

The assignment may be in the words given in the above section, or in words to the like effect, but an assignment confined in terms to personal property only is not within the Act. (Blain V. Peaker, 18 O.R., 109.) And it appears that if the assignment omits any part of the debtor's property in such a way or to such an extent that the intention to reserve a part of his estate is apparent, it will not be within the Act. McLean V. Garland, 13 S. C. R. 336. The more recent authorities are not yet reported.

A safe form of assignment under the Act is as follows :—

“ **This indenture** made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and ninety \_\_\_\_\_ in pursuance of the Revised Statutes of Ontario, 1887, chap. 124, being an act respecting assignments and preferences by insolvent persons.

BETWEEN

\_\_\_\_\_ the Debtor, of the First Part,  
\_\_\_\_\_ the Assignee, of the Second Part,  
And the several Firms, Persons and Corporations who are Creditors of the said Debtor, hereinafter called the Creditors, \_\_\_\_\_ of the Third Part.

**Whereas** the said Debtor has heretofore carried on business at \_\_\_\_\_ as \_\_\_\_\_ and being unable to pay \_\_\_\_\_ Creditors in full has agreed to convey and assign to the said Assignee all \_\_\_\_\_ estate, real and personal, for the purpose of paying and satisfying the claims of \_\_\_\_\_ Creditors rateably and proportionately, and without preference or priority.

**Now this indenture witnesseth**, that in consideration of the premises and of the sum of One Dollar the said Debtor doth hereby grant and assign to the said Assignee, his heirs, executors, administrators and assigns, all \_\_\_\_\_ personal property which may be seized and sold under execution, and all \_\_\_\_\_ real estate credits and effects **TO HAVE AND TO HOLD** the same unto the said Assignee, his heirs, executors, administrators and assigns, respectively, according to the tenure of the same.

**Upon trust** that the said Assignee, his heirs, executors, administrators and assigns, shall sell and convey the real and