

to the Judge praying that no further proceedings under this Act may be taken upon such demand: And, after hearing the parties and such evidence as may be adduced before him, the Judge may grant the prayer of his petition and thereafter such demand shall have no force or effect whatever; and such petition may be granted with or without costs against either party. But if it appears to the Judge that such demand has been made without reasonable grounds, and merely as a means of enforcing payment under color of proceeding under this Act, he may condemn the creditor to pay treble costs.

If trader fails to comply with such demand, his estate to be subject to compulsory liquidation.

4. If such Petition be rejected; or if no such Petition be presented within the aforesaid time, and the Insolvent during the same time neglects to call a meeting of his creditors as provided by the second section of this Act; or if he does not complete such assignment within three days after such meeting; or if there be an adjournment thereof within three days after such adjournment; or if having given notice of a meeting of creditors, as required by the second section of this Act, he neglects to proceed further thereunder, his estate shall become subject to compulsory liquidation.

But proceedings for compulsory liquidation must be taken within a certain period.

5. But no act or omission shall justify any proceeding to place the estate of an insolvent in compulsory liquidation, unless proceedings are taken under this Act in respect of the same, within three months next after the act or omission relied upon as subjecting such estate thereto; nor after a voluntary assignment has been made, or an assignee appointed under this Act.

Proceedings in L. C. to obtain the issue of a writ of attachment.

6. In Lower Canada an affidavit may be made by a creditor for a sum not less than \$200, or by the clerk or other duly authorized agent of such creditor, setting forth the particulars of his debt, the insolvency of the person indebted to him, and any fact or facts which, under this Act, subject the estate of such debtor to compulsory liquidation, (Form F,) and upon such affidavit being filed with the Prothonotary of the District within which the insolvent has his place of business, a writ of attachment (Form G,) shall issue against the estate and effects of the insolvent addressed to the Sheriff of the District in which such writ issues, requiring such Sheriff to seize and attach the estate and effects of the insolvent, and to summon him to appear before the Court to answer the premises within such time as is usual therein for the return of ordinary writs of summons; and such writ shall be accompanied by a declaration setting forth such facts and circumstances as are necessary to be proved to sustain the issue thereof; and shall be subject as nearly as can be to the rules of procedure of the Court in ordinary suits, as to its issue, service, return and subsequent proceedings.

Proceedings in U. C. to obtain such writ.

7. In Upper Canada, in case any creditor by affidavit of himself or any other individual, (Form F,) shows to the satisfaction of the Judge that he is a creditor of the insolvent for a sum of not less than two hundred dollars, and also shows by affidavit such facts and circumstances as satisfy such Judge that the debtor is insolvent within the meaning of this Act, and that his estate has become subject to compulsory liquidation, such Judge may order the issue of a writ of attachment (Form G,) against the estate and effects of the insolvent, addressed to the Sheriff of the County in which such writ issues, requiring such Sheriff to seize and attach the estate and effects of the insolvent and to summon him to appear before the Court to answer the premises within such time as is usual therein for the return of ordinary writs of summons; and such writ shall be accompanied by a declaration setting forth such facts and circumstances as are necessary to be proved to maintain the issue thereof, and shall be subject as nearly as can be to the rules of procedure of the Court in ordinary suits as to its issue, return, and subsequent proceedings.