

formed part of the original debt; and the assignee shall proceed to wind up the estate in conformity with the terms of this act, of the deed of assignment, and of any instructions for his guidance which are adopted at a meeting of creditors called for the purpose.

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## COMPULSORY LIQUIDATION.

4. The estate of an Insolvent trader becomes subject to compulsory liquidation ;

When the estate of an insolvent trader becomes subject to compulsory liquidation.

10 If he absconds or is immediately about to abscond from this Province with intent to defraud any creditor, or to defeat or delay the remedy of any creditor, or to avoid being arrested or served with legal process; or if he conceals himself within this Province with a like intent.

If he secretes or is immediately about to secrete any part of his estate and effects with intent to defraud his creditors or any of them.

15 If he assigns, removes or disposes of, or is about or attempting to assign, remove or dispose of any of his property with intent to defraud, defeat or delay his creditors.

If he suffers himself to be taken in execution for any debt not due, with such intent.

20 If he remains in prison or upon the gaol limits for more than thirty days for a claim in its nature proveable under this Act, exceeding the sum of \$

25 If upon the demand of a creditor for \$200 or upwards (Form D), he refuses to make an assignment of his estate for the benefit of his creditors.

If upon such demand, he neglects to call a meeting of his creditors as provided by the third section of this Act; or if he does not complete such assignment within three days after such meeting, or if there be an adjournment thereof, within three days after such adjournment.

30 If after such demand he continues to trade, or collects, or receives any monies due to him.

2. But no such act or omission shall justify any proceeding to place the estate of an insolvent in compulsory liquidation, unless proceedings are taken under this Act in respect of the same, within three months next after the act or omission relied upon as subjecting such estate thereto; nor after a voluntary assignment has been made, or an assignee appointed under this Act.

But proceedings must be taken within three months.

3. Upon an affidavit being made by a creditor for a sum not less than \$200, or by the clerk or other duly authorized agent of such creditor, setting forth the particulars of his debt, the insolvency of the person indebted to him, and any fact or facts which under this Act subjects the estate of such debtor to compulsory liquidation (form E.); and upon such affidavit being filed with the Prothonotary or Clerk of the Court; a writ of attachment (form F.) shall issue against the estate and effects of the insolvent, addressed in Lower Canada to the Sheriff of the District in which such writ issues, and in Upper Canada to such person as the Judge shall direct; requiring the person or officer charged with the execution of such writ, to seize and attach the estate and effects of the insolvent, and to summon him to appear before the Court to answer the premises, within such time as is usual therein for the return of ordinary writs of summons; and such writ shall be accompanied by a declaration setting forth such facts and circumstances as are necessary to be proved to sustain the issue thereof; and shall be subject as nearly as can be to the rules of procedure of the Court in ordinary suits, as to its issue, service, return and subsequent proceedings.

Proceedings for issue of Writ of attachment.

4. Immediately upon the issue of a writ of attachment under this Act, the person charged with the execution of such writ shall give notice thereof by advertisement thereof, (form G).

Notice of execution of writ.