

An Act respecting Insolvency.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

PRELIMINARY.

1. This Act may be cited as *The Insolvency Act, 1898.* Short title.
- 5 **2.** In this Act, unless the context otherwise requires, or it is otherwise specially provided,— Interpretation.
- (a.) "Insolvent" means a person in reference to whom or to whose estate a receiving order has been made under this Act;
- 10 (b.) "Creditor" means any person, co-partnership or company to whom the debtor is indebted, whether primarily or otherwise, and whether as principal or surety, and whether such indebtedness is wholly or in part due and payable or not; but for voting purposes, or for proceeding, on a composition
- 15 and discharge shall mean a creditor for an amount of one hundred dollars and upwards;
- (c.) "Court" means the County Court in the provinces of Ontario, New Brunswick, Nova Scotia, Prince Edward Island, Manitoba and British Columbia, the Superior Court in the province of Quebec, and the Supreme Court in the North-west Territories, having jurisdiction in the district wherein proceedings are instituted under this Act, or if there is no such court having jurisdiction in a district in which proceedings may be instituted under this Act, then it means the court having
- 20 jurisdiction in the nearest district in which there is such court. "Court" respecting proceedings.
- Any action or proceeding to be taken or application or order made before, to or by any court having jurisdiction under this Act may be taken or made before, to or by a judge thereof, or before, to or by a junior or deputy judge when such is
- 25 appointed, at chambers, or at any circuit, or session or sittings of the court, wherever held; Judge.
- (d.) "District" means a county or district as defined for judicial purposes by the legislature of the province in which it is situated, or by the Governor in Council in regard to the
- 35 North-west Territories of Canada, and includes territorial, provisional or temporary districts; "District."
- (e.) "Clerk of the court" means the prothonotary, clerk or registrar of the court or any division thereof; "Clerk of the court."
- (f.) "Official Gazette" means the Official Gazette published
- 40 under the authority of the Government of the province or territory wherein the proceedings under this Act are carried on; "Official Gazette."