SUPPLEMENT

TO THE

NEW SOUTH WALES

GOVERNMENT GAZETTE.

OF WEDNESDAY, OCTOBER 10, 1838.

Published by Authority.

SATURDAY, OCTOBER 13, 1838.

ANNO SECUNDO.

VICTORIÆ REGINÆ.

No. 14.

By His Excellency Sir George Gipps, Knight, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the Advice of the Legislative Council.

"*An Act to revive and continue for a limited time, an Act passed in the Second year of the Reign of His late Majesty King William the Fourth, intituled, 'An Act for the Relief of Debtors in Execution for Debts which they are unable to pay,' and to make certain amendments therein.*"

WHEREAS an Act of the Governor and Legislative Council of New South Wales was passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "*An Act for the Relief of Debtors in Execution for Debts which they are unable to pay,*" which said Act was by a certain other Act of the said Governor and Council, passed in the Fifth year of the Reign of His said Majesty, intituled "*An Act to revive and continue for a limited time, an Act of the Governor in Council, passed in the Second year of the Reign of His present Majesty, intituled An Act for the Relief of Debtors in Execution for Debts which they are unable to pay,*" continued until the 31st day of August, One thousand eight hundred and thirty-six: And whereas, the said first recited Act was by a certain other Act of the said Governor and Council, intituled "*An Act further to continue for a limited time, an Act, intituled 'An Act for the Relief of Debtors in Execution for Debts which they are unable to pay,'*" passed in the Sixth year of the Reign of His said Majesty, further continued, until the 31st day of August, One thousand eight hundred and thirty-eight; and it is expedient that the said first recited Act should be altered, and amended, and except in as far as so altered and amended, should be revived, and continued for a limited time: Be it therefore enacted, By His Excellency the Governor, with the advice of the Legislative Council of the Colony of New South Wales aforesaid, That it shall and may be lawful for any person from and after the first day of October next, who shall have been charged in execution in any prison in New South Wales, for, or by reason of any debt, damages, or costs, sum or sums of money, to file a schedule in the office of the Supreme Court in the form marked A in the schedule to this Act annexed, and to obtain from the Chief Clerk of the said Court, a rule to be brought up before the said Court, or a Judge thereof for the purpose of being examined touching the truth of such schedule, and to be discharged from custody as to such execution or executions.

Any person charged in execution for debts which he is unable to pay, may file a schedule of his effects, and may be brought before a Judge and discharged.

(Supreme Court or a Judge to appoint any time for hearing applications.)

II. And for the better and more effectually carrying this Act into effect: Be it further enacted, That it shall and may be lawful for the said Supreme Court, or a Judge thereof, to appoint such days and times for the hearing and determination of such applications and proceedings thereupon as shall be necessary.

(Schedule—what it shall contain.)

III. And be it enacted, That the schedule of every such prisoner who shall apply for relief, under this Act, shall contain a full and true

description of such prisoner, as to his or her name, trade, or profession, together with the usual place of abode of such prisoner; and also a particular statement of the several judgments for which he or she shall have been arrested, or upon which any detainer or detainers may have been lodged against him or her; and the *bonâ fide* cause or consideration of or for which the demands arose upon which such judgments were had; and also, a full, true, and particular account and discovery of all the estate and effects of such prisoner, real and personal, in possession, reversion, remainder or expectancy, of every kind and nature whatsoever, which such prisoner, or any person or persons in trust for him or her, or for his or her use, benefit, or advantage, in any manner whatsoever, shall have been, or shall be seised or possessed of, or interested in, or entitled unto, either solely or jointly with any other person or persons, or which such prisoner or any other person or persons at the time of filing his or her schedule, or at any time since, shall have had any power to dispose of, or charge for his or her benefit, together with a full, true, and perfect account of all debts, at these times respectively due, or growing due and owing to such prisoner, or to any person or persons in trust for him or her, or for his or her benefit and advantage, either solely or jointly with any other person or persons, and the names and places of abode of the several persons from whom such debts shall be due, or growing due, and of the witnesses who can prove such debts, as far as such prisoner can set forth the same; and in what manner all, or any part of such estate or effects, real or personal, have been applied or disposed of, since the time of the commencement of any action or suit, upon which such prisoner was arrested as aforesaid; and which, or what part of such estate or effects, or any of them, shall have been in any manner conveyed, assigned, disposed of, charged or incumbered, in any manner whatsoever; and when, and in what manner, and for what consideration, and to whom, and for whose benefit in particular, and which, and what part or parts of such estate and effects shall, at the time of the filing of such schedule, be in any manner applicable to the discharge of the demands for which he or she is in execution, or can be made available for such purpose: And the said schedule shall also contain a balance sheet of so much of the receipts and expenditures of such prisoner, and of the items composing the same, as shall be at any time required by the said Court, or a Judge thereof, in that behalf; and shall also fully and truly describe the wearing apparel, bedding, and other necessaries of such prisoner, and his or her family, not exceeding in the whole the value of Twenty Pounds, which may be excepted by such prisoner, from the operation of the said Act, together with the value of such excepted articles respectively; and the said schedule shall be signed by such prisoner, and verified by affidavit in the form hereunto annexed, marked *B*, and all books, papers, deeds, and writings, in anywise relating to such prisoner's estate or effects, in his or her possession, or under his or her control, shall be filed with such schedule.

(Copy of schedule to be served on creditor or attorney and gaoler respectively.)

IV. And be it enacted, that the prisoner shall cause a true copy of his or her schedule, and of the rule obtained by him or her, upon the filing thereof, to be served upon his or her detaining creditor or creditors, and also upon the attorney or agent of such creditor or creditors, at least three days before the day appointed for his or her examination; and shall also, within the like time, serve a true copy of the said rule upon the Gaoler of the prison wherein he or she shall be so detained, provided always, that if the detaining Creditor or Creditors cannot be found to be served with the said schedule and rule as aforesaid, then their service upon his, her, or their attorney or attornies, shall be deemed good service on such Creditor or Creditors.

(Court to examine into matter of schedule, and to examine parties.)

V. And be it enacted, That at the hearing as aforesaid, the said Court or Judge shall examine into the matters of the schedule of every such prisoner so brought before the said Court or Judge upon the oath of such prisoner, and of such parties and other witnesses as the said Court or Judge shall think fit to examine thereupon; and in case any Creditor, having such judgment as aforesaid, shall intend to oppose such prisoner's discharge, it shall and may be lawful for such Creditor to put questions to such prisoner, and examine such witnesses as the said Court or Judge shall think fit, touching the matters in such schedule, and touching such other matters as the said Court or Judge shall think fit and proper to enquire into, in order to the due execution of this Act; and in case the said Court or Judge shall entertain any doubt touching any matter alleged against such prisoner at such hearing, to prevent his or her discharge, or otherwise touching the schedule or examination of such prisoner, or it shall appear, that amendment is necessary to be made of such schedule, or in case such prisoner shall not answer upon oath to the satisfaction of the said Court or Judge, it shall be lawful for the said Court or Judge to adjourn the hearing and examination of such prisoner, and of the matters of his or her schedule, and of witnesses thereupon, to some future day; and in every such case, the said Court or Judge shall commit the said prisoner to custody, there to remain until such future day so as aforesaid to be appointed for the hearing of the said matter, when such hearing and examination shall be further proceeded in, as often as to the said Court or Judge shall seem fit.

(Court to discharge prisoner.)

VI. And be it further enacted, that after such examination made into the matters of the schedule of any such prisoner as hereinbefore directed, it shall and may be lawful for the said Court or Judge to adjudge that such prisoner shall be entitled to the benefit of this Act immediately, or at such time as the said Court or Judge shall direct, in pursuance of the provisions hereinafter contained in that behalf, as to the several debts and demands included in such schedule, and for which such prisoner shall have been imprisoned or detained in execution, and to cause such prisoner to be discharged accordingly.

(Prisoner fraudulently concealing his affairs, &c., to be liable to imprisonment for three years.)

VII. And be it further enacted, That in case it shall appear to the said Court, or Judge that such prisoner has, fraudulently, with intent to

conceal the state of his or her affairs, or to defeat the object of this Act, destroyed, or otherwise wilfully prevented, or purposely withheld the production of any books, papers, or writings, relating to such of his or her affairs as are subject to investigation under this Act, or kept, or caused to be kept, false books, or made false entries in, or withheld entries from, or wilfully altered or falsified any such books, papers, or writings, or that such prisoner has fraudulently, and with intent to diminish his means of paying and satisfying any creditor or creditors at whose suit he shall have been imprisoned or detained in execution as aforesaid, have discharged or concealed any debt due to him, or her, or made away with, or assigned, transferred, charged, delivered, or made over any of his or her estate or effects, or any part of his or her property of what kind soever, after the commencement of his or her imprisonment in execution as aforesaid; then it shall and may be lawful for the said Court or Judge to order and adjudge that such prisoner shall be committed and imprisoned in the common gaol, for such period or periods, not exceeding three years in the whole, as the said Court or Judge shall direct.

(Prisoner, if debts have been fraudulently concontracted, or be due for damages in any action for a malicious prosecution, to be imprisoned not exceeding two years.)

VIII. And be it enacted, That in case it shall appear to the said Court or Judge, that such prisoner shall have been imprisoned for any debt or demand contracted fraudulently, or by means of false pretences, or without having any reasonable or probable expectation at the time when contracted of paying the same; or shall have fraudulently, or by means of false pretences, obtained forbearance of any of his or her said debts, or shall be imprisoned for damages recovered in any action for criminal conversation with the wife, or for seducing the daughter or servant, of the plaintiff in such action, or for breach of promise of marriage made to the plaintiff in such action, or for damages recovered in any action for a malicious prosecution, or for libel, or for slander, or in any other action for a malicious injury done to the plaintiff therein, or in any action of tort or trespass to the person or property of the plaintiff therein, where it shall appear to the satisfaction of the Court or Judge that the injury complained of was malicious; then it shall and may be lawful for the said Court or Judge to order and direct the said prisoner to be committed to the common gaol, for a period or periods not exceeding two years in the whole, as the said Court or Judge shall direct.

(Costs to be paid to creditor in certain cases.)

IX. And be it enacted, That whenever any such creditor as aforesaid, opposing the discharge of such prisoner, shall prove to the satisfaction of the said Court or Judge, that such prisoner has done or committed any act for which, upon such adjudication as aforesaid, he or she may be committed to such custody as aforesaid, for a period not exceeding three years as aforesaid, the said Court or Judge shall adjudge the taxed costs of such opposition to be paid to such opposing creditor, out of the estate and effects of such prisoner, before any other appropriation shall be made hereof; and in all other cases of opposition to a prisoner's discharge being substantiated or effectual, it shall be lawful for the said Court or Judge to adjudge in like manner, if it shall seem meet.

(Liability of estate and effects.)

X. And be it enacted, That as soon as any adjudication shall be made for the discharge of any prisoner, pursuant to the provisions of this Act or Ordinance, all and every the estates and effects of such prisoner shall be immediately liable to be taken in execution, on any such judgment or judgments, and sold by the Sheriff of the said Court, and the proceeds of such sale shall be paid to, or distributed rateably amongst, the creditor or creditors of such prisoner, at whose suit he or she shall have been imprisoned or detained in execution; and all debts and claims whatsoever due and owing to such prisoner, shall and may, at the instance of any such creditor or creditors, be sued for and recovered in the name of such prisoner, and the proceeds thereof shall be paid and distributed in like manner as the proceeds of the sale of the estate and effects of such prisoner, are hereinbefore directed to be paid and distributed; and if such creditor or creditors as aforesaid, shall not be fully paid and satisfied, as well in respect of any such judgment or judgments as aforesaid, upon which such prisoner shall have been taken or detained in execution, as of all such necessary costs as the Court or Judge shall award, or if at any time after the discharge of such prisoner as aforesaid, it shall appear to the satisfaction of the said Court or Judge, that such prisoner is able to satisfy such judgment or judgments, or that he or she is dead, leaving assets, the said Court or Judge may permit execution to be taken out on any such judgment or judgments, for such sum of money as, under all the circumstances of the case, the Court or Judge shall order, such sum to be paid and distributed in like manner as hereinbefore directed, and such further proceedings shall and may be had upon such judgment as may seem fit to the discretion of the said Court or Judge, from time to time, until the whole of the debts due to the several creditors as aforesaid, against whom such discharge shall have been obtained, shall be fully paid and satisfied, together with such costs as the said Court or Judge shall think fit to award; and no *scire facias* shall be necessary to revive any such judgment, on account of any lapse of time, but execution shall at all times issue thereon, by virtue of the order of the said Court or Judge: provided always, that in case any such application shall appear to the said Court or Judge to be ill-founded or vexatious, it shall be lawful for the said Court or Judge, not only to refuse to make any order on such application, but also to dismiss the same with such costs against the party or parties making the same, as to the said Court or Judge shall appear reasonable, and the said costs shall be recovered in the usual way.

(If prisoner after adjudication become entitled to property, Court may order execution to issue on judgment.)

XI. And be it enacted, That in case any such prisoner shall, after he or she shall have been discharged by any such adjudication as aforesaid, become entitled to, or possessed of, in his or her own right, any stock in the Bank establishments of this Colony, or any bills of exchange, promissory notes, bank notes, or other choses in action or

other property, whether the same be in this Colony or elsewhere, which by law cannot be taken in execution under any such judgment as aforesaid, and such prisoner shall have refused to convey or assign, or transfer such stock, bills of exchange, promissory notes, bank notes, or other choses in action or other property, or so much thereof as may be sufficient to satisfy any such judgment, then and in such case it shall and may be lawful for the said Court or Judge, upon the application of the creditor or creditors against whom such prisoner shall have obtained his discharge, and upon due notice of such application being given to such prisoner, together with a copy of the affidavit upon which the application is founded, to order the said prisoner to be apprehended and recommitted to prison, until he or she shall convey, assign, and transfer such stock, bills of exchange, promissory notes, or other choses in action, and other property, or so much thereof as the said Court or Judge shall direct, and the costs of such application shall be in the discretion of the said Court or Judge.

(Prisoner and persons knowing of his property to be examined relating thereto.)

XII. And whereas, the estate, both real and personal, of any person whose discharge has been adjudicated under this Act, may not be sufficiently described or discovered in his or her schedule, so sworn to as aforesaid: Be it therefore enacted, That it shall and may be lawful to and for the creditors, against whom any such prisoner shall have obtained his discharge as aforesaid, from time to time, to apply to the said Court, or a Judge thereof, setting forth that such person, or his wife, or any other person, who shall be known or suspected to have any of the estate or effects of such prisoner in his or her custody, possession, or control, or any person who shall be believed to be indebted to the said prisoner, or to be capable of giving information to enable the Court or Judge, or the said creditors, more easily to discover or obtain possession of the estate or effects of such prisoner, may be examined as to any matters or things relating to his or her estate and effects by the said Court or Judge; and if the said prisoner, or other person, on payment, or tender of payment, of such reasonable charges as the said Court or Judge shall judge sufficient, shall neglect or refuse to appear before the said Court or Judge, at such time as the said Court or Judge shall order, or having come before the said Court or Judge, shall refuse to be sworn, or answer such questions as by the said Court or Judge shall be put to him or her, relating to the discovery of the estate and effects of such prisoner, then, and in every such case, it shall be lawful for the said Court or Judge to order and direct such prisoner or other person to be apprehended and committed to prison, there to remain without bail or mainprize, until such time as he, she, or they, shall submit to the order of the said Court or Judge in that behalf, and shall answer upon oath, or otherwise, as shall be required, to all such lawful questions as shall be put to him, her, or them, in pursuance of the same, for the purposes aforesaid.

(Prisoner fraudulently omitting property in his schedule may be committed.)

XIII. And be it enacted, That in case any prisoner shall, with intent to defraud his or her said creditors, wilfully and fraudulently omit in his or her schedule so sworn to as aforesaid, any effects or property whatsoever, or retain or except out of such schedule as wearing apparel, bedding, or other necessaries, property of greater value than twenty pounds, every such person so offending, and any person aiding and assisting him to do the same, shall, upon being thereof convicted by due course of law, be adjudged guilty of a misdemeanour; and thereupon it shall and may be lawful for the said Court, before whom such offender shall have been so tried and convicted, to sentence such offender to be imprisoned and kept to hard labour for any period of time not exceeding three years; and that in every indictment or information against any person for such offence, it shall be sufficient to set forth the substance of the offence charged on the defendant, without setting forth the petition or schedule, order for hearing adjudication, order of discharge, or remand, or any warrant, rule, order, or proceeding of or in the said Court, except so much of the schedule of such prisoner, as may be necessary for the purpose.

(Persons guilty of perjury to be punished as by law.)

XIV. And be it enacted, That if any prisoner who shall apply for his or her discharge, under the provisions of this Act, or any other person taking an oath under the provisions of this Act, shall wilfully forswear or perjure himself or herself in any oath to be taken under this Act, and shall be lawfully convicted thereof, he or she so offending shall suffer such punishment as may by law be inflicted on persons convicted of wilful and corrupt perjury.

(No person after discharge to be imprisoned for any sum included in the schedule.)

XV. And be it enacted, That no person who shall have been discharged by any such adjudication as aforesaid, shall at any time thereafter be imprisoned by reason of any judgment so as aforesaid entered up against him or her, according to this Act, or for or by reason of any debt or sum of money, or cash, with respect to which such person shall have been discharged, or for, or by reason of any judgment, decree, or order, for payment of the same; but that upon every arrest, or detainer in prison upon any such debt, or sum of money, or cash, or judgment, decree, or order, for payment of the same, it shall and may be lawful for any Judge of the said Court, and such Judge is hereby required, upon proof made to his satisfaction, that the cause of such arrest or detainer is such as hereinbefore mentioned, to release such prisoner from custody, unless it shall appear to such Judge, upon enquiry, that such adjudication as aforesaid was made without due notice, where notice is by this Act required; and at the same time, if such Judge shall in his discretion see fit, it shall and may be lawful for him to order such plaintiff, or any person or persons suing out such process, to pay such prisoner the costs which he or she shall have incurred on such occasion, or so much thereof as to such Judge shall seem reasonable and just, such prisoner causing a common appearance to be entered for him or her in such action or suit.

(If debts be afterwards discharged, Court may order satisfaction to be entered on judgment.)

XVI. Provided always, and be it enacted, That if at any time after adjudication made of any such

prisoner's discharge, in pursuance of this Act, it shall appear to the satisfaction of the said Court or Judge, that all the debts in respect of which such adjudication was made, have been discharged and satisfied, it shall be lawful for the said Court or Judge, upon application duly made, to order satisfaction to be entered on any such judgment as aforesaid; and the order of the said Court or Judge for entering up such satisfaction, shall be sufficient authority to the proper officer for entering up the same.

(Not to affect debts due to the Crown.)

XVII. And be it enacted, That this Act shall not extend, or be construed to extend, to discharge any prisoner seeking the benefit thereof with respect to any debt due to Her Majesty or Her Successors, or to any penalty with which he or she stands charged at the suit of the Crown, or of any person for any offence committed against any Act or Acts relative to any branch of the Public Revenue, or at the suit of the Sheriff or other Public Officer, upon any bail-bond entered into for the appearance of any person prosecuted for any such offence.

(Petitions, Books, &c. may, by order of Court, be examined by Creditors, &c.)

XVIII. And be it enacted, That the proper officer of the said Supreme Court, shall, on the reasonable request of any such prisoner as aforesaid, or of any creditor or creditors of such prisoner at whose suit such prisoner shall be imprisoned or detained as aforesaid, or his, her, or their attorney, produce and shew to such prisoner, creditor or creditors, and his, her, or their attorney, at such times as the said Court or Judge shall direct, such schedule, order, or adjudication, and all other orders and proceedings made and had in the matter, and all books, papers, and writings, filed in such matter, and permit him, her, or them, to inspect and examine the same, and shall provide for any such prisoner, creditor or creditors, or his or their attorney requiring the same, a copy or copies of such schedule, or of such part thereof as shall be so required, receiving such fee as the said Court shall appoint for so providing the same, and that a copy of such schedule, order, and other orders and proceedings, purporting to be signed by the officer in whose custody the same shall be, or his deputy, certifying the same to be a true copy of such schedule, order, or other proceeding, and sealed with the seal of the said Court, shall, at all times, be admitted in all Courts whatever, as sufficient evidence of the same, without any proof whatever given of the same, further than the same is sealed with the seal of the said Court as aforesaid.

(As to the proceedings of the Court.)

XIX. And be it enacted, That in all rules, warrants, and other proceedings of the said Court or Judge, 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 the appearance of such person before the said Court or Judge, or for the enforcing any rule or order of the said Court or Judge, it shall be sufficient to set forth such rule or order, and the warrant thereon; and that the prisoner in any order, rule, warrant, or other proceeding mentioned, has been duly discharged under this Act, or some other Act for the relief of insolvent debtors, if he or she has been so discharged, or if he or she has not been so discharged, that he or she has applied to the said Court, or a Judge thereof, for his or her discharge from custody, according to the provisions of this Act, without setting forth in any such order, rule, warrant, or other proceeding, 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.

(Courts may award Costs.)

XX. And be it further enacted, That in all cases in which the said Court or Judge is by this Act authorised to award costs against any person or persons, it shall and may be lawful for the said Court or Judge to authorise and cause such costs to be recovered from such person or persons, in the same manner as costs awarded by any rule of the Supreme Court.

XXI. And be it further enacted, That from and after the first day of October next, every matter or proceeding which shall be depending in the said Court under all or any of the hereinbefore recited Acts, shall not in any way abate or be discontinued, but that the same shall and may be proceeded upon in the said Court or by any Judge thereof, under the provisions of this Act; and the said Court or any Judge thereof is hereby authorised to make any order in each and every case, that may be so depending as the said Court or a Judge thereof, for that purpose, may think proper to order and direct.

(Continuance of Act.)

XXI. And be it further enacted, That this law or ordinance shall be and continue in force until the first day of October, one thousand eight hundred and forty.

"GEORGE GIPPS."

Passed the Legislative Council, this twentieth day of September, One thousand eight hundred and thirty-eight.

WM. MACPHERSON,

Clerk of Council.

SCHEDULE *A.*

In the Supreme Court of New South Wales.

A. B. / *C. D.* and *Plaintiff.* / *Defendant.*

A SCHEDULE of all the Estate and Effects of me, A. B. (or C. D.), the above-named Plaintiff or Defendant (as the case may be), a Prisoner in Execution in the custody of the Sheriff, at the suit , or any person or persons in trust for me, as I was or were possessed of, or interested in, or entitled unto, either solely or jointly, with any other person or persons, or which I, or any other person or persons, at the time of filing this Schedule, or at any time since, have had any power to dispose of, or charge for my benefit, with a true account of all Debts due, or growing due, or owing to me, or to any person or persons in trust for me. As witness my hand, this day of , One thousand eight hundred and

Name of Prisoner.	Trade or Profession.	Usual place of abode.	Date when lodged in Execution.	Nature and Amount of Judgment, and the cause and consideration on which the demand arose.

REAL AND PERSONAL ESTATE.

Here set forth a true and particular account and discovery of all the Estate and Effects of the Prisoner, real and personal, in reversion, remainder, or expectancy, as required by the third section of the Act, which the Prisoner had at the time of filing his Schedule; and whether any of such Estate or Effects have been assigned, disposed of, or charged, or incumbered; and when, and in what manner, and to whom, and for whose benefit, and what part, shall be applicable to the discharge of the demand for which the Prisoner is in Execution, or can be made available for such purpose; also fully describe the Bedding and other necessaries of the Prisoner and his Family.			

DEBTS.

DEBTOR.		WITNESS.		Good.	Bad.	Doubtful.	Amount.
Name.	Residence.	Name.	Residence.				

BALANCE SHEET.

To amount of Judgment				By amount of Real and Personal Estate with the exception of Debts			
To amount of Cash expended since my imprisonment in Execution				By amount of Debts			
				By amount of Cash received since in Execution.....			

SCHEDULE *B*.

In the Supreme Court of New South Wales.

A. B. / *C. D.* and *Plaintiff*, *Defendant*.

I of Sydney, Gentleman, the above named Defendant, do solemnly make Oath and say that the Schedule hereunto annexed contains a particular Statement of the several Judgments for which I have been arrested, or upon which any Detainer has been lodged against me, and the *bonâ fide* consideration for which the demand arose upon which the judgments were had. Also a full and particular account and discovery of all my Estate and Effects, real and personal, in possession, reversion, remainder, or expectancy, of every kind and nature that I or any person has for my use and advantage; or which I am seised, possessed of, interested in, or entitled unto, either solely, or jointly with any other person or persons, or which I or any other person or persons at the time of filing my Petition, or at any time since, have had power to dispose of; together with a full, true, and perfect account of all Debts due, or growing due and owing to me, or to any person In Trust for me, or for my benefit or advantage, either solely, or jointly with any other person or persons; and the names and places of abode of the several persons from whom such debts are due, or growing due; And of the Witnesses who can prove the same so far as I can set forth the same; And in what manner all or any part of my Estate or Effects real or personal, has been applied or disposed of since the commencement of this action; and which or what part of my Estate or Effects have been in any manner conveyed, assigned, disposed of, charged, or incumbered in any manner whatsoever; And when, and in what manner, and for what consideration, and to whom, and for whose benefit in particular; And what part or parts of my Estate and Effects was, at the time of the presentation of the annexed Schedule, applicable to the discharge of the demand for which I am detained in Execution, or can be made available for such purpose; And also a full and true description of the Wearing Apparel, Bedding, and other necessaries of myself and Family, together with the value thereof; And of all Books, Papers, Deeds, and Writings in any wise relating to my Estate or Effects in my possession or control.

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