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No. 172.

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2nd Session, 6th Parliament, 22 Victoria, 1859.

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## BILL.

An Act for the Regulation of Insolvency  
and the management and realization of  
Estates under Deeds of Assignment.

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Received and read, first time, Friday, 18th  
March, 1859.

Second reading, Wednesday, 23rd March, 1859.

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Mr. JOHN CAMERON.

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TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

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An Act for the regulation of Insolvency and the management and realization of Estates under Deeds of Assignment.

**W**HEREAS it is expedient for the welfare of trade and commerce, Preamble,  
 owing to the expiration of the Act formerly in force in this Province, intituled, "*An Act concerning Bankrupts and the administration of their effects,*" that an Act should be passed in this present 7 Vic. cap. to.  
 session of Parliament for the regulation and management of Insolvent Estates under the present system of deeds of assignment, and for the more equitable division of such estates among all creditors entitled to participate therein, as well as for effecting the supervision of assigned estates in such manner that reliable returns may be obtained thereof for registration and preservation; Therefore Her Majesty, &c, enacts as follows :

I. From and after the passing of this Act, all assignments of real or personal estate, goods, chattels, or other effects or assets, or of credits or evidences of debt, for the benefit of creditors, shall have appended thereto a statement by the assignor of the names and residences of all creditors entitled to claim thereon, and the several amounts for which they may so claim so far as known to the assignor, and declaring the total amount of his indebtedness so far as to him known, and distinguishing debts due within from those due without the Province; also the total value of the estate so assigned so far as the assignor is able to estimate or judge thereof, with a duplicate form of such statement in the form of schedule A to this Act annexed; and failing such statement being appended to each assignment, the same shall not be registered by the Clerk of any County or District, or be a valid deed to the effect for which it is made or granted.

Statement as to debtors and amounts of their claims to be annexed to assignments of property.  
 Also total value of estate assigned.

II. No clause in any deed of assignment shall be valid, which in any wise grants by the assignor any preference to any one or more creditors over others, nor shall any assignee or assignees give effect to any such clause if contained therein, under penalty of personally refunding the amount of any such preference to the estate, on the suit of any creditor entitled to claim under the assignment, who shall also be entitled to recover from the assignee personally his costs in any such suit; Provided always, that rents, wages and salaries, for six months previous to the making of an assignment, as well as any moneys held in trust, or for charitable or religious purposes, shall be payable in full out of the assets of any assigned estate.

Preferential assignments to be void.

III. Creditors shall assert their interest in an Insolvent Estate by lodging with the assignee a statement of the particulars and grounds How creditors shall assert

their interest  
on insolvent  
estates.

of debt, properly verified by declaration before a magistrate, and such creditors only as have so lodged their claims on their constituted attorneys, shall be entitled to act or vote at any meeting of creditors, or to participate in any dividend made from the estate, and creditors shall only participate in such dividends as are made subsequent to the lodging of their claims: The assignee shall, until the meeting of creditors, act only as conservator of the estate, realising only such articles as are of a perishable nature, and depositing all moneys received in one of the chartered Banks. 5

Calling of first  
meeting of  
creditors, to  
receive state-  
ment of  
assignee.

IV. On the expiration of thirty days from the date of the registration of any assignment, the assignee shall, by advertisement and by circulars forwarded through the post to each creditor within the Province, call a general meeting of the creditors on a day not later than ten days from the expiry of the thirty days aforesaid, to receive from him a statement of the position and prospects of the estate; the meeting having considered the same, shall, through such creditors as are entitled to vote, confirm the assignee in his appointment, or if any objections are offered thereto, shall take them into consideration, and may, by a majority in number, and three-fourths in value, appoint another assignee, to whom the removed assignee shall be bound to hand over the estate. 10 15 20

Three of the  
creditors to be  
appointed  
Commissioners.  
Their duties.

V. At such meeting, if a composition contract is not proposed, or if proposed is not entertained, the creditors present, entitled to vote, shall nominate and appoint three of their number as Commissioners to consult and advise with the assignee on all matters connected with the management and realization of the estate and the division of the proceeds thereof among the creditors, and shall name one of the chartered Banks in which the assignee shall deposit all moneys so soon as they are received, which shall not thereafter be withdrawn except upon a cheque signed by him and by two out of the three Commissioners. 25 30

Composition  
may be offered  
by assignor.

VI. At the said meeting or at any subsequent meeting called for the purpose, by the assignor, with concurrence of the assignee, by advertisement and circular, it shall be competent to the assignor to make offer of a specific composition or dividend on the amount of his several debts, with or without security for the regular payment of the same as he may see fit, with the view of thereby superseding the assignment and resuming possession of his estate, and, on such offer being accepted by a majority in number, and three-fourths in value, (with the exception hereinafter provided,) of the creditors or attorneys duly authorized to act for absent creditors, such deed of arrangement, being registered in the office of the accountant in Bankruptcy hereinafter appointed, who, on being satisfied of the authenticity thereof, shall grant certificate of registration accordingly, the said arrangement shall be as binding on all the creditors as if they had all acceded thereto. 35 40

Proceedings  
upon acceptance  
thereof  
by the  
creditors.

Re-assign-  
ment by  
assignee,  
upon such  
acceptance.  
Creditors to  
receive securi-  
ty for amounts  
of their com-  
positions, &c.,

VII. The assignee shall in such case, on receiving from the assignor such remuneration for his trouble as the creditors may determine, re-assign the estate or such portion thereof as may be arranged, to the assignor, conjointly with his security or securities, if so required, narrating in the deed the causes for which such re-assignment is made, such deed to be registered as a re-assignment in usual form; and the creditors on receiving such security as may be agreed on, for their several com- 45 50

positions or instalments thereof, payable or recoverable at such dates as the said deed of arrangement or re-assignment bears, shall grant and acknowledge the same as a full and free discharge of the debt for amount of which they claim on the estate.

5 VIII. Provided always, that if the offer of composition so made is entertained or accepted by the requisite number and amount of creditors, and the assignor be entitled to receive a discharge in virtue thereof, he shall subscribe a declaration, or if required, by any creditor, an  
10 oath before any party qualified to receive or administer such, that he made a full and fair surrender of his estate, and has not granted or promised any preference or security, nor made or promised any payment, nor entered into any secret or collusive agreement or transaction, to obtain the concurrence of any creditor to such composition, and the  
15 reinvestment of estate following thereupon and discharge under such composition: If the creditors at the said meeting or at any subsequent meeting, on consideration of the position and prospects of the estate, the character and conduct of the Insolvent, and the nature of the security offered, decline to accept a composition, and prefer to realise and wind up the estate for their own benefit, through the assignee and  
20 appointed Commissioners, it shall be competent on special motion, made and carried by the said majority of three-fourths in value, to find that the Insolvent is under the assignment also entitled to his discharge, and such motion so carried shall bind all creditors to come into the assignment and grant discharge accordingly, but failing the carrying  
25 of such motion by the requisite majority of creditors present and entitled to vote, then coming into the assignment shall only bind those creditors who voluntarily accede thereto.

Declaration to be subscribed on oath by assignor, upon receiving such discharge.

IX. All preferences, gratuities, securities, payment or other considerations granted, made or promised, and all secret or collusive agreements  
30 or transactions for concurring in, facilitating or obtaining a reinvestment of estate to the assignor and his discharge under composition whether the offer be accepted or not, or the discharge granted or not, shall be null and void, and any one or more of the creditors may apply by petition to a Judge to have such discharge annulled accordingly; and  
35 if any creditor be found to have obtained any such preference, the assignee or any creditor may apply by petition to the court, praying that such creditor may be found to have forfeited his dividend from the estate, and may be ordered to pay into court, for the benefit of the estate, double the amount of such preference, gratuity, security, pay-  
40 ment, or other consideration, the accountant in Bankruptcy being notified of any such proceedings at the time of the same being taken, and watching the same in the interests of commerce and fair mercantile dealing.

Preferences gratuities, &c., to be null and void, discharge procured thereby may be annulled.

X. In subsequent actions at law for the recovery of debt, against  
45 any debtor who has made an assignment and full and fair surrender of his estate for the benefit of all his creditors, which debt was contracted and subsisting previous to such an assignment, it shall be competent for such debtor to plead his having so made an assignment, in bar of judgment, and to adduce evidence of such assignment; and the  
50 dividend to be made or likely to be realised to his creditors therein.

Assignment may be pleaded in actions at law, and evidence thereof and of the probable dividend, adduced.

XI. Should any doubt be had as to the *bona fides* of any claim upon

Bona fides of claim, how established.

an estate, the claimant, may be required by the assignee or any co-creditor, to make oath to the verity thereof before a magistrate, before whom he may also be examined on oath touching such claim, or any matter relating thereto.

Assignor may be examined as to his assignment being a full and fair surrender of his estate.

XII. In like manner any assignor may be examined on oath touching his assignment and the same being a full and fair surrender of all his estate for the benefit of his creditors, or touching any preference he may have made, or transference of any property within sixty days of the making of such assignment, or the payment or transference of any money otherwise than in the discharge of a *bond fide* debt or of a lien; and where any collusive malversation is discovered, the assignee shall be entitled to sue for its amount in like manner as for any debt due to the estate, or for double the amount of any preference as hereinbefore provided.

Questions at meetings to be determined by a majority in value of creditors present &c.,

XIII. All questions at any meeting of creditors shall be determined by the majority in value of those present and entitled to vote, unless in cases herein otherwise provided for; and when, for the purpose of voting, the creditors are required to be counted in number, no creditor whose debt is under *one hundred dollars*, shall be reckoned in number, but his debt shall be computed in value unless the total liability of the estate be under *five thousand dollars*.

Effect of general assignments, as regards Bills of sale, chattel mortgages, &c.

XIV. No bill of sale, chattel mortgage, or other instrument whereby an exclusive right of property is created or attempted to be created, in goods, chattels or other effects of which the grantor still retains possession, and no confession of judgment of execution following thereon, except for rent, shall be effectual for the benefit of any creditor or creditors over a general body of creditors, but all such instruments or proceedings may and shall be superseded by an assignment for the general benefit of creditors within sixty days of the date, registration or execution of such.

Creditors in certain cases may compel a debtor to make an assignment.

XV. It shall be competent to any creditor or creditors whose claim or united claims amount to *five hundred dollars*, to challenge any such deeds or proceedings, by which any creditor may appear to obtain a preference, and to summon the debtor forthwith to show cause why he should not make an assignment of his whole estate for the benefit of all his creditors, and also to summon the holder of any such deed or the taker of any such proceedings before a judge, to show cause why he should thereby obtain an undue advantage over his co-creditors; and the judge, on hearing parties for their several interests, or on the failure to appear of the debtor, or execution or judgment creditor so summoned, may order such assignment to be forthwith made, to date from the day of such order, and decree that a refusal to make the same shall be an act of fraud or a misdemeanor on the part of such debtor, and punishable as such; or in case the debtor may not have been summoned as law directs, on account of his absconding or keeping out of the way, the Judge may stop all proceedings, to the effect of preserving the estate for the benefit of the entire body of creditors, or do otherwise in the premises, as the justice of the case may require; Provided always, that all the creditors, Sheriffs or others who have incurred costs in taking any such proceedings, shall have such costs as taxes reimbursed out of the proceeds of the estate.

Judge may decree refusal so to do to be an act of fraud &c.,

Proviso.

XVI. The Judges before whom any such cases may be brought, shall be the Judges of the Court of Queen's Bench and Common Pleas, or the Judge of any County Court in Upper Canada, or of the Superior Court in Lower Canada, and they shall be entitled to hear and dispose of the same summarily at their chambers, whether their respective Courts be in session or not.

Judges who may decide such cases.

XVII. And whereas it has been the practice in this Province for persons on commencing business, or on obtaining large amounts of credit, from individual merchants or firms, to enable them to continue in business, to give security for credit by Bills of Sale, Chattel Mortgages or Confessions of Judgment for such amounts as would cover their whole effects or stock of goods, present or prospective, which instruments by reason of their being dated or registered antecedent to sixty days of the subsequent making of an assignment would still be effectual to the operating a preference out of the estate by the holder of such security, and to the prejudice of such creditors as may in ignorance thereof have subsequently given credit to the maker of such preferential security,—Be it enacted, that any person or trader who, having given such security, or made any alienation of right of property as aforesaid, shall subsequently seek to obtain credit from any person or firm, other than the holder of such security for a greater amount than one hundred dollars, without informing such person or firm from whom he seeks credit, of the existence of such security, or referring to the holder thereof, who may become security for such credit, shall be guilty of fraud, and punishable as the law directs, for obtaining goods under false pretences.

Recital.

Concealing from subsequent creditors the having given preferential security to be a fraud and punishable as such;

XVIII. If any Trader having purchased goods and given Notes or Bills for the same, shall be discovered to be improperly alienating such goods, or disposing of the same by auction or otherwise below their value, for the purpose of defeating or defrauding his creditor, it shall be competent to such creditor, notwithstanding that the notes given for such goods may not then be due or at maturity, to make representation by affidavit of such attempted or intended fraudulent disposal of such goods to the Judge having jurisdiction within the district in which the place of business of such Trader is situated, who shall direct enquiry into the facts of the case, and if he sees fit, may summon the trader before him to be dealt with as in the fifteenth section, in which case the Assignee appointed, shall be approved of by the applying creditor or creditors, and he shall take such measures for the preservation of the estate for the benefit of all the creditors of such trader, as to him may seem proper.

Inproper or fraudulent alienation of goods paid for by notes, to be dealt with by a Judge.

XIX. And whereas it is expedient that all Insolvent estates in process or to be in process of winding up under assignment, should be brought under the supervision of a proper officer, alike for the benefit of all interests therein, as for the acquisition of a statistical knowledge of Bankruptcy, therefore it shall be lawful for His Excellency the Governor, by and with the advice of the Executive Council, to nominate and appoint such an officer, who shall be styled the Accountant in Bankruptcy, and be a person versant in mercantile usance and accounts, for the performance of the duties hereinbefore and hereinafter provided, and the said Accountant shall not directly or indirectly, by himself or any partner, practise before any superior or inferior court of this Province, and shall not directly or indirectly have any management of or intromission with, any money of any insolvent or assigned estate.

Appointment of Accountant in Bankruptcy his qualifications, &c.,

Duties of the Accountant with respect to assignee and commissioners under assignments.

XX. The Accountant shall take cognizance of the conduct of all assignees or Commissioners under assignments registered after the passing of this Act, or which shall be still unclosed, by full division of the funds among the creditors, and all assignors, assignees and Commissioners, shall be bound, and are hereby required to answer all pertinent enquiries made by the Accountant, regarding any assignment with which they are connected; failing which they may be summoned before a judge as aforesaid, to show cause why they refuse or delay so to do.

Powers of Accountant in case of complaint against assignees, &c., or in case of fraudulent conduct on their part or on the part of assignor.

XXI. The Accountant shall have power, on a requisition presented to him by any three or more creditors on an assigned estate, stating that they have reason to complain of the assignee or Commissioners as to the management of the estate, or of undue delay in the division of the realized funds thereof, to call by himself or through the assignee, a general meeting of the creditors, and to require from the assignee, such explanation and the exhibition of such books, vouchers or other documents as he may think necessary, and if such explanation should not be satisfactory to the creditors, the assignee or Commissioners may be deprived of their offices and others appointed, and if the Accountant shall possess information that shall lead him on reasonable grounds to suspect fraudulent conduct on the part of any assignor, or malversation or misconduct on the part of any assignee or Commissioner, such as may infer punishment, he shall be entitled to give information to Her Majesty's Attorney General, who shall direct such enquiry and take such proceedings as he may think proper; and generally in any matter which the Accountant may deem necessary in the due discharge of his office to bring before a Judge, it shall be competent for the Judge to deal summarily with the matter, as accords with law.

In case of assignee becoming insolvent, and assigning his own estate.

XXII. Should any assignee in charge of an assigned estate, himself become insolvent, or make assignment of his own estate for the benefit of his creditors, the Accountant shall call a meeting of the Commissioners on the first estate, or if no Commissioners have been appointed, then of the general body of creditors, who shall determine what shall be done under the circumstances for the preservation of such estate, and may appoint another assignee, and elect Commissioners who shall take such steps as may be necessary for obtaining possession of the estate, so as the same may be kept separate and distinct from that of the assignee who has himself so become insolvent; and such assignee or the assignee of his estate, shall be bound to hand over the estate to such appointed party on the order of the Accountant, who shall keep a record of such proceedings: On the closing of an assigned estate by payment of a final dividend, the assignee shall, on the expiry of sixty days from the payment of such final dividend, make intimation to the Accountant that the estate is finally wound up, and if there be any dividends unclaimed, he shall pay the same over to the Accountant, who shall grant receipt therefor, and lodge the same in a chartered Bank, in an account, to be opened under the head of Unclaimed Dividend Account, recording in a register the name of parties supposed to be entitled to such dividend, who may afterwards or their representatives or assignees, claim payment of such dividend on adduction of proof of their being entitled thereto.



XXIII. The Accountant may in the interest of creditors out of the Province who may see fit to correspond with him thereon, make inquiry into the particulars of any assigned estate, and make such report thereon as he may see fit, but he shall not act on any instructions either to initiate or superintend any law proceedings whatsoever in the interest of any such creditors, nor shall he represent them to the extent of voting at any meeting as an attorney, though he may, on special instructions, give in any absent creditor's adhesion to an assignment or consent to a composition, see that the claim is properly ranked, and keep custody of any vouchers of debt transmitted to him.

Powers of Accountant in relation to creditors out of the Province.

XXIV. In case any party or firm who may be unable to meet their engagements, but whose principal creditors are resident out of the Province, should consider it for their advantage in corresponding with such creditors to have a previous investigation of their affairs made by the Accountant in Bankruptcy, they may present a requisition in writing to him to that effect, and he shall examine into and make such report of the state of affairs of such applicant as to him shall seem meet.

Previous investigations may be made by Accountant in certain cases.

XXV. And whereas it is expedient that statistical returns should be had and information compiled of all assignments made after the passing of this Act, the clerk or registrar for the county or district in which any assignment shall be registered, shall within five days of such registration, transmit to the Accountant the duplicate extract of such assignment, according to the Schedule A to this Act annexed, containing the date and the date of registration thereof, the names, designations, and addresses of the assignor and assignee, the approximate value of the assets as stated by the assignor, the number and gross amount of the claims liable to be made thereon, distinguishing the claims of Canadian and of absent creditors, and what number and amount, if any, of such claims, are deemed by the assignor to be entitled to preference, all which information is hereinbefore provided to be appended to the assignment previous to the due registration thereof.

Recital.

Return in relation to submitting assignments to be made by Clerk of County.

XXVI. In like manner every assignee shall, within five days after the meeting of creditors provided to be held on the expiry of thirty days from the date or registration of assignment, transmit to the Accountant an abbeviat of his estimate of the probable assets of the estate as laid by him before the meeting, the number and gross amount of the claims of creditors who have actually come into the assignment, the number of creditors present, the names and designations of the commissioners elected by the meeting, and the name of the bank in which the monies belonging to the estate are to be deposited, and whether any proposal for a composition was made and what; and failing the assignee making such return to the Accountant in the terms hereof, he may be summoned before a judge as aforesaid, and mulcted for the benefit of the estate, in the whole or some portion of the commission he may have to receive as assignee, and be found liable in the costs of such proceeding, to the Accountant.

Statement of assets and liabilities of estate assigned to Accountant, within thirty five days after assignment.

XXVII. Each and every assignee shall, within ten days after the 1st day of June in each year, deliver, free of expense, to the Clerk of the Crown for the County or District in which the estate in which he is assignee is situate, a return in the form of Schedule A to this Act annexed,

Return to be made by assignee to Clerk of Crown for the County, &c.,

Return by  
Clerk to Ac-  
countant.

of the state of every assignment in which he is assignee, which shall be then subsisting unclosed, or shall have been finally closed and wound up by a division of the funds or by composition and reinvestment within the year preceding; and the clerk shall within five days thereafter transmit to the Accountant, in the form of the said Schedule, a return of all the assignments depending in his county or district, or closed within the year preceding, as returned by the assignees, and the Accountant shall cause such returns so made to be regularly bound up and preserved in a volume according to the alphabetical order of places, to be kept at all times in his office, with an index thereto framed by him, and which volume shall be patent to all concerned; and any assignee who shall fail to make such return to the clerk aforesaid, shall be removable from his office at the instance of any one creditor, or the Accountant, or subject to such censure as the judge may think suitable and be found liable in costs.

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Annual report  
to parliament  
to be present-  
ed by Ac-  
countant.

XXVIII. The Accountant shall superintend such annual reports from assignees and County Clerks, and frame an annual report therefrom, to be presented to Parliament, showing the number, amounts and other particulars of all depending assignments.

Proceedings to  
be observed  
upon a divi-  
dend being de-  
clared pay-  
able.

XXIX. When a dividend is declared payable by an assignee in any assigned estate, he shall intimate the same by circular, through the Post Office, to each creditor or attorney of a creditor entitled to receive the same, which circular shall also state that the accounts of his intrusions with the estate, up to the period of declaring the dividend, have been audited by the Commissioners and approved of by them; and he shall transmit to the Accountant a copy of such circular, having appended thereto a statement of the amount of realized funds out of which the dividend is made, the estimated balance outstanding unrealized, the amount of law and miscellaneous expenses incurred, and the amount of his commission.

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Accountant to  
have free ac-  
cess to records  
of Courts, &c.

XXX. For the better performance of his duties, the Accountant shall at all times during business hours, either by himself or a deputy authorized by him in writing, have free access to all records and registers of Courts, with liberty, as he may see fit, to take full excerpts therefrom, and he shall also be entitled to ascertain the amount or balance of any funds at any time lying at the credit of any assigned estate in any Bank, or branch of a Bank, in which the same are deposited, as appointed by the meeting of creditors.

How soon and  
subject to  
what condi-  
tions divi-  
dends may be  
declared.

XXXI. Every assignee shall be bound, so soon as the funds realized from any assigned estate shall be sufficient to pay a dividend to the creditors of ten cents on every dollar of claims duly ranked and admitted, to call a meeting of the commissioners, and submit to their inspection his accounts with the estate; and unless the said Commissioners shall see any special circumstances which may make it expedient to postpone the payment of a dividend (in which case they shall make a minute thereof, and transmit the same to the Accountant for registration,) a dividend shall be declared payable on a certain day, of which notice shall be given by advertisement, and by circulars to each creditor or attorney of a creditor duly authorized to receive such dividend and give receipt therefor; Provided always, that in order to allow creditors sufficient time to come into an assignment and lodge claims, no dividend

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shall be paid until the expiry of three months from the date of any assignment.

XXXII. For remuneration of the Accountants in Bankruptcy and their clerks, and to provide for the general expenses of the office, inclusive of printed forms of returns and other documents, which the said Accountant may find necessary, with the approval of her Majesty's Attorney and Solicitor General for the time being, for the proper carrying out of this Act, there shall be paid out of each assigned estate *two and a half cents* for every dollar of dividend paid to the creditors thereon, such payment to be made by the assignee at the date of payment of each and every dividend declared payable, and no other fees or charges shall be exigible by the Accountants, except a charge of \_\_\_\_\_ dollars for every report sought by a trader or firm, under the \_\_\_\_\_ section of this Act, and a reasonable charge for correspondence or reports to creditors out of the Province; Provided always, that the Accountants shall be entitled to recover any cost incurred in any proceedings arising out of a failure of any party to comply with the provisions of this Act.

Per centage upon dividends to be set apart for payment of expenses under this Act.

Proviso.

XXXIII. All advertisements relating to assigned estates shall first be published in the Canada Gazette, and copied therefrom into such newspapers as may be necessary to give them due publicity.

Advertisements.

XXXIV. The Accountants shall draw, from the Assignees and others, such sums as shall be exigible by the previous sections, and account for the same to the Receiver General of the Province, receiving from him, from time to time, warrants for their own salaries and those of their clerks, as fixed, in usual form, and the other expenses of the office, and vouchers relative thereto shall be periodically submitted to the Board of Audit. The accounts shall be brought to a balance annually, on the 31st day of December, and any balance on hand accounted for to the Receiver General.

Moneys accruing to Accountants under this Act to be paid in to Receiver General.

SCHEDULE A.

RETURN to be made to Accountant by each Clerk of \_\_\_\_\_, within  
 five days of the Registration of an Assignment.

Date of Assignment and Registration	_____ day , . Registered _____ 18		
Name, residence, and designation of Assignor.....			
Name, residence, and designation of Assignee or Assignees.....			
Number and amount of creditors } entitled to claim on the estate. }	Within the Province	No.	Amount
	Without the Province		\$
	Total .....	.....	\$
Approximate value of the assets of the estate as stated by Assignor. ....			\$

Signature of Assignor, \_\_\_\_\_

Signature of Assignee, \_\_\_\_\_

I hereby certify that I have compared the above with the copy appended to the assignment, and that it is a correct copy of such particulars.

Signed, \_\_\_\_\_

Clerk of

To the Accountant in Bankruptcy.