

An Act to amend the Insolvent Act of 1864.

WHEREAS it is expedient to amend the Insolvent Act of 1864, in Preamble.
the particulars hereinafter set forth; Therefore, Her Majesty,
by and with the advice and consent of the Legislative Council and Assem-
bly of Canada, enacts as follows:

- 5 **1.** Every assignee appointed under a deed of assignment shall imme- Notice by
diately give notice thereof by advertisement. (Form D appended to the assignee.
said Act.)
- 2.** The following shall be added to and shall be read and construed Addition to
as forming part of sub-section A. of section three, that is to say: "or if section 2.
10 he permits any execution issued against him under which any of his chat-
tels, land or property are seized, levied upon or taken into execution, to
remain unsatisfied till within forty-eight hours of the time fixed by the
Sheriff or officer for the sale thereof.
- 3.** In Upper Canada, if the defendant in any process for compulsory Service of
15 liquidation absconds from the Province, or remains without the Pro- Writ of At-
vince or conceals himself within the Province, service of the Writ of tachment in
Attachment issued against him under the said Act may be validly made U. C.
upon him in any manner which the Judge may order, upon application
to him in that behalf.
- 20 **4.** In proceedings for compulsory liquidation concurrent Writs of Concurrent
Attachment may be issued, if required by the plaintiff, addressed to the Writs of At-
Sheriffs of districts or counties other than that in which such proceed- tachment.
ings are being carried on.
- 5.** No proceedings for compulsory liquidation shall be contested either Form of con-
25 as to form or upon the merits otherwise than by summary petition, as testing pro-
provided by sub-section twelve of section three of the said Act. ceedings.
- 6.** The operation of the seventh sub-section of section two, and of Effect of as-
the twenty-second sub-section of section three, of the said Act, extends signment de-
30 to all the assets of the insolvent, of every kind and description, although clared.
they are actually under seizure under any ordinary Writ of Attachment,
or under any Writ of Execution, so long as they are not actually sold
by the Sheriff or Sheriff's officer under such Writ.
- 7.** The provisions of the said Act shall apply to the heirs, adminis- Liability of
trators or other legal representatives of any deceased person subject to heirs, &c.
35 its provisions, only in their capacity as such heirs, administrators or