

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1846.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1846.

9 Victoria – Chapter 59

**An Act to extend the provisions of an Act further to amend the Law relating to Bankruptcy.  
Passed 14th April 1846.**

Whereas in and by the twelfth section of an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act further to amend the Law relating to Bankruptcy*, it was enacted, that when orders had been made for any Certificate of Conformity under the provisions of the Act relating to Bankruptcy, that such Certificate should be confirmed within a certain time therein expressed, which has expired: And whereas it is just and reasonable that Certificates ordered under the provisions of the said Law should be confirmed, notwithstanding the time limited in and by the said recited Act shall have expired : And whereas the said Act requires amendment in other respects;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That, every Certificate of Conformity, whether absolute or conditional, ordered or made under the Acts relating to Bankruptcy, shall and may be confirmed, or the confirmation of the same shall be applied for, agreeably to the provisions of the said Acts, within twelve calendar months from the passing of this Act; and if the said Certificate shall not be confirmed, or the same applied for, as aforesaid, within such time, the said Certificate shall be deemed and taken to be finally refused, within the meaning of the twenty fourth section of the Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act relating to Bankruptcy in this Province*.

II. And be it enacted, That so much of the said twelfth section of the said recited Act as declares that any Certificate which shall not be confirmed, or the same applied for, within the time specified in and by the said recited Act, be and the same is hereby repealed.

III. And be it enacted, That the power and authority given to the Assignee in the ninth section of the said recited Act, to transfer the Books of Accounts to the said Bankrupt, shall be construed to extend to include Promissory Notes, Bonds, Due Bills, and all other assurance for money or debts due the said Bankrupt, so that the whole Personal Estate of the said Bankrupts may be re-invested in the said Bankrupts, agreeably to the provisions of the said ninth section of the said recited Act.

IV. And be it enacted, That the assignment of the Assignee of the said Bankrupt's Estate, duly executed, with an Affidavit of the Assignee indorsed thereon, that the said assignment was made according to Law, which Affidavit may be made before any Commissioner authorized to take Affidavits in the Supreme Court, shall be deemed prima facie evidence of the right of such Bankrupt to recover any such debt so assigned in his own name.