

## 131 ANNO DECIMO SEPTIMO Cap. XVI.

who shall name trustees, to be approved of by the judges of the court of common-pleas;

if disapproved of by them, the governor to name such as he shall think proper;

their nomination to be advertised in the *Quebec Gazette*.

The real and personal estates of the absentee to be vested in the trustees.

The trustees to sell the personals

but they are not to sell the real estate without an order from the court.

the day appointed for such meeting, to assemble before the judges of the said court, on some future court day; and the creditors who shall appear at such meeting, by themselves, or persons authorized to act for them, and shall have made oath of the amount of their claims before any one of the said judges, or shall produce their accounts against such absentee otherwise proved and authenticated according to law; or the major part of such creditors, are hereby authorized to nominate and elect such and so many trustees, to take the care and management of the estate and effects of their absent debtor, as they, with the approbation of the said judges, or any two of them, shall think proper and necessary; and in cases where the judges disapprove of the nomination and election made by the creditors, the governor, or in his absence the lieutenant-governor, or commander in chief for the time being, is hereby authorized to name such and so many trustees, for the purpose aforesaid, as he in his discretion shall think proper; and the trustees shall cause such their election or nomination to be advertised in the *Quebec Gazette* as soon as may be.

A R T. II.

All the estate both real and personal belonging to such absentee in this province, shall immediately on such election or nomination become vested to all intents and purposes in the trustees so chosen and approved of, or nominated as aforesaid; and they shall and may take possession thereof, in trust and for the use of all the creditors of such absentee, who shall prove their debts within thirteen months after the last mentioned notice in the *Quebec Gazette*, provided such debts shall have been contracted before the time of such absentee's leaving the province; and after having taken possession thereof, they shall make out an inventory of the same, to be fyled in the said court of common-pleas.

The said trustees shall and may sell and dispose of all the personal estate belonging to such absentee, rendering an account of the sales and net proceeds thereof, to be fyled in the said court of common-pleas, within one month after the sale: but they shall not sell, convey, or dispose of any part of the real estate belonging to such absentee, without obtaining an order for that purpose from the judges of the said court, or any two of them (who are hereby authorized and required to grant the same, if the proceeds of the personal estate belonging to such absentee be insufficient to pay all his debts) and the said trustees having thereupon sold the same for the best price or value that can be procured, shall likewise make out an account of the net proceeds thereof, to be fyled in the said court within such time as shall be for that purpose limited in the said order.

A R T.