

## WRITS OF ATTACHMENT AND PROCEDURE.

## TO FIRST MEETING OF CREDITORS.

5. Upon the affidavit of any creditor, or that of his clerk or other duly authorized agent, establishing that a trader is indebted to him in a sum not less than two hundred dollars, over and above the value of any security which he holds for the same, and disclosing such facts and circumstances as shall satisfy the Judge that the estate of such trader has become subject to distribution under the provisions of this Act, such creditor shall be entitled to a writ of attachment (Form A) against the estate and effects of such trader, addressed to the Guardian, requiring him to attach the estate and effects of such trader, and to summon him to appear before the Court or Judge to answer the premises. The Guardian of the County or District in which the writ of attachment shall be issued may appoint a Guardian of other counties or districts in any part of the Dominion as his deputy under this Act for the purpose of attaching any part of the estate and effects of the debtor in such counties or districts. Such writ shall be subject as nearly as can be to the rules of procedure of the court in ordinary suits, as to their issue and return and as to all proceedings subsequent thereto before any Court or Judge.

6. Writs of attachment shall be made returnable forthwith after the execution thereof, but it may be provided by any rule of practice to be made in that behalf, that such writ shall be made returnable on a day certain to be declared by the terms thereof, and such writ shall be served by the Guardian in the manner provided for the service of an ordinary writ of summons in the Province where the same is to be made. And if the debtor remains without such Province, or conceals himself within such Province, or has no domicile in any Province of the Dominion, or absconds from his Domicile, in every such case service shall be made by such notice or advertisement as the Judge, or in the Province of Quebec the Judge or Prothonotary may order.

7. The Guardian shall under such writ of attachment, seize and attach at once all the estate, property and effects of the debtor within the limits of the county or district for which he is appointed, including his books of account, moneys, securities for moneys, and all his office or business papers, documents, and vouchers of every kind and description, and shall return with the writ a report under oath stating in general terms his proceedings on such writ. (FORM B.) If he is unable to obtain access to the interior of the house, shop, store, warehouse or other premises of the debtor by reason of the same being locked, barred or fastened, such Guardian is hereby authorized forcibly