and the Bank of New Brunswick, for the purposes of the said Act, which has been continued to the present time; And whereas the aforesaid Act will expire on the first day of April which will be in the year of our Lord one thousand eight hundred and forty five, and it is considered necessary to continue the provisions thereof under certain conditions;

Be

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of Her Majesty's Reign, intituled *An Act to provide for the prompt payment of all demands upon the Provincial Treasury*, be and the same is hereby continued for the further term of five years from the first day of April one thousand eight hundred and forty five, and that the Treasurer of the Province be and he is hereby authorized and empowered to continue the agreement at present existing with the said Bank of New Brunswick during the continuance of this Act; Provided always, that no greater rate of Interest than five and one half per cent. be hereafter paid on the said agreement.

2 V. c. 44, continued.

Provincial Treasurer authorized to continue agreement with the Bank of New Brunswick.

Repealed by

CAP. XXXI.

Further amended by

*8th Vic
cap 88*

An Act further to amend the Laws relating to Bankruptcy in this Province.

12th cap 115

Passed 13th April 1844.

6 WHEREAS it is considered expedient further to amend the Law relating to Bankruptcy;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fourth section of an Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act relating to Bankruptcy in this Province*; and also the second, fourth and fifth sections of an Act made and passed in the sixth year of the same Reign, intituled *An Act in addition to and in amendment of the Law of Bankruptcy*; and also all other provisions in either of the said recited Acts which may relate to the voluntary Declarations of any person being deemed an Act of Bankruptcy, or that persons owing debts less than five hundred pounds in amount may become Bankrupts, be and the same are hereby repealed: Provided always, that when any Fiat in Bankruptcy may have been struck or granted before the passing of this Act, whether founded on the voluntary Declaration of an alleged Bankrupt or otherwise, proceedings may still be had and continued therein, and by, against or for such alleged Bankrupt, his person, estate or effects, in all respects the same and with the like force and effect to all intents and purposes as if no part of the said recited Acts had been repealed as aforesaid.

Acts 5 V. c. 43,

and 6 V. c. 4, in part repealed.

Proviso for Fiats issued before Act comes into operation.

II. And be it enacted, That when and so soon as the proper Commissioner shall have received any Fiat and Documents as is provided in the said Acts, he shall forthwith endorse thereon the day and hour on which he received the same, and by warrant under his hand and seal shall appoint one fit and proper person to be a Provisional Assignee of the estate and effects of the said alleged Bankrupt, and shall cause a copy of such Fiat to be served on such alleged Bankrupt, if he shall be found within the jurisdiction of such Commissioner, and if not so found, then to be left at the last place of abode or business of the said alleged Bankrupt, or delivered to his wife or some adult member of his family, or agent, together with a notice, setting forth the appointment of the said Provisional Assignee; and in case the said alleged Bankrupt shall, within the period of seven days after such service of the copy of the said Fiat and notice, file with the said Commissioner a Declaration in writing of his dissent to the said Fiat, and desire to contest such alleged Bankruptcy, that then the said Commissioner shall forthwith transmit such Declaration to the Chancellor or Master of the Rolls, who shall proceed to the determination of the question so in contest, as hereinafter directed; and in case the said alleged Bankrupt shall not within the said period of seven days after such service of the copy of the said Fiat and the said notice, file with the said Commissioner such Declaration, or when the said Chancellor or Master of the

Provisional Assignee to be appointed on receipt of Fiat.

Copy of Fiat to be served on alleged Bankrupt who may enter a dissent.

After decision, notice of appointment, &c. to be published.

Rolls