EDGEFIELD, S. C., MARCH 20, 1867.

THE BANKRUPT LAW.

The following is the text of the very important Bankrupt Bill agreed upon by the Conference Committees and adopted by each ings authorized by this Act. house of Congress. The President has signed it, and the Bill is therefore now a law of the

AN ACT TO ESTABLISH A UNIFORM SYSTEM

Representatives of the United States of America in Congress assembled, That the several District Courts of the United States be, and they hereby are, constituted courts of bankruptey, and they shall have original jurisdiction in their respective districts in all matters and proceedings in bankruptcy, and they are hereby authorized to hear and adjudicate upon the same according to the proalways open for the transaction of business under this Act, and the powers and jurisdiction hereby granted and conferred shall be exercised as well in vacation as in term time, and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court. And the jurisdiction hereby consies arising between the bankrupt and any creditor or creditors who shall claim any debt or demand under the bankruptcy; to the col lection of all the assets of the bankrupt; to the ascertainment and liquidation of the liens and other specific claims' thereon; to the adjustment of the various priorities and conflicting interests of all parties; and to the marshalling and disposition of the different or disability, shall be promptly filled by o her the all parties and due distribution of the assets | continuance of the particular office unneces among all the creditors; and to all acts, mat- sary. ters and things to be done under and in vir-tue of the bankruptcy, until the final distribution and settlement of the estate of the fall authority to compel obedience to all orders ings, or upon the result of such proceedings. by process of contempt and other remedial Courts now have in any suit pending thereis of holding court, they shall have given no-

Sec. 2. And be it further enacted, That the several Circuit Courts of the United aggrieved, hear and determine the case as a upon the question or questions raised by such court of Equity. The powers and jurisdie-special case-being finally decided, a sum of tion hereby granted may be exercised either money, fixed by the parties, or to be ascer-by said court or by any justice thereof in tained by the court, or in such manner as shall also have concarrent jurisdiction with amount of any disputed debt or claim, shall against any person claiming an adverse interthe cause of action accrued, for or against such assignee; provided, that nothing herein contained shall revive a right of action barred contained shall revive a right of action barred.

Sec. 13. And be it turther enacted, That the first meeting held the creditors shall, at the first meeting held the creditors shall, at the first meeting held the creditors shall, at the first meeting held personal, which comes to his hands, on such at the time such assignee is appointed.

OF THE ADMINISTRATION OF THE LAW IN COURTS

Sec. 3. And be it further enacted. That it trict Courts of the United States, within and examination, and such person shall also be choice is made by the creditors at said meetfor the several districts, to appoint in each liable to be punished for contempt. the nomination and recommendation of the Supreme Court of the United States, one or more registers in bankruptcy, to assist the Judge of the District Court in the performance of his duties under this Act. No person | Courts from said District Courts in cases at shall be eligible to such appointment unless law under the jurisdiction created by this he be a counsellor of said court, or of some Act when the debt or damages claimed amount one of the Courts of Record of the State in to more than \$500, and any supposed crediwhich he resides. Before entering upon the tor, whose claim is wholly or in part rejected, duties of his office, every person so appointed a register in bankruptcy shall give a bond to the United States, with condition that he will faithfully discharge the duties of his office, Court for the same district; but no appeal in a sum not less than \$1,000, to be fixed by said court, with sureties satisfactory to said court, or to either of the said justices thereof; notice given thereof to the Clerk of the Disand he shall, in open court, take and subscribe the oath prescribed in the Act entitled "An Act to prescribe an oath of office, and for other purposes," approved July 2, 1862, and also that he will not during his continuance in office be, directly or indirectly, inter ested in or benefitted by, the fees or emoluments arising from any suit or matter pending in bankruptcy, in either the District or Circuit Court in his district.

SEC. 4. And be it further enacted, That every register in bankruptcy, so appointed and qualified, shall have power, and it shall be his duty, to make adjudication of bankrapey, to receive the surrender of any bankof creattors, to take proof of debts, to make all computations of dividends and all orders of distribution, and to farnish the assignee with a certified copy of such orders, and of and to sit in Chambers and dispatch there such part of the administrative business of the Court and such uncontested matters as shall be defined in gen-ral rules and orders, or as the District Judge shall in any particu lar manner direct; and he shall also make short memoranda of his proceedings in each case in which he shall act, in a docket to be kept by him for that purpose, and he shall forthwith, as the proceedings are taken, for ward to the Clerk of the District Court a certified copy of said memoranda, which shall be entered by said Clerk in the proper minute-book to be kept in his office, and any register of the Court may act or any other register thereof; provided however, that nothing in this section contained shall empower a relister to commit for contempt, or to he r a disputed adjudication, or any question of the allowance or suspension of an order of discharge; but in all matters where an issue of fact or of law is raised and contested by any party to the proceedings before him, it shall be his duty to cause the question or issue to be stated by the opposing parties in writing, of this Act into effect. and he shall adjourn the same into Court for decision by the Judge. No register shall be of counsel or attorney either in or out of Court, in any suit or matter pending in banknor shall he be executor, administrator, guardian, commissioner, appraiser, divider, or assignee of or upon any estate within the jurisdiction of either of said Courts of banksuptcy, nor be interested in the fees or emol-

have and exercise all powers, except the power of commitment, vested in the District Court for the summoning and examination of persons or witnesses, and for requiring the pro duction of books, papers and documents; sons and witnesses taken before said register. and all vacancies occurring by such removal,

Sec. 7. And be it further enteted. That to answer, or to swear to or sign his examina- after due notice from the messenger, in pres- terms as he thinks most for the interest of the occasioned, it such person be compellable by greater part in value and in number of the place and manner of sale as will, in its opinlaw to answer such question or to sign such creditors who have proved their debts. If no ion, prove to the interest of the creditors; be provided by the rules, and subject to such

appeals may be taken from the District to the pointed, fails within five days to express in or an assignce who is dissatisfied with the allowance of a claim, may appeal from the decision of the District Court to the Circuit shall be allowed in any case from the District to the Circuit Court unless it is claimed, and trict Court, to be entered with the record of the proceedings, and also to the a signee or creditor, as the case may be, or to the defeated party in equity, within ten days after the entry of the decree or decision appealed from. The appeal shall be cutered at the term of the Circuit Court which shall be firs: held within and for the district next after the ting, waives his appeal before any decision as soon as said assignee is appointed and authority to sue. and no appeal shall be a lowed unless the appellant, at the time of claiming the same. ing it shall comply with the statutes regulating the granting of such writs.

the Justice of the Supreme Court of the Uni ted States, subject to the provisions of this For regulating the practice and procedure

of the District Courts in bankruptcy, and the several forms of petitions, orders and other proceedings to be used in said courts in all matters under this Act; For regulating the duties of the various

officers of said courts; For regulating the fees payable and the charges and costs to be allowed, except such as are established by this Act or by law, with respect to all proceedings in bankruptcy before said courts, not exceeding the rate of fees now allowed by law for similar services in other proceedings;

For regulating the practice and procedure upon appeals; For regulating the filling, custody and inspection of records;

And generally for carrying the provisions

may be framed in manner aforesaid; and all of his District, or in an appeal therefrom; such general decided to Congress, with such VOLUNTARY BANKAUPTOY—COMMENCEMENT OF the purpose of ascertaining the purpose of ascert

required to be framed under it, shall be paid shall apply by petition addressed to the judge may be rendered in the course of proceed has resided or carried on business for the six and duly recorded, pursuant to any statute of caused by death or otherwise in the office of be wound up in bankruptcy, or as a sole trathe Judge of the District Court may direct a ricd during such six months, setting forth property conveyed by the bankrupt in fraud the creditors, in the manner hereinbefore pronot be opposed, of attending any meeting of creditors, and bis desire to obtain the benefit creditors, or receiving any proofs of debts, and shall annex to his petition a and, generally, for the prosecution of any personal, and for any cause of bankgurtor or other presentations and all his rights of action for any cause of by such person as the court shall direct. The contracts against the estates respectively liable upon such contracts.

Inguls, and desire to obtain the benefit is use, and all liens and securities therefor; by such person as the court shall direct. The contracts against the estates respectively liable upon such contracts.

SEC. 22. And be it further enacted. That Act; and the traveling and incidental expenses one of the Commissioners of the Circuit shall be settled by said court in accordance with the rules prescribed under the tenth sec tion of this Act, and paid out of the assets of the estate in respect of which such register to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to the debtor; and if not known, the fact to be stated, ard the sum due to such creditor; the sum due to such creditor; the sum due to such creditor; the same, as the bankrupt might or could be stated, ard the sum due to such creditor; have hadif no assignment had been made, shall signees, and the persons selected to fill vacantally the same as the bankrupt might or could shall vest in the remaining assignee. When by death, or other—in said cistrict, and by or in behalf of non-place of residence of such creditor, if known place of residence of the like right, title, power and authority to wise, the number of assignees is reduced, the like right, title, power and authority to sell, manage, dispose of, such creditor, and it is to th case or cases in which the register shall have cause and consideration of such indebtedness the judge, and such register, so acting, shall | debtedness accrued, and a statement of any

whether founded on written security, obligain each case and the place where such inhis petition an accurate inventory verified in funds and assets, so as to secure the rights of fit persons, unless said court shall deem the giance and fidelity to the United States, which an assignee in bankruptcy for anything done SEC. 6. And be it further enacted, That the District Court, or if there be no opposing tion, specifying the cause thereof, to the end any party shall, during the proceedings be-

> First. That a warrant in bankruptey has been issued against the estate of the debtor. and the delivery of any property belonging lien or other incumbrances. The debtor shall to such debtor to him or for his use, and the also, at the request of the assignee, and at the transfer of any property by him,, are forbid

e debtor, giving the names, residences and raptey, to be holden at a time and place desmore than tinety days after the issuing of

est, or by such person against such assignee, parties and witnesses summoned before a the meeting, held in pursuance of the notice, such assignee, or by or against any person in like manner as paques and witnesses are not been given as required in the warrant, the dence thereof in all courts. claiming an adverse interest, touching the now liable thereto in case of default in atten meeting small forthwith be adjourned, and a any court whatsoever, unless the same shall persons willfully and corruptly swearing or dies after the issuing of the warrant, the probe brought within two years from the time affirming falsely before a register shall be ceedings to y be continued and concluded in

> Sec. 8. And be it further enacted, That assignees. If an assignee, so chosen or ap or appointments of assignees shall be subject him and appoint another in his place.

> > o the assignce all the estate, real and perso-

uments arising from either of said trusts. If any person residing within the jurisdiction of the said court; And provided, consent of the said court; And provided for the fees of said registers, as established by this Act, and by the general rules and orders this Act, and by the general rules and orders as a member of said trusts. If any person residing within the jurisdiction decision of the said court; And provided, consent of the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court, remove any assignee shall submit his account to the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the choice of assignees. An assignee may, in respect of distinct contracts as a member of the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the choice of assignees. An assignee may, in respect of distinct contracts as a member of the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the choice of assignees. An assignee may, in respect of distinct contracts as a member of the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court, remove any assignee by of adjudication, be liable upon any bill of excourts. But this provision shall not prevent the court and the c property of the bankrupt; and all his rights ment of the same; and shall also annex to ty in his own name, in the same manner and ike manner, of all his estate, both real and prosecuted or defended by such bankrupt; and made by the judge or register, as the case tition shall be an acc of bankruptcy, and such sive evidence of his title as such assignee to vided, That all citizens of the United States | the bankrupt, as hereinbefore mentioned; but | filing such petition, and before any procedings shall pass by such assignment. No person on, take and subscribe an oath of alle- shall be entitled to maintain an action against outs shall be filed and recorded with the pro- by him as such assignee without previously ceedings in bankruptcy. And the Judge of giving him twenty days' notice of such acparty, any register of said Court, to be desig- that such assignee may have an opportunity nated by the Judge, shall forthwith, if he be satisfied that the debts due from the petitioner exceed \$300, issue a warrant, to be signed the assignee, to withhold from him possession by such Judge or Register, directed to the of any books of account of the bankrupt, or claim any lien thereon; and no suit in which

serve written or printed notice, by mail, or may be prosecuted and defended by his sucing on all the parties to the proceedings; but personally, on all creditors upon the schedule cessor, or by the surviving or remaining asevery such certificate may be discharged or filed with the debtor's petition, or whose signee, as the case may be. The assignee shall have authority, under the order and dicourt. In any bankruptcy, or in any other the debtor, and to give such personal or other rection of the court, to redeem or discharge any mortgage or conditional contract, or pledge or deposit, or lien upon any property, real or personal, whenever payable, and to tender due performance of the condition thereof, or expense of the estate, make and execute any instruments, deeds and writings which may be proper to enable the assignee to possess himself fully of all the assets of the bankrupt. The assignee shall immediately give notice of his appointment, by publication at least once a week for three successive we s, in such newspapers as shall for that purpose be designated by the court, due regard being had to their general circulation in the District, istry of deeds or other office within the Uni

ter to the judge, who shall have power to order | choose one or more assignees of the estate of | interested, and for cause shown, the court ing, the judge, or if there be no opposing in- of all money received by him as assignee, to lished by such rules. Where the bankrupt terest, the register, shall appoint one or more | which every creditor shall, at reasonable times, | is liable to pay rent, or other debt falling due have free resort.

Sec. 16. And be it further enacted, That writing his acceptance of the trust, the judge | the assignee shall have the like remedy to recover all said estate, debts and effects in his own name, as the debtor might have had if the decree in bankruptcy had not been renwrits of error may be allowed to said Circuit or register may fill the vacancy. All elections cover all said estate, debts and effects in his to the approval of the judge; and when in the decree in bankruptcy had not been renhis judgment it is for any cause needful or expedient, he may appoint additional assignees, or order a new election. The judge | ceedings in bankruptcy, an action is pending at any time may, and upon the request in in the name of the debtor for the recovery of writing of any creditor who has proved his a debt or other thing which might or ought claim, shall require the assignee to give good to pass to the assignee by the assignment, the and sufficient bond to the United States, with assignee shall, if he requires it, be admitted a condition for the faithful performance and to prosecute the action in his own name, in discharge of his duties; the bond shall be ap- like manner and with like effect as if it had proved by the judge or register by his en- been originally commenced by him. No suit in all ca es of mutual debts or mutual cred dorsement thereon, shall be filed with the re- pending in the name of the assignee shall be its between the parties, the account between

thereon, proceedings may be had in the Dis qualified, the judge, or where there is no op- Sec. 17. And be it further enacted, That trict Court as if no appeal had been taken, posing interest, the register, shall by an in the assignee shall, as soon as may be after re strument under his band, assign and convey ceiving any money belonging to the estate, deposit the same in some bank in his name as law in cases of such appeals. No writ of error shall be allowed unless the party claim ment shall relate back to the commencement and shall as far as practicable, keep all goods. mat, of the bankrupt, with all his deeds, books, assignce, or otherwise keep it distinct and of said proceedings in bankruptcy, and there- and effects belonging to the estate separate upon, by operation of law, the title to all such and apart from all other goods in his possescach case, to against and pass accounts of asymptotic forms the asymptotic form the suit shall be allowed in any case from the signees, to grant protection, to pass the last examination of any bankrupt in cases whenever the assignee or a creditor do not oppose, and to sit in Chambers and do sit in property and estate, both real and personal, sion, or designated by appropriate marks, so provisions of this section, the necessary house hold and kitchen furniture, and such other articles and necessary or property is articles and necessary of the property is articles and necessary of the property is assigned by the property is assigned the property is made the property in the property in the property is made the property in the property in the having reference in the amount to the family, terest, not exceeding the legal rate, as the condition and circumstances of the bankrupt, bank may contract with the assignee to pay part of his debt. case the sum of five hundred dollars, and also known creditors, by mail or otherwise, of all no creditor proving his debt or claim shall be the wears g appared of such bankrupt, and dividends, and such notice of meetings, after allowed to maintain any suit at law or in dividend declared thereon. that of his wife and children, and the uniform, the first, as may be ordered by the court. He equity therefor against the bankrupt, but arms and equipments of any person who is or shall be allowed, and may retain out of money shall be deemed to have waived all right of has been a soldier in the militia or in the ser- in his bands, all the necessary disbursements action and suit against the bankrupt, and all vice of the United States; and such other made by him in the discharge of his duty, proceedings already commenced, or unsatisproperty as now is or hereafter shall be ex- and a reasonable compensation for his services, on execution by the laws of the United States, and such other property not included in the settlement of demands of the under this Act, and shall be allowed to prospect to the foregoing and such other property not included to the foregoing and such other property not included to the foregoing and such other property not included to the foregoing and such other property not included to the foregoing and such other property not included the direction of the court, submit any complete the direction of the court, submit and shall afterward become the direction of the court, submit any complete the direction of the court whose debt is proved the direction of the court, submit any complete the direction of the court whose debt is proved the direction of the court, submit any complete the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt is proved the direction of the court whose debt i in the foregoing exemptions as is exempted against the estate, or of debts due to it, to ecute to final judgment any suit at law or in may be deemed most expedient under the di third meeting of creditors no further meeting again entitled to a discharge whose estate is from levy and sale upon execution or other the determination of arbitrators, to be cho-equity therefor against the bankrupt, until process or order of court, by the laws of the sen by him and the other party to the con- the question of the debts proved against it, unless the assent in State in which the bankrupt has his domicile troversy, and may, under such direction, have been determined; and any such suit or at the time of the commencement of the proceedings in bankruptey, to an amount not eccedings in bankruptey, to an amount not ecceding that the tille to any portion of an escape line that the tille to any portion of the property due or belonging to the estate displace of the estate disp exceeding that allowed by such State exempproper and most for the interest of the satis

invalidated or affected hereby; and all the court, or at its discretion by an election by cumstauce that such firms are in whole or in of his creditors; all rights in equity, choses in action, patents and patent rights and copythereof in writing to all known creditors, and receipt of dividend in respect of such distinct requisite on his part for the proper closing up all proofs of debts against the estate of the person, arising from contract or from the unlawful taking or detention, or of injury to the his successors, nor shall it affect the liability within the judicial district where the proof the principal or surety on the bond given | ceedings in bankruptcy are pending, shall be of redeeming such property or estate, with by the assignee. When by death, or other- made before one of the registers of the court in virtue of the adjudication of bankruptcy, and cies, if any, with the same powers and duties and the appointment of his assignee, be at once relative thereto as if they were originally recover the said estate, debts and effects, and or administrators, upon request, and at the may prosecute and defend all suits at law or in expense of the estate, shall make and execute to the new assignee all deeds, conveyances and assurances, and do all other lawful acts requisite to enable him to recover

Sec. 19. And be it further enacted, That at the time of the adjudication of bankruptcy, terms of contract, may be proved against the estate of the bankrupt. All demands against the bankrupt for or on account of any goods or chattels wrongfully taken, converted or withheld by him may be proved and allowed as debts to the amount of the value of the property so taken or withheld, with interest. If the bankrupt shall be bound as drawer, endorser, surety, bail or guarantor upon any bill, bond, note, or any other specialty or contract, or for any debt of another person, and his lial ility shall not have become absolute until after the adjudication of bankruptcy, the creditor may prove the same after such hability shall have become fixed, and before In all cases of contingent debts and contingent liabilities contracted by the bankrupt, and not herein otherwise provided for, the cellitor may make claim therefor, and have who shall examine the same and compare it his claim allowed, with the right to share in or in that portion of the District in which the dividends if the contingency shall happen and shall register, in a book to be kept by the bankrupt and his creditors shall reside, before the order for the final dividend; or he him for that purpose, the names of creditors and shall, within six months, cause the as- may at any time apply to the court to have who have proved their claims, ie the order incertained and liquidated, which shall then be register shall be bound to attend in parsuance one of the registers of the court shall preside, ted States where a conveyance of any land. done in such manner as the court shall order, of said bankrupt transferrable to or vested in of such summons at the place and time des- and the messenger shall make return of the owned by the bankrupt ought by law to be and he shall be allowed to prove for the such assignee; but no suit at law or in equity ignated therein, and shall be entitled to pro- warrant and of his doings thereon; and if it recorded; and the record of such assignment, amount so ascertained. Any person liable shed assigned, out no street a transfer and the shall in any case be maintainable by or against tection, and be liable to process of contempt appears that the notice to the creditors has or a duly certified copy thereof, shall be evision, and be liable to process of contempt appears that the notice to the creditors has lence thereof in all courts.

SEC. 15. And be it further enacted, That or any part thereof, in discharge of the whole, property and rights of property aforesaid, in dance under any writ of subpress, and all new notice given as required. If the debtor the assignee shall demand and receive from shall be entitled to prove such debt, or to any and all persons holding the same all the stand in the place of the creditor if he shall estate assigned, or intended to be assigned, have proved the same, although such pay ments shall have been made after the pro-Sec. 13. And be it turther enacted, That sell all such unencumbered estate, real and ceedings in bankruptcy were commenced And any person so liable for the bankrust, and who has not paid the whole of said debt, tion when taken the register shall refer the mate ence of a register designated by the court, creditors; but upon petition of any person but is still liable for the same or any part thereof, may, if the creditor shall fail or omit the person so acting to pay the costs thereby the debtor; the choice to be made by the may make such order concerning the time, to prove such debt, prove the same either in

the name of the creditor or otherwise, as may at fixed and stated periods, the creditor may prove for a proportionate part thereof up to the time of the bankruptcy, as if the same sing out of any contracts or promise, or on taken, converted or withheld, the court may cease such damages to be assessed in such mode as it may deem best, and the sum so assessed may be proved against the estate. No debts, other than those above specified, shall be proved or allowed against the estate. SEC. 20. And be it further enacted, That,

cord of the case, and inure to the benefit of shated by his death or removal; but upon the them shall be stated, and one debt set off all creditors proving their claims, and may be motion of the surviving or remaining or new against the other, and the balance only shall presecuted in the name and for the benefit of assignee, as the case may be, he shall be ad- be allowed or paid, but no set off shall be althe injured party. If the assignee fails to give mitted to prosecute the suit in like manner lowed of a claim in its nature not provable the bond within such time as the judge or- and with like effect as if it had been origi- against the estate; provided, that no set off ders, not exceeding ten days after notice to nally commenced by him. In suits prosecu- shall be allowed in favor of any debtor to the him of such order, the judge shall remove ted by the assignee a certified copy of the bankrupt of a claim purchased by or trans assignment made to him by the judge or ferred to him after the filing of the petition. When a creditor has a mortgage or pledge of claration for the same cause of action at law, real or personal property of the bankrupt, or ing the same. But if the appellant, in wria lien thereon for securing the payment of a to in like manner, and like proceedings shall other sufficient reason, have not been proved, his assignce within one month after such debt owing to him from the bankrupt, he shall thereupon be had in the pleadings, trial and and for other expenses and contingencies, knowledge; or if, being a merchant or trades of the debt after deducting the value of such property, to be ascertained by agreement between him and the assignee, or by a saie court shall direct; or the creditor may release or convey his claim to the assignee upon
such property, and be admitted to prove his
such property, and be admitted to prove his such property, and be admitted to prove his not so sold or released and delivered up, the tody thereof, to the person who used it, upon piration of the next three months, or earlier been convicted of any misdemeanor under

proceedings already commenced, or unsatisfied judgments already obtained thereon, shall be so converted the same shall be so be deemed to be discharged and surrendered part thereof, is of a perishable nature, or lia-shall be divided in manner aforesaid. Fur no person who shall have been discharged untion of the discharge; provided there be no possession of the assignee, or which is claim- delay or expens, the assignee may, under the faction of the court that he has paid all the so framed, they or any of them may be rescaled or varied, and other general orders and other general orders. a limitation upon the conveyance of the property in such manner as the vious bankruptcy, or who has been voluntaerty of the bankrupt to his assignees; and in remove an assignee for any cause which, in no case shall the property hereby excepted the judgment of the court renders such rethe creditors shall deem reasonable, order it shall be disturbed by reason of debts being subthe judgment of the court renders such rethe creditors shall deem reasonable, order it shall be disturbed by reason of debts being subthe judgment of the court renders such rethe court renders such repass to the assignees, or the title of the bank rupt there o be impaired or affected by any of called by order of the court, in its discretion judgment for the purpose of ascertaining the rupt there o be impaired or affected by any of called by order of the court, in its discretion judgment for the purpose of ascertaining the received in the court, in its discretion judgment for the purpose of ascertaining the received in the court, in its discretion judgment for the purpose of ascertaining the received in the court shall deem reasonable, order it said be distincted by the court shall deem reasonable, order it said be distincted by the court shall deem reasonable, order it shall be entitled to a discharge in the same manuer to be sold, under the direction of the court shall deem reasonable, order it is adjusted to a discharge in the same manuer to be sold, under the direction of the court in Bankruptcy, may proceed to debt shall be entitled to a discharge in the same manuer to be sold, under the direction of the court in Bankruptcy, may proceed to debt shall be entitled to a discharge in the same manuer to be sold, under the direction of the court in Bankruptcy, may proceed to debt shall be entitled to a discharge in the court is in dispute, the same manuer to be sold, under the direction of the court shall deem reasonable, order in the creditor by reasonable and the credito

vested in such assignee, and he may sue for and chosen. Any former assignee, his executors trict. To entitle a claimant against the estate of a bankrupt to have his demand allowed, it must be verified by a deposition in whether any and what securities are held therefor, and whether any and what payments and interests of all persons interested in the | mant; that the claimant has not, nor has any estate. No person who has received any other person, for his use, received any securipetitioning to be declared bankrupt shall, on no property held by the bankrupt in trust transferred or conveyed by an assignce, shall ings under this Act, and that no bargain or creditor, to sell, transfer or dispose of the lawfully required by the court, or disobeying a said claim, or any part thereof, against such lawful order or decree of the court in the bankrupt, or take or receive, directly or in premises, may be punished as for a contempt directly, any money, property or consideraceeding under this Act, is or shall be in any claim shall be allowed unless all the statethe demand may be verified in like manuer by the attorney or authorized agent of the complainant testifying to the best of his forth his means of knowledge; or if in a for sul of the United States; and the court may, it t shall seefit, require or exervefurther porti ent evidence, either for or against the a in ision of the claim. Corporations may verify the it claims by the oath or solemn affirmation of their president, cashier or treasurer. If the proof is satisfactory to the Register or Commissioner, it shall be signed by the deponent, which such proof is received, stating the time of the distribution of the of receipt of such proof, and the amount and nature of the debts, which books shall be open to the inspection of all the creditors. The court may, on the application of the as or without any application, examine up n concerning such proof, or concerning the data gality or mistake.

setting forth the same, substantially, as in a debe admitted as a creditor only for the balance determination of the cause, as in an action at shall be divided among the creditors; but man, he has not, subsequently to the passage thereof, to be made in such manner as the against the assignee for the amount of a debt assignee so te determine. In case a dividend charge, or influenced the action of any credit whole debt. If the value of the property ex- ed to conform thereto. The party prevailing set prosine to the name of each creditor was rupt, made any piedge, payment, transfer, asname of the party against whose estate it has and a final dividend then declared, unless Act; and before any discharge is granted.

OF PROPERTY PERISHABLE AND IN DISPUTE. nation of the assignces in the matter, shall, the application of a majority of the creditors bankruptcy, but execution shall be stayed as ceeds of the sale shall be considered the mea-SEC. 11. And be it further enacted, That on exception taken, be subject to the final in number and value of the property in any suit latter. Preparatory to the final in number and value, the time sure of the property in any suit latter.

for any debt or debts, in good faith and ior present considerations and otherwise valid, and be discharged therefrom. Vacancies distinct trades, and having distinct estates to commenced at any time before the court or

p rson a a witness and if away such person shall court may compel his attendance by warrant bled from attendance, the court may order him to be produced by the jailor, or any officer in whose custody he may be, or may direct ner as the court may deem proper, and with like effect as if such examination had been had in court. The bankrupt shall at all times tate, execute all proper writings and instrucourt, such bankrupt may be committed and to return and personally at end at any of the caused by willful default, and if, as soon a may be after the removal of such impediment the court in all respects, he shall be permit ted to do so, with like effect as if he bad erty from time to time, upon cath, to amend knowledge, information and belief, and setting and correct his schedule of creditors and prop

For good cause shown, the wife of any bank rupt may be required to attend before the court, to the end that she may be examined debt or claim from which his discharge in bankruptcy would not release him.

Sec. 27. And be it further enacted, That ail creditors whose debts are duly proved and allowed shall be entitled to share in the signee, or of any creditor, or of the bankrupt. | bankrupt's property and estate pro rata, without any priority or preference whatever, exoath the bankrupt, or any person tendering | cept that wages due from him to any operaor who has made proof of claims, and may live or clerk, or house servant, to an amounsummon any person capable of giving evidence not exceeding \$50, for labor performed with in six months next preceding the adjudication song it to be proved, and shall rej all of bankrupicy, shall be estitled to priorice claims not duly proved, or where t' proof and shall be first paid in full; provided, the shows the claim to be founded in ' and, tile- any debt proved by any person tiable as bail, surely, guaranter of otherwise, for the bank Sec. 23. And be it further enacted. That rupt, shall not be paid to the person so provthe election of the assignee and the judge be produced of the payment of such debt by entertains doubts of its validity or of the right such person so liable, and the share to which of the creditor to prove it, and is of opinion | such debt would be entitled may be paid into that such validity or right ought to be laves | courter otherwise held for the benefit of the same was made or given by the debtor, con- shall call a general meeting of the creditors, he has caused, permitted or suffered any lo a supposed creditor who takes an appeal to also what debts or claims are yet undetermine law commenced and prosecuted, in the usual unless at least one half in value of the credit of this Act. kept proper books of account; or manner, in the courts of the United States, tors shall artend such meeting, either in particular of the or any person in his behalf, has proexcept that no execution shall be awarded son or by attorney, it shall be the duty of the cured the assent of any creditor to his dis-

Sec. 25. And be it further enact d, That as soon as may be, convert such effects or as such discharge, or as invalidating such dis

assignee at a time to be specified in such noand pass the accounts of the assignee; and such assignee shall, if required by the court, be examined as to the truth of such account,

and if found correct he shall thereby he dis-

credi or of the bankrupt. The court shall thereupon order a dividend of the estate and effects, or of such part thereof as it sees fit. their claims, in proportion to the respective all expenses necessarily incurred by him in signee shall be entitled to an allowance for is services in such case on all moneys received and pail out by him therein, for any sum not exceeding one thousand dollars, five not be in his hands a sufficent amount of mohey to defray the necessary expenses remired for the further execution of his trust, he shall not be obliged to proceed therein until the necessary funds are advanced or satis-factorily secured to him. If, by accident, mistake or other cause, without fault of the assignee, either or both of the said accoud the times limited, the court may, upon motion of an interested party, order such meetings, ceedings as if the meeting had been duly held. In the order for a dividend, under this section e following claims shall be entitled to priprity or preference, and to be first paid in

full in the following order: nd the several proceedings in bankruptey nder this Act, and for the custody of proprty, as herein provided. Second-All debts due to the United Str tes and all taxes and assessments under the laws

Third-All debts due to the State in which the proceedings in bankruptcy are pending, ws of such State.

Fourth-Wages due to any operative, clerk or house servant, to an amount not exceeding \$50, labor performed within six months next preceding the first publication of the no-

Fifth-All debts due to any person-who, by the laws of the United States, are or may e entitled to a priority or preference in like manner as if this Act had not been passed; always provided, that nothing contained in this Act shall interfere with the assessment and collection of taxes by the authority of the United States or any State.

OF THE BANKBUPT'S DISCHARGEOF AND ITS

Sec. 29. And be it further enacted, That assignee, at any time after the expiration of sixty days and within one year from the adjudication of bankruptey, the bankrupr may apply to the court for a discharge from his d bts, and the court shall thereupon order otice to be given by mail to all creditors who ave proved their debts, and by publication at least once a week in such newspapers as the court shall designate, due regard being had to the general circulation of the same in the district, or in that portion of the district which the bankrupt and his creditors shall reside, to appear on a day appointed for that surpose and show cause why a discharge uld not be granted to the bankrupt. No discharge shall be granted, or, if granted, be valid, if the bankrupt has wilfully sworn falsoschedule or inventory, or upon any camat on in the course of the procee i ga Sec. 23. And be it further enacted. That when a claim is presented for proof before the election of the assignee and the judge be produced of the payment of such debt ty or writings relating thereto, or if he has been tigated by the assignee, he may postpone the proof of the claim until the assignee is cho proof of the claim until the assignee is cho rect. At the empiration of three months from property belonging to him at the time of the sen. Any person who, after the approval of this Act, shall have accepted any preference, having reasonable cause to believe that the dates of the court, mon request of the assignee. trary to any provision of this Act, shall not of which due notice shall be given, and the prove the debt or claim on account of which as guee shall then report, and exhibit to the four months before the commencement of the preference was made or given, nor shall court and to the creditors just and true ac- such proceedings, he has procured his lands, he receive any dividend therefrom until he counts of all his receipts and payments, veri- goods, money or chattels to be attached, scshall first have surrendered to the assignee ail find by his oath, and he shall also produce questered or seized on execution; or if, since property, money, benefi or advantage receiv- and file vouchers for all payments for which the passage of this Act, he has destroyed, mued by him under such preference. The court vouchers shall be required by any rule of the tilated, altered or falsified any of his books. shall allow all debts duly proved, and shall court; he shall also submit the schedule of cause a list thereof to be made and certified the bankrupa's creditors and property as has made or been privy to the making of any by one of the registers; and any creditor may amended, daly verified by the bankrupt, and false or fraudulent entry in any book of acact at all meetings by his duly constituted a statement of the whole e-tate of the back- c ant or other document, with intent to deattorney the same as though personally rupt as then ascartained, of the property re- fraud his creditors; or has removed or caused Sec. 24. And be it further exacted, That specifying the cause of its being outstanding, to be removed, any part of his property from the district, with intend to defraud his creditore; or if he has given any fraudulent prefthe Circuit Court from the decision of the ed, and statting what sum remains in his erence contrary to the provisions of this Act, District Court rejecting his claim, in whole hand. At such meeting the majority in val- or made any fraudulent payment, gift, transfer, or in part, shall, upon entering his appeal in the Circuit Court, file in the clerk's office whether any and what part of the net prothereof a statement, in writing, of his claim, ceeds of the estate, after deducting and reling, or has admitted a false or fictitious debt taining a sum sufficient to provide for all against his estate; or if, having knowledge

of the court, who shall endorse upon it the creditors shall then be called by the court whatever contrary to the true intent of this the debtor afterward come to the hands of been privy to any act, matter or thing specithe assignce, in which case the assignee shall fied in this Act as a ground for withholding