

- Form of Deed of assignment** 5. The deed of assignment may be in the form B, or in any other form equivalent thereto, and if executed in Upper Canada, shall be in duplicate: and copies of the statements produced at the first meeting of creditors shall be appended to it; and no description or detail of the property or effects assigned need be inserted in such deed. 5
- Effect of assignment.** 6. The assignment thereby effected, shall be held to convey to the assignee the books of account of the insolvent, all vouchers, accounts, letters and other papers and documents relating to his business, all moneys and negotiable paper, stocks, bonds, and other securities, as well as all the estate, real and personal, moveable and immoveable, property, debts, assets and effects, which he has or may be entitled to at any time before his discharge is effected under this Act; excepting only such as are exempt from seizure and sale under execution, by virtue of the several statutes in such case made and provided. 10
- Effect of execution of Deed.** 7. The execution of the deed of assignment shall operate a legal delivery of all that is thereby conveyed to the assignee under the terms of this Act, subject to the obligations of the insolvent attaching to any portion of the estate assigned. But no lien, privilege, right of pledge, or of possession, can attach to, or affect the books of account, office papers, or vouchers of the insolvent. 15 20
- Copy of assignment to be deposited.** 8. Forthwith upon the execution of the deed of assignment, the assignee, if appointed in Upper Canada, shall deposit one of the duplicates thereof, and if in Lower Canada, an authentic copy thereof, with a copy of the Schedules thereunto annexed, in the office of the Court. 20
- Registration of Deed of assignment.** 9. If the insolvent possesses real estate, the deed of assignment may be enregistered in the Registry Office for the Registration Division or County within which such real estate is situate; and no subsequent registration of any deed or instrument of any kind shall have any force or effect upon such real estate. And if the real estate be in Upper Canada and the deed of assignment be executed in Lower Canada before Notaries, it may be enregistered by memorial proved on oath by one of such Notaries, on the production to the Registrar of a copy of the deed certified under the hand and official seal of the Notary in whose custody the original remains; and if the property be in Lower Canada and the deed of assignment be executed in Upper Canada, it may be enregistered by memorial or at full length in the usual manner; but it shall not be necessary to enregister, or to refer on registration in any manner to the statements annexed to the deed of assignment. 25 30 35
- Deed executed in U.C. to have force in L. C. and vice versa.** 10. If such deed be executed in Upper Canada, according to the form of execution of deeds prevailing there, it shall have the same force and effect in Lower Canada as if it had been executed in Lower Canada before notaries. And if such deed be executed in Lower Canada before notaries it shall have the same force and effect in Upper Canada, as if had been executed in Upper Canada, according to the law in force there; and notarial authentic copies of such deed shall be treated as original deeds constituting *prima facie* proof in themselves of their execution and of their contents. 40 45
- Public notice of execution of deed.** 11. Upon the execution of a deed of assignment, the assignee shall forthwith give public notice thereof by advertising the same continuously for the space of one month; requiring by such advertisement (Form C,) all creditors of the insolvent to furnish of their respective claims to the assignee within two months from the date of the first publication of such notice, and to signify to such assignee whether or not they consent to the discharge of the insolvent. 50
- Suits, &c., against insolvents stayed on execution of assignment.** 12. After the execution of the deed of assignment, and the deposit of a duplicate or copy thereof in the office of the Court in conformity with this Act, on application of the assignee, all actions, suits and proceedings then pending against the Insolvent shall be stayed, and all the costs thereof shall be added to the demand for the recovery of which they were instituted; and shall rank upon the estate as if they 55 60