

be served as other writs out of Court, and concurrent writs need not be served previously on the debtor unless he have his domicile in the county or district. It is returnable immediately after execution, notice of issue being given by assignee. Property, books, and papers of the insolvent are to be attached by the official assignee, who returns the writ with affidavit of his proceedings under it. Official assignee has power forcibly to enter the premises of the insolvent. After demand assignment may be made to the official assignee, but assignment may be set aside, after notice, for insolvency, by the Judge on summary petition of a creditor. After assignment or issue of writ of attachment the property of the insolvent is vested in the official assignee; conservatory proceedings may be instituted by him; but property exempt from seizure or held in trust is not so vested. Within a day fixed the insolvent is to furnish a statement of his liabilities and assets, with full particulars, stating causes of insolvency. He may afterwards correct it. On certain grounds specified the insolvent may petition the Judge to set aside the attachment, hearing is to be summary, and judgment subject to appeal. Deed of assignment or writ of attachment is to be registered. In the Province of Quebec real estate to be specified. The first meeting of the creditors of the insolvent is to be called as soon as assignment is made, or contestation of attachment disposed of; three weeks' notice to be given; if such meeting in official Gazette. Further written notice to be sent by mail to each creditor; 10 days' notice is to be given in a local paper in case no list of creditors can be had. The assignee shall preside at meetings of creditors, except the first, when the creditors may elect chairman. Insolvent is to attend and attest his statements; he may be examined under oath. His examination is to be attested by the assignee. The insolvent may be further examined at any time, and may be called upon to execute any necessary instrument; refusal to do this or answer subjects him to punishment as for contempt of Court. Any other person, including the wife or husband of insolvent, may be summoned and examined; refusal to be punishable as for contempt of Court. Appointment of official assignee to be made by the G. in C.; in Quebec for districts; in the other Provinces for counties. They will hold office during good behaviour, and they must give security for from \$,000 to \$5,000. Further security may be required for special benefit of an estate. Assignee to be an officer of Court, and responsible as such. An assignee, not the official assignee, may be appointed by the creditors, and shall give security. He may be removed by vote of creditors. Only one creditor may vote upon a claim, and may not vote on claims purchased after insolvency. Claims may not be divided. Creditors must vote in person or by representative having written authority. Security being given, the official assignee transfers to the assignee appointed, the estate and property of the insolvent, the latter giving notice of his appointment. An assignee may not act as agent of a creditor; but for the general interest he may act as such with leave of the Judge. Meetings of the creditors shall be held at the office of the assignee, unless otherwise ordered by them or the Judge. The cred-

itors may appoint one or more inspectors to superintend and direct the assignee in the management of the estate, and remove them and appoint others; but neither assignees nor inspectors may purchase any part of the estate. The creditors may direct the assignee how to dispose of estate, in default of which the inspectors to do so. Creditors objecting to proposed disposal of estate, may, after notice, appeal to the Court or Judge. The powers of the insolvent as to his property are vested in the assignee; but the sanction of creditors must be had previous to sale of entire estate. Privileged claims are saved. The assignee, as such, may sue for and recover all debts due to insolvent, and may cause his name to be substituted in pending actions for that of the insolvent and may proceed for the rescinding of all fraudulent agreements and repayment of sums paid in favour of creditors. Pending proceedings in insolvency, the insolvent must give security for costs in any suit instituted by him. The insolvency of a partner, dissolves a partnership; assignee is substituted in the rights of the insolvent partner. Every assignee is to keep a register, showing the condition of all estates assigned to him; separate accounts to be kept of each estate. An assignee, not official, must deposit his register with the official assignee, when the estate is wound up. Within a month after discharge of assignee, balances are to be paid over to the Receiver General by him with a sworn account; penalty in default, \$10 per day. Commission payable to assignees:—

5 p. c. on amounts received up to	\$1,000,
2 1/2 " " " " " "	\$5,000,
1 1/2 " " " " " "	over \$5,000;

to be in full payment of all charges except actual expenses in seizing estate, an removal and care of property. Remuneration of official assignee, when super-added, to be fixed by the court. Counsel fees only allowed when authorized by creditors or inspectors. Meetings to be called by the assignee upon requisition, by five creditors, the inspector or the Judge. Moneys of the estate are to be deposited in some chartered bank at interest. In the name of the estate whenever amounting to \$100 or over, and withdrawn on joint cheque of assignee and inspector; interest to belong to the estate, and to be accounted for by the assignee; penalty in default, forfeiture of three times the amount. Assignee to produce bank book at meetings of creditors, and whenever so ordered by the Judge. Making false entry in such book to be a misdemeanor; punishment thereof, three years imprisonment. Pending vacancy of the office of assignee, the Judge is to have control of the estate. Assignee is to prepare a final account and apply for his discharge, the necessary vouchers being produced and filed. Application may be granted or refused. If the assignee neglects to present such petition within six months, after final dividend or demand of inspector or creditor he incurs a penalty of \$100. Provisions of the next preceding section made applicable to assignees under former Acts. On filing of consent or deed of composition, and discharge signed by majority of claimants of \$100, assignee to call a meeting to take the same into consideration; costs to be payable by the insolvent, if composition is agreed to. Notice is to be given of such meeting by advertisement and letter. Dis-