fer, delivery or payment, as in Section 2 of this Act is mentioned, has been made, shall have sold or disposed of the property which was the subject of such gift, conveyance, assignment, transfer, delivery or payment, or any part thereof, the moneys or other proceeds realized therefor, may be seized or recovered in any action under the last preceding section as fully and effectually as the property, if still remaining in the possession or control of such person, could lave been seized or recovered.

- 11. No advantage shall be taken or gained by any creditor of any mistake, defect or imperfection in any assignment under this. Act for the general benefit of creditors, if the same can be amended or corrected, and if there be any mistake, defect or imperfection therein, the same shall be amended by any judge-of-the Supreme Court-or-the County Court aforesaid, on an application of any creditor of the assignor, or of any assignee, on such notice-being given to other-parties being concerned as the judge shall think reasonable, and the amendment, when made, shall have relation back to the date of said assignment.
- 12. The assignee shall receive such remuneration as shall be voted to him by the creditors at any meeting called for the purpose, after the first dividend sheet has been prepared, subject to the review of the judge of the County Court for the county in which the assignment is registered, if complained of by the assignment of the creditors.
- (2) In case no remuneration is voted to the assignee by the creditors, the amount shall be fixed by the judge of the County Court aforesaid.
- 13. A notice of assignment made for the general benefit of creditors under this Act shall, as soon as conveniently may be, be published at least twice, in The Röyal Gazette and one newspaper at least, having a general circulation in the county, in which the property assigned is situate.
- (2) A counterpart or copy of every such assignment shall, also, within five days from the execution thereof, be registered (together with an affidavit of a witness thereto of the due-execution of the assignment, of which the copy-filed purports to be a copy), in the office of the clerk of the County Court of the county, where the assignor, if a resident in Nova Scotia, resides at the time of the execution thereof, or, if he is not a resident, then in the office of the clerk of the County Court of the county where the personal proporty so assigned is, or where the principal part thereof (in case the same includes property in more counties than one), is at the time of the execution of the assignment; and such clerk shall file all such instruments presented to him for that purpose, and shall endorse thereon the time of receiving the same in his office, and the same shall be kept there for the inspection of all persons interested therein. The said clerk shall number and enter such assignment, and shall be entitled to receive a fee of fifty conts for filing such instrument and affidavit, and for making all proper endorsements in connection
- 14. If the said notice is not published in the regular number of The Royal Gazette, and of such newspaper as aforesaid, which shall respectively be issued first after five days from the execution of the assignment by the assignor, or if the assignment is not registered as aforesaid within five days from the execution thereof, thousagner shall be liable to a penalty of \$25 for each and every day which shall pass after the issue of the number of the newspaper in which the notice should have appeared until the same shall have been shall pass after the expiration of five days from the execution of the assignment by the assigner, until the same shall have been registered.
- (2) The assignee shall be subject to a like penalty for each and ever in which shall pass after the expiration of five days from the composition of five days after his

assent thereto, the burden of proving the time of such delivery or assent being upon the assignee.

- (3) Such penalties may be recovered summarily before a judge of the Supreme Court or of the County Court of the county in which the assignment ought to be published or registered; one-half of the penalty shall go to the party suing, and the other half for the benefit of the estate of the assignor.
- (4) In case of an assignment to the official assignee, he shall not be liable for any of the penalties imposed in this section, unless he has been paid or tendered the cost of advertising and registering the assignment, nor shall he be compelled to act under the assignment until his costs in that behalf are paid or tendered to him.
- 15. In case the assignment be not registered, and notice thereof published, an application may be made by any one interested in the assignment to a judge of the Supreme Court or of the County Court aforesaid, to compel the publication and registration thereof, and the judge shall make his order in that behalf, with or without costs, or upon payment of costs by such person as he may in his discretion direct to pay the same.
- 16. The omission to publish or register as aforesaid, or any irregularity in the publication or registration, shall not invalidate the assignment.
- 17. It shall be the duty of the assignes immediately to inform himself, by reference to the debtor and his records of account, of the names and residences of the debtor's creditors, and within five days from the date of assignment to convene a meeting of the creditors for the giving of directions with reference to the disposal of the estate, by mailing, prepaid and registered, to every creditor known to him a circular calling a meeting of creditors to be held at a convenient place to be named in the notice, not more than twelve days after the mailing of such notice, and by advertisement in The Royal Gazette; and all other meetings to be held shall be called in like-manner.
- 18. (1) In case of a request in writing, signed by a majority of the creditors having claims duly proved of \$100 and upwards, computed according to the provisions of Section 20 of this Act, it shall be the duty-of the assignee, within two days after receiving such request, to call a meeting of the creditors at a time not later than twelve days after the assignee receives the request. In case of details the assignee shall be liable to a penalty of \$25 for every day after the expiration of the time limited for the calling of the meeting until the meeting is called, such penalty to be recovered summarily as prescribed in sub-section 3 of Section 14 of this Act.
- (2) In case a sufficient number of creditors do not attend the meeting mentioned in Section 17 of this Act, or fail to give directions with reference to the disposal of the estate, the judge of the County Court aforesaid may give all necessary directions in that behalf.
- 19. At any meeting of creditors any creditor may vote in person, or by proxy authorized in writing, but no creditor whose vote is disputed shall be entitled to vote until he has filed with the assignee an affidavit in proof of his claim, stating the nature and amount thereof.
- 20. (1) Subject to the provisions of Section 8 of this Act, all questions discussed at meetings of creditors shall be decided by the majority of votes, and for such purpose the votes of creditors shall be calculated as follows:

- (2) No person shall be entitled to vote on a claim acquired after the assignment unless the entire claim is acquired, but this shall not apply to persons acquiring notes, bills or other securities upon which they are liable.
  - (3) In case of a tie, the assignee, or, if there are two assignees,