

tors 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 High Court or of the County Court aforesaid, on application of any creditor of the assignor, or of the assignee, on such notice being given to other parties concerned as the Judge shall think reasonable, and the amendments, when made, shall have relation back to the date of the assignment.

That the assignment only extends to personal property is not such a mistake as can be corrected under above section. See *Blain V. Peaker*, 18 O.R., 109. See *McLean V. Garland* as to omission of creditors' names.

An Assignment under this Act is not rendered voidable by reason of non-filing with Clerk of County Court See section 15, which is as follows :—

“Sec. 15. The omission to publish or register as aforesaid, or any irregularity in the publication or registration, shall not invalidate the assignment.”

See also section 12, which takes it out of Act respecting mortgages and sales of personal property, but the filing of the assignment and publication of the notice is enforced by penalty. See Chapter as to assignee's duties.

CHAPTER 2.

DUTIES OF ASSIGNEE, ETC.

An assignment, as we have already seen in the preceding chapter, may be made to a Sheriff of the County in which the debtor resides, or to a private individual, with the requisite consent of creditors, but Sec. 3, S.S. 6 limits the right to act as assignee as follows :—

Sec. 3, S.S.6 No person other than a permanent and bona fide resident of this Province, shall have power to act as assignee under an assignment within the provisions of this Act, nor shall any such assignee have power to appoint a deputy, or to delegate his duties as assignee to any person who is not a permanent and bona fide resident of this Province ; and no charge shall be made or