

of Payment be not incurred deducting thereout at and after the Rate of six Per Cent Per Annum from the Time of such Dividend struck to the time at which by contract the Debt ought to be paid and that over and above ten Pounds Per Centum for the first hundred Pounds and seven pounds ten shillings for every hundred Pounds thereafter and so pro rata on the whole Sum which shall come to the Hands of the said Trustees which the said Trustees are hereby empowered in all Cases to retain in their Hands for their Commission and as a Reward for their services they may also retain in their Hands a reasonable Sum where any suits by them as Trustees are depending to Indemnify and secure themselves against the Costs of such Suits.

Liber R. G.
1773
[Trustees to take into the Dividends all just Debts, although the Time of Payment be not incurred, &c.]

And be it further Enacted that the Trustees to be appointed in Virtue of this Act shall be subject to such Orders and directions as shall from Time to Time be made in the Court from whence their Commission issued for the more effectual putting this Act in Execution, and on the Death of any of the said Trustees or their or any of their refusal to Act the Court from whence such Commission issued shall and is hereby empowered to issue a new Commission to such person or persons as to the same Court shall seem expedient to Act in the place or stead of any such Trustee so Dead or who shall Refuse to Act and such Court is likewise hereby empowered to displace any Trustee or Trustees for Negligence or Misbehaviour and to put and place others to act in their stead and the whole power of such displaced Trustee shall thenceforth cease and the Trustee so displaced shall immediately deliver over to the other Trustees All the Estate of the said Absconding person and all Books and papers concerning the same in his Hands Custody or power touching which he may be examined on Oath by the Court and on his Refusal to submit to such Examination or to make such Delivery shall be committed to Close prison till he doth the same.

[Trustees subject to the Directions of the Court, &c.]

p. 193

And be it further Enacted that where Attachments shall be issued both out of any County Court and the Provincial Court against one and the same absconding Person then and in such Case upon application made to the Provincial Court or any one Justice thereof a Certiorari shall issue to remove the Proceedings of the County Court before the Provincial Court and on the return of such Certiorari the Provincial Court shall proceed therein and the Trustees appointed by that Court shall be invested with all the Personal Estate and Papers seized by Virtue of the Attachment issued out of the County Court as if the same had been seized by Virtue of the Attachment issued out of the Provincial Court and where Attachments shall issue out of the Provincial Court and any County Court to the Sheriff of one and the same County the Sheriff shall in such Case execute that Writ only that comes first to his Hands.

[Where Attachments shall be issued, both out of the County and Provincial Court, a Certiorari shall issue to remove the Proceedings, &c.]

And be it further Enacted that before any Trustee shall execute