

insolvents presenting such petitions; ss. 101, 105, and 117 regulate the matter. The last orders that "notices of meetings of creditors, and all other notices herein required to be given by advertisement, without special designation of the nature of such notice, shall be so given by publication thereof for two weeks in the *Official Gazette*, also, in the Province of Quebec, in every issue during two weeks of one newspaper in English and one in French, published at or nearest to the place where the insolvent has his chief place of business, and in any case, unless herein otherwise provided, the assignee or person giving such notice shall also address notices thereof to all creditors and to all representatives of foreign creditors within Canada, and shall mail the same with the postage thereon paid, at the time of the insertion of the first advertisement." The petitioners have not addressed, nor mailed, notices whatever to their creditors, and claim that mere advertisement in the *Gazette* and newspapers is all that they were obliged to give, of notice of their intention to petition for discharge; but is not the last part s. 117 against them? "*And in any case, unless herein otherwise provided,*" etc.; reads very largely and imperatively; but it has been pressed upon me that, upon like language of the Insolvency Act of 1864, Chief Justice Draper, *in re Waddell*, held that notice by mere advertisement in the papers was sufficient, and that other notices, by mail, were not required, absolutely. The Chief Justice held the expression "without special designation of the nature of such notice," to be equivalent to the expression: "without special statement of the matters to which such notice relates." There is no full report of *Hopé v. Frank*; from what reports we have, it seems to me that the judges were of opinion that addressed notices to creditors were required from insolvents petitioning for discharge, as do these in the cases that I am now disposing of. I hold that such addressed notices are required under s. 117, which I cannot read otherwise than according to its expression. "All notices shall be by advertisement," says s. 117; how