

under this Act, may be taxed and proceeded upon in like manner as bills of costs may now be taxed and proceeded upon in the said Superior Court.

Rules and
tariffs in Up-
per Canada.

18. In Upper Canada the Judges of the Superior Courts of Common Law, and of the Court of Chancery, or any five of them of whom the Chief Justice of Upper Canada, or the Chancellor, or the Chief Justice of the Common Pleas shall be one, shall have power to frame and settle such forms, rules and regulations as shall be followed and observed in the proceedings on Insolvency under this Act as they may deem to be necessary, and to fix and settle the costs, fees and charges which shall or may be had, taken or paid in all such cases by or to Attorneys, Solicitors, Counsel, Officers of Courts, whether for the Officer or for the Crown, as a fee for the Fee Fund or otherwise, Sheriffs, Assignees, or other persons whom it may be necessary to provide for.

GENERAL PROVISIONS.

Rights of un-
paid vendor
Coutume de
Paris, restrict-
ed.

13. In all cases of sales of merchandise to a trader in Lower Canada subsequently becoming insolvent, the exercise of the rights and privileges conferred upon the unpaid vendor, by the 176th and 177th articles of the *Coutume de Paris*, is hereby restricted to a period of fifteen days from the delivery of such merchandise.

Marriage con-
tracts of
traders to be
registered
within a cer-
tain period.

2. In Lower Canada, every trader who marries, having previously executed a contract of marriage by which he gives, or promises to give or to pay, or cause to be paid, to his wife, any property or effects, or any sum of money, shall cause such contract of marriage to be enregistered in the Registration division in which he has his place of business, within thirty days from the execution thereof; and every trader already married, having such a marriage contract with his wife, shall enregister the same as aforesaid, if it be not there already enregistered, within three months from the passing of this Act; and every person not a trader, but hereafter becoming a trader, and having such a contract of marriage with his wife, shall cause such contract to be enregistered, as aforesaid, (if it be not previously there enregistered), within thirty days from becoming such trader. And in default of such registration the wife shall not be permitted to avail herself of its provisions in any claim upon the estate of such insolvent for any advantage conferred upon or promised to her by its terms; nor shall she be deprived by reason of its provisions of any advantage or right upon the estate of her husband, to which, in the absence of any such contract, she would have been entitled by law.

In default of
such registra-
tion.

Judgments in
actions en
separation de
biens.

3. No judgment shall be rendered against any trader in Lower Canada in any action against him by his wife *en separation de biens*, or *en separation de corps et de biens*, unless the institution of such action is advertized continuously for one month in the *Canada Gazette*, and in two newspapers published in or nearest to the place of residence of such trader, one in French, the other in English: nor unless such action be brought in the district within which the defendant has his domicile: And any creditor of the defendant in any such suit may intervene therein for the purpose of examining such debtor respecting his estate and effects, without becoming liable for any costs either to the plaintiff or to the defendant, and may also intervene therein, and oppose the demand of the plaintiff, or subsequently contest the validity of any judgment rendered therein, subject to the ordinary rule as to costs.

Interpretation
"the Judge."

4. The words "the Judge" shall, in Lower Canada, signify a Judge of the Superior Court for Lower Canada, having jurisdiction at the domicile of the insolvent—and in Upper Canada a Judge of the County Court of the county or union of Counties in which the proceedings are carried on, and the words, "the Court" shall, in Lower Canada signify the said Superior Court—and in Upper Canada the County Court unless

"Court."