

to the same extent as to proceedings before Courts of Records in Upper and Lower Canada.

**Forms.**

10. The forms appended to this Act or other forms in equivalent terms, shall be used in the proceedings for which such forms are provided.

**Case of death of insolvent.**

11. The death of the insolvent, pending proceedings upon a voluntary assignment or in compulsory liquidation shall not affect such proceedings, or impede the winding up of his estate. And his heirs or other legal representatives may continue the proceedings on his behalf to the procuring of a discharge, or of the confirmation thereof, or of both.

**Costs.**

12. The costs of the action to compel compulsory liquidation shall be paid by privilege as a first charge upon the assets of the insolvent ; and the costs of the judgment of confirmation of the discharge of the insolvent, or of the discharge if obtained direct from the Court, and the costs of winding up the estate, being first submitted at a meeting of creditors, and afterwards taxed by the Judge, shall also be paid therefrom ; and the Superior Court for Lower Canada and the in Upper Canada shall forthwith make a tariff of fees and disbursements, for all proceedings under this Act in the office of any clerk or prothonotary of any Court, or before any Court, or any Judge of any Court.

GENERAL PROVISIONS.

**Rights of unpaid vendor under *Coutume de Paris* restricted.**

13. In all cases of sales of merchandise to a trader in Lower Canada subsequently becoming insolvent ; the exercise of the rights and privileges conferred upon the unpaid vendor, by the 176th and 177th articles of the *Coutume de Paris*, is hereby restricted to a period of fifteen days from the delivery of such merchandise.

**Marriage contracts of traders to be registered within a certain period.**

In Lower Canada, every trader who marries, having previously executed a contract of marriage by which he gives, or promises to give or to pay, or cause to be paid, to his wife, any property or effects, or any sum of money, shall cause such contract of marriage to be enregistered within thirty days from the execution thereof, and every trader already married, having such a marriage contract with his wife, shall enregister the same, if it be not already enregistered, within three months from the passing of this Act ; and every person not a trader, but hereafter becoming a trader, and having such a contract of marriage with his wife, shall cause such contract to be enregistered, (if it be not previously enregistered,) within thirty days from becoming such trader. And

**In default of such registration.**

in default of such registration the wife shall not be permitted to avail herself of its provisions in any claim upon the estate of such insolvent for any advantage conferred upon or promised to her by its terms.

**Judgments in actions *en separation de biens*.**

3. No judgment shall be rendered against any insolvent trader in Lower Canada in any action against him by his wife *en separation de biens*, or *en separation de corps et de biens*, unless the institution of such action is advertised continuously for one month in the *Canada Gazette*, and in two newspapers published in or nearest to the place of residence of such trader, one in French, the other in English : nor unless such action be brought in the district within which the defendant has his domicile : And any creditor of the defendant in any such suit may intervene therein for the purpose of examining such debtor respecting his estate and effects, without becoming liable for any costs either to the plaintiff or to the defendant : and may also intervene therein and oppose the demand of the plaintiff, or subsequently contest the validity of any judgment rendered therein subject to the ordinary rule as to costs.

**Case of insolvent trader entering a co-partnership.**

4. If an insolvent trader enter into an unincorporated trading company or copartnership as a member thereof, or become insolvent while a member of an unincorporated trading company or copartnership, any