

In case insolvent has not disclosed all his creditors.

12. If it appears to the assignee, on the examination of the books of the Insolvent or otherwise, that the Insolvent has ordinary, hypothecary or privileged creditors, who have not filed claims before such assignee, it shall be his duty to reserve dividends for such creditors according to the nature of the claims, and to notify them of such reserve; which notification may be by letter through the post, addressed to such creditors' residences as nearly as the same can be ascertained by the assignee.—And if such creditors do not file their claims and apply for such dividends previous to the declaration of the last dividend of the estate, the dividends reserved for them shall form part of such last dividend. 5

In case of objections to or disputes concerning dividends.

13. If any dividend be objected to, within the said period of six days, and any dispute arises between the creditors of the Insolvent or between him and any creditor, as to the correct amount of the claim of any creditor, or as to the ranking or privilege of the claim of any creditor upon such dividend sheet; the assignee shall obtain from the creditor whose claim or ranking is disputed, his statements and vouchers in support thereof, and from the Insolvent or opposing creditor, a statement showing his pretensions as to the amount thereof, and shall hear and examine the parties and their witnesses under oath; which oath the assignee is hereby empowered to administer; and shall take clear notes in writing of the parole evidence adduced before him, and shall examine and verify the statements submitted to him, by the books and accounts of the Insolvent and by such evidence, vouchers and statements as may be furnished to him; and shall make an award in the premises, and as to the costs of such contestation, which award shall be deposited in the Court and shall be final, unless appealed from within three days from the date of its communication to the parties to the dispute. 15 20

Award of assignee as to costs.

14. The award of the assignee as to costs, may be made executory by execution in the same manner as an ordinary judgment of the Court, by an order of the Judge upon the application of the party to whom costs are awarded, made after notice to the opposite party. 30

Costs of contestation.

15. The creditors may, by resolution, authorize and direct the costs of the contestation of any claim or any dividend to be paid out of the estate; and may make such order either before or pending any such contestation. 35

Pending appeal.

16. Pending any appeal, the assignee shall reserve a dividend equal to the amount of dividend claimed.

Unclaimed dividends,—how dealt with.

17. All dividends remaining unclaimed at the time of the discharge of the assignee shall be left in the bank where they are deposited for three years, and if still unclaimed, shall then be paid over by such bank with the interest accrued thereon, to the Provincial Government; and if afterwards duly claimed shall be paid over to the persons entitled thereto, with interest at the rate of three per centum per annum from the time of the reception thereof by the Government. 45

Balance of estate after payment of debts

18. If any balance remains of the estate of the Insolvent, or of the proceeds thereof, after the payment in full of all debts due by the Insolvent, such balance shall be paid over to the Insolvent upon his petition to that effect, duly notified to the creditors by advertisement, and granted by the Judge. 50

OF LEASES.

Assignee to report on value of income rents leasehold property

7. If the Insolvent holds under a lease, property having a value above and beyond the amount of rent payable under such lease, the Assignee shall make a report thereon to the Judge, containing his estimate of the value to the estate of the leased property in excess of the rent; and thereupon the Judge may order the rights of the Insolvent 55