

The application was partly founded upon the proceedings of an informal meeting which had been called by the liquidator on his own authority on the 23rd and 27th February last, and on the evidence adduced in support of the motion.

The meeting of creditors under the order was held on the day appointed, at which it appears 36 creditors were represented in person or by proxy.

Objections have been taken by the creditors who obtained the order for the meeting, that no proper notices were issued by the liquidator calling it, and that in any event the notices, such as they were, were not issued within the time limited by the order of the 14th March.

By that order it was directed that the notice summoning the said meeting should notify the creditors of the purpose for which it was summoned, as thereinbefore stated, and that copies of the order and of the order of Mr. Justice Ferguson made on the same date should be enclosed with such notice; and that the same should be sent by the said liquidator to each creditor by registered letter post-paid, or on or before the 24th instant.

The liquidator appears to have prepared no separate notice of his own, but to have sent by registered letter to the creditors named in exhibit A. to his affidavit, printed copies of the two orders directed by the order calling the meeting, and in which were specified its objects and the time and place at which it was to be held.

There are as a general rule three essential matters concerning such meetings in respect of which the creditors are entitled to notice: the time, the place, and the business proposed to be transacted. The order calling the meeting provided for all these, and I think the want of a special notice from the liquidator giving precisely the same information should not invalidate the meeting. See further *In re London and Mediterranean Bank*, 37 L. J. Ch. at p. 537, per Selwyn, L.J.

But it appears that the creditors who now take this objection were present at the meeting together with their respective solicitors, and made no objections to the regularity of the meeting, but took an active part in its proceedings and voted on the various resolutions submitted to the meeting.

In *In re British Sugar Refining Co.*, 3 K & J. at p. 417, Sir W. Page Wood, V.-C., thus answered a similar objector: "You have come here after having accepted notice of the