

with which they are connected ; failing which they may be summoned before a Judge as aforesaid, to show cause why they refuse or delay so to do.

Powers of Accountant in case of complaint against assignees, &c., or in case of fraudulent conduct on their part or on the part of assignor.

XXII. The Accountant shall have power, on a requisition presented to him by any three or more creditors on an assigned estate, stating that they have reason to complain of the assignee or commissioners as to the management of the estate, or of undue delay in the division of the realised funds thereof, to call by himself or through the assignee, a general meeting of the creditors, and to require from the assignee such explanation and the exhibition of such books, vouchers or other documents as he may think necessary, and if such explanations should not be satisfactory to the creditors, the assignee or commissioners may be deprived of their offices and others appointed, and if the Accountant shall possess information that shall lead him on reasonable grounds to suspect fraudulent conduct on the part of any assignor, or malversation or misconduct on the part of any assignee or commissioner, such as may *infer* punishment, he shall be entitled to give information to Her Majesty's Attorney General, who shall direct such enquiry and take such proceedings as he may think proper ; and generally in any matter which the Accountant may deem necessary in the due discharge of his office to bring before a Judge, it shall be competent for the Judge to deal summarily with the matter, as accords with law.

In case of assignee becoming insolvent, and assigning his own estate.

XXIII. Should any assignee in charge of an assigned estate, himself become insolvent, or make assignment of his own estate for benefit of his creditors, the Accountant shall call a meeting of the commissioners on the first estate, or if no commissioners have been appointed, then of the general body of creditors, who shall determine what shall be done under the circumstances for the preservation of such estate, and may appoint another assignee, and elect commissioners who shall take such steps as may be necessary for obtaining possession of the estate, so as the same may be kept separate and distinct from that of the assignee who has himself so become insolvent ; and such assignee shall be bound to hand over the estate to such appointed party on the order of the Accountant, who shall keep a record of such proceedings.

Powers of Accountant in relation to creditors out of the Province.

XXIV. The Accountant may in the interest of creditors out of the Province who may see fit to correspond with him thereon, make inquiry into the particulars of any assigned estate and make such report thereon as he may see fit, but he shall not act on any instructions either to initiate or superintend any law proceedings whatsoever in the interest of any such creditors, nor shall he represent them to the extent of voting at any meetings as a *mandatory*, though he may, on special instructions, give in any absent creditor's adhesion to an assignment or consent to a composition, see that the claim is properly ranked, and keep custody of any vouchers of debt transmitted to him.

Previous investigations may be made by Accountant in certain cases.

XXV. In case any party or firm who may be unable to meet their engagements but whose principal creditors are resident out of the Province, should consider it for their advantage in corresponding with such creditors to have a previous investigation of their affairs made by the Accountant in bankruptcy, they may present a requisition in writing to him to that effect, and he shall examine into and make such report of the state of affairs of such applicant as to him shall seem meet.