

to open the same in the presence of at least one witness, making special mention thereof in his return.

8. Whenever a writ of attachment has issued against a debtor and has been served upon him; such writ shall, until the appointment of the Trustee, vest in the Guardian, as the Bailee thereof, all right, title and interest which the debtor has in and to any real or personal property, including his books of account, all vouchers, letters, accounts, titles to property and other papers and documents relating to his business and estate, all moneys and negotiable papers, stocks, bonds and other securities, and generally all assets of any kind or description whatsoever which he may be possessed of or entitled to; and the Guardian shall hold the same in trust for the benefit of the debtor and of his creditors, and subject to the orders of the Court or Judge; and he may, upon such orders and before any meeting of the creditors institute any conservatory process or any proceedings that may be necessary for the protection of the estate; he may also, upon such order, sell and dispose of any part of the estate and effects of the debtor which may be of a perishable nature. But such writ of attachment shall not vest in the Guardian such real and personal property as are exempt from seizure and sale under execution, by virtue of the several Statutes in that case made and provided in the several Provinces of the Dominion respectively, nor the property which the debtor holds as trustee for others.

9. The debtor shall within seven days from the date of the service of the writ of attachment, or if the writ of attachment be contested, then within seven days from the date of the judgment rejecting the petition to have it quashed, furnish the Guardian with a correct statement (Form C) of all his liabilities, direct or indirect, contingent or otherwise, including the nature and amount thereof, together with the names, additions and residences of his creditors and the securities held by them, in so far as may be known to him. The debtor shall also furnish, within the same delay, a statement of all the property and assets vested in the Guardian under this Act; and such statement shall in all cases include a full, clear, and specific account of the causes to which he attributes his insolvency, and the deficiency of his assets to meet his liabilities. And any creditor, his clerk or agent shall have the right to inspect such statements, and may take a copy thereof or extracts therefrom:

10. The debtor may present a petition to the Judge on the return day of the writ of attachment, if such return day be not less than five days after the service of the writ, and otherwise at any time within five days from the service of the writ; and may thereby pray for the setting aside of the attachment made under such writ, for want of, or for a substantial insufficiency in, the