

Return by
Clerk to Ac-
countant.

of the state of every assignment in which he is assignee, which shall be then subsisting unclosed, or shall have been finally closed and wound up by a division of the funds or by composition and reinvestment within the year preceding; and the clerk shall within five days thereafter transmit to the Accountant, in the form of the said Schedule, a return of all the assignments depending in his county or district, or closed within the year preceding, as returned by the assignees, and the Accountant shall cause such returns so made to be regularly bound up and preserved in a volume according to the alphabetical order of places, to be kept at all times in his office, with an index thereto framed by him, and which volume shall be patent to all concerned; and any assignee who shall fail to make such return to the clerk aforesaid, shall be removable from his office at the instance of any one creditor, or the Accountant, or subject to such censure as the judge may think suitable and be found liable in costs.

5

10

15

Annual report
to parliament
to be present-
ed by Ac-
countant.

XXVIII. The Accountant shall superintend such annual reports from assignees and County Clerks, and frame an annual report therefrom, to be presented to Parliament, showing the number, amounts and other particulars of all depending assignments.

Proceedings to
be observed
upon a divi-
dend being de-
clared pay-
able.

XXIX. When a dividend is declared payable by an assignee in any assigned estate, he shall intimate the same by circular, through the Post Office, to each creditor or attorney of a creditor entitled to receive the same, which circular shall also state that the accounts of his intrusions with the estate, up to the period of declaring the dividend, have been audited by the Commissioners and approved of by them; and he shall transmit to the Accountant a copy of such circular, having appended thereto a statement of the amount of realized funds out of which the dividend is made, the estimated balance outstanding unrealized, the amount of law and miscellaneous expenses incurred, and the amount of his commission.

20
25
30

Accountant to
have free ac-
cess to records
of Courts, &c.

XXX. For the better performance of his duties, the Accountant shall at all times during business hours, either by himself or a deputy authorized by him in writing, have free access to all records and registers of Courts, with liberty, as he may see fit, to take full excerpts therefrom, and he shall also be entitled to ascertain the amount or balance of any funds at any time lying at the credit of any assigned estate in any Bank, or branch of a Bank, in which the same are deposited, as appointed by the meeting of creditors.

How soon and
subject to
what condi-
tions divi-
dends may be
declared.

XXXI. Every assignee shall be bound, so soon as the funds realized from any assigned estate shall be sufficient to pay a dividend to the creditors of ten cents on every dollar of claims duly ranked and admitted, to call a meeting of the commissioners, and submit to their inspection his accounts with the estate; and unless the said Commissioners shall see any special circumstances which may make it expedient to postpone the payment of a dividend (in which case they shall make a minute thereof, and transmit the same to the Accountant for registration,) a dividend shall be declared payable on a certain day, of which notice shall be given by advertisement, and by circulars to each creditor or attorney of a creditor duly authorized to receive such dividend and give receipt therefor; Provided always, that in order to allow creditors sufficient time to come into an assignment and lodge claims, no dividend

35

40
45
50