

An Act to facilitate the arrangement of Insolvent Estates in Lower Canada.

WHEREAS it is expedient to facilitate voluntary settlements between
debtors and creditors in Lower Canada: Therefore Her Majesty,
&c., enacts, as follows:

I. Any debtor, or any creditor of such debtor, may file in the office of the
Prothonotary of the Superior Court for the District in which such debtor has
his principal place of business or abode, a Notarial instrument between the
said debtor of the one part, and the majority in number of his creditors
owning at least three-fourths of the debts of such debtor, exclusive of
privileged mortgage debts, of the other part.

Agreement
between a
Debtor and a
certain propor-
tion of his
creditors may
be filed in
Court.

II. The said Notarial instrument shall contain,—

What it must
contain.

1. A full and true account of all the creditors of the said debtor.

2. The place of residence of each creditor, if known to such debtor:
and if not known, the fact to be so stated.

3. The sum owing to each creditor, and the nature of each debt or de-
mand, whether arising on written security, on account, or otherwise.

4. The true cause and consideration of such indebtedness in each case,
and the place where such indebtedness accrued.

5. A statement of any existing judgment, mortgage or collateral or
other security, for the payment of any such debt.

6. A full and true inventory of all the property moveable and immoveable,
debts and effects, estate real and personal, of such debtor, of the incum-
brances existing thereon, and of all the books, vouchers and securities
relating thereto.

7. The said Notarial instrument shall also contain an agreement or ar-
rangement between the said debtor and the creditors signing the same, by
which the debtor shall assign to the said Prothonotary all or part of the
said property, moveable or immoveable, debts and effects, estate real and
personal of the debtor, for the benefit of all his creditors, and by which the
signing creditors accept of such assignment in full discharge of all their
claims against the debtor: or the signing creditors may by such agree-
ment and arrangement compound with the debtor and accept of a stated
percentage of their respective debts either paid down, or payable in one
or more sum or sums on any named future day or days, and either with or

Also an agree-
ment between
the Debtor
and his credi-
tors signing
the instrument,
for assignment
of his estate.

Or for a Com-
position.