

- partnership for the full amount claimed by the attaching creditor, with the costs of such *saisie arrêt*; provided always that at any stage of the proceedings, the Court may order the creditors of the partnership to be notified of any matter or thing in which they may be interested in such cause, touching any declaration made, statements and accounts filed, or order or judgments to be applied or prayed for; and in case of absence from Lower Canada, such creditors, or any of them, may be notified by advertisement, as the Court may direct.
- 6.** The Court may order any partner, manager, book-keeper, or clerk of the partnership to be summarily examined under oath, touching any statement or writing produced, or declaration made under the fourth Section, and to produce any books of accounts, invoices, or papers belonging to the partnership which may be under the control of such person.
- 7.** After the filing of the papers and statements required by the fourth section, the attaching creditor may obtain a writ of *Venditioni Exponas*, to sell the right, title, and interest in such partnership of the debtor partner. and all the provisions of law applicable to such writ when employed for the selling of moveable property in ordinary cases shall apply thereto when issued under this Act.
- 8.** The Prothonotary or clerk shall furnish to the Sheriff or Bailiff in charge of such writ of *Venditioni Exponas* true copies of all the papers and statements filed under the Fourth Section, and of any supplementary papers or statements modifying, and of any judgment or order affecting the same, which shall be open to public inspection *gratis*, until and upon the day of sale.
- 9.** Upon the day of sale, the Sheriff or Bailiff shall make up a statement of debt, interest, costs and sub-costs, for which such writ issues, (exclusive of poundage and duty,) and shall realize such amounts (with poundage and duty added) by the sale of the smallest proportion or share of such right, title, and interest in the partnership of the debtor partner, which is at such sale offered to be taken in satisfaction of such writ: if no bid can be obtained in that manner, then the Sheriff or Bailiff shall sell the right, title, and interest attached, to the highest bidder, in the usual manner; provided that every such sale shall be made without prejudice to the rights of the other partners, or of the partnership creditors.
- 10.** The sale under such writ of *Venditioni Exponas* of the whole of the right, title, and interest of the debtor partner in the partnership shall operate the absolute dissolution of such partnership, and the purchaser of such rights, title and interest shall be substituted to and subrogated in all the rights of the debtor partner, for the purpose of compelling all the partners to wind up the partnership affairs, and to account to such purchaser; provided that no purchaser shall, by the acquisition of such rights, title and interest, or of any part thereof, of the debtor partner, become in any way liable for the debts of the partnership, or of such debtor partner.
- 11.** In case the insolvency of the debtor partner be alleged, his creditors shall be called in to file their claims by advertisement in the usual manner.
- 12.** The Sheriff or Bailiff selling under such writ of *Venditioni*

Proviso:
Notice to
creditors of
partnership.

Examination
of partners,
&c.

Sale of inter-
est of debtor
partner.

Certain pa-
pers to be
furnished to
the Sheriff,
&c.

Mode of sell-
ing interest
of debtor
partner.

Proviso.

Sale of whole
interest to
operate disso-
lution.

Proviso.

If the debtor
partner be in-
solvent.

Effect of sale.

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