

in the *Canada Gazette* also in Lower Canada in every issue during two weeks of one newspaper in English and one in French, and in Upper Canada, in one newspaper in English published at or nearest to the place where the proceedings are being carried on, if such newspapers are published within ten miles of such place; and in any case the assignee or person giving such notice shall also address notices thereof to all creditors and to all representatives of foreign creditors, within the Province, and shall mail the same with the postage thereon paid, at the time of the insertion of the first advertisement.

2. The questions discussed at meetings of creditors shall be decided by the majority in number and value present or represented at such meeting, unless herein otherwise specially provided. But if the majority in number do not agree with the majority in value, the meeting may be adjourned for a period of not less than fifteen days, of which adjournment notice by advertisement shall be given; and if the adjourned meeting has the same result, the views of each section of the creditors shall be embodied in resolutions, and such resolutions shall be referred to the Judge, who shall decide between them.

3. The claims of creditors shall be furnished to the assignee in writing and shall specify what security if any, the creditor holds for the payment of his claim; and if none, then it shall also be so therein stated.

4. The claims shall be attested under oath, taken in Canada before any Judge, Commissioner for taking Affidavits, or Justice of the Peace; and out of Canada, before any Judge of a Court of Record, any Commissioner for taking affidavits appointed by any Canadian Court, the Chief Municipal Officer of any Town or City, or any British Consul or Vice-Consul.

5. If, in Lower Canada, any claim be secured by *hypothèque* upon the real estate of the Insolvent, or if it consist of any *hypothèque* or *privilege* upon such real estate or any part thereof, the nature of such *hypothèque* or *privilege* shall be summarily specified in such claim: But unless such claim be filed with the assignee, with the deeds and documents in support thereof within three days from the day of sale of the property affected thereby, or if not, unless leave to file the same be afterwards obtained from the Judge upon special cause shewn, previous to the distribution of the proceeds of such real estate, such claim shall not be entitled to any preferential collocation upon the proceeds of such real estate.

6. Any affidavit required under this Act may be made by the party interested, or by his agent in that behalf having a personal knowledge of the matters therein stated.

6. One clear day's notice of any petition, motion or rule shall be sufficient, if the party notified resides within 15 miles of the place where the proceeding is to be taken, and one extra day shall be sufficient allowance for each additional 15 miles of distance between the place of service and the place of proceeding.

7. The Judge shall have the same power and authority in respect of the issuing and dealing with Commissions for the examination of witnesses, as are possessed by the ordinary Courts of Record in the portion of the Province in which the proceedings are being carried on.

8. All rules orders and warrants, issued by any Judge or Court in any matter or proceeding under this Act, may be validly served in any part of this Province upon the party affected or to be affected thereby; and the service of them or of any of them may be validly made by any sheriff, bailiff, constable or other peace officer. And the certificate of any such officer under his oath of office, or his affidavit before any Judge, or Commissioner for taking affidavits, shall be *prima facie* evidence of his doings in respect of such service.

9. The 4th, 5th, 7th, 8th, 9th, 10th, 11th and 13th clauses of cap. 79 of the Consolidated Statutes of Canada shall apply to proceedings under this Act; and the whole of cap. 80 of the said Consolidated Statutes shall also apply to proceedings under this Act in the same manner and

Decision of questions.

Claims of creditors.

How to be attested.

Claims secured by *hypothèque* or *privilege*.

Who may make affidavits under this Act.

Notices of proceedings.

Commissions for examination of witnesses.

Rules, &c. may be served in any part of the Province.

Certain ss. of caps. 79 and 80, Con. Stat.