

time for making an assignment; and thereupon if such debtor have not returned to such Province the Judge may make an order enlarging such period and fixing the delay within which such assignment shall be made; but such enlargement of time may be refused by the Judge if it be made to appear to his satisfaction that the same would be prejudicial to the interests of the creditors.

17. If such petition be rejected, or if while such petition is pending, the debtor continues his trade, or proceeds with the realization of his assets, or if no such petition be presented within the aforesaid time, and the Insolvent during the same time neglects to make an assignment of his estate and effects for the benefit of his creditors as provided by the second section of this Act, his estate shall become subject to compulsory liquidation.

In certain cases such debtor's estate to become subject to compulsory liquidation.

18. But no act or omission shall justify any proceeding to place the estate of an Insolvent in compulsory liquidation, unless proceedings are taken under this Act in respect of the same, within three months next after the act or omission relied upon as subjecting such estate thereto; nor after a writ of attachment in compulsory liquidation has been issued while it remains in force, nor after a voluntary assignment has been made, or an assignee appointed under this Act.

When act or omission shall not justify the placing of the estate in compulsory liquidation.

19. In the Province of Quebec an affidavit may be made by a claimant for a sum of not less than two hundred dollars, or by the clerk or other duly authorized agent of such claimant setting forth the particulars of his debt, the insolvency of the person indebted to him, and any fact or facts which, under this Act, subject the estate of such debtor to compulsory liquidation.—(Form F).—And upon such affidavit being filed with the Prothonotary of the district within which the Insolvent has his chief place of business, a writ of attachment (Form G) shall issue against the estate and effects of the Insolvent addressed to the sheriff of the district in which such writ issues, requiring such sheriff to seize and attach the estate and effects of the Insolvent, and to summon him to appear before the court to answer the premises; and such writ shall be subject as nearly as can be to the rules of procedure of the court in ordinary suits, as to its issue, service, and return, and as to all proceedings subsequent thereto before any Court or Judge.

Affidavits in Province of Quebec, how made.

Writ of attachment founded thereon:

20. In the Province of Ontario, New Brunswick or Nova Scotia in case any claimant by affidavit of himself or of any other individual (Form F), shows to the satisfaction of the judge that he is a creditor of the Insolvent for a sum of not less than two hundred dollars, and also shews by the affidavits of two credible persons, such facts and circumstances as satisfy such judge that the debtor is insolvent within the meaning of this Act, and that his estate has become subject to compulsory liquidation, such judge may order the issue of the writ of attachment (Form G) against the estate and effects of the Insolvent, addressed to the sheriff of the county in which such writ issues, requiring such sheriff to seize and attach the

Affidavits in other Provinces, how made.

Writ of attachment.