

8. Immediately upon the issue of a writ of attachment under this Act, the Sheriff shall give notice thereof by advertisement thereof, (Form H.)

Notice of issue of writ.
How writ shall be executed.

9. Under such writ of attachment the sheriff shall by himself or by such agent or messenger as he shall appoint for that purpose, whose authority shall be established by a copy of the writ addressed to him by name and description, and certified under the hand of the Sheriff; seize and attach all the estate and effects of the insolvent wherever situated, including his books of account, moneys and securities for money, and all his office and business papers, documents, and vouchers of every kind and description; and shall return with the writ, a report under oath of his action thereon.

Return.

10. If the Board of Trade in the County or District in which is situate the place of business of the debtor, or if there be no Board of Trade in such County or District, then the Board of Trade nearest thereto, has appointed official assignees for the purposes of this Act, the Sheriff shall place the estate and effects attached, in the custody of one of such official assignees, who shall be guardian under such writ; but if not he shall appoint as guardian such solvent and responsible person as may be willing to assume such guardianship.

In whose custody the property attached shall be placed.

11. The person so placed in possession shall forthwith proceed to make an inventory of the estate and effects of the insolvent; and also such statements of his affairs as can be made from the books, accounts and papers attached. And he shall file such inventory in the Court on the return day of the writ; and shall produce such statements at the

Duty of such person.

meeting of creditors called for the appointment of an official assignee.

12. Except in cases where a petition has been presented as provided for by the third paragraph of this section, the alleged insolvent may present a petition to the Judge, at any time within five days from the return day of the writ, but not afterwards, and may thereby pray for the setting aside of the attachment made under such writ, on the ground that his estate has not become subject to compulsory liquidation; and such petition shall be heard and determined by the Judge in a summary manner, and conformably to the evidence adduced before him thereon.

Proceedings by alleged insolvent set aside writ.

13. Immediately upon the expiration of five days from the return day of the writ, if no petition to quash or to stay proceedings be filed; or upon the rendering of judgment on the petition to quash, if it be dismissed; the Judge upon the application of the Plaintiff, or of any creditor intervening for the prosecution of the cause, shall order a meeting of the creditors to be held before him or any other Judge, at a time and place named in such order, and after due notice thereof, for the purpose of giving their advice upon the appointment of an official assignee.

Meeting of creditors for appointment of official assignee.

14. At the time and place appointed, on hearing the advice of the creditors present upon oath (Form I), the Judge shall appoint some person to be such official assignee, which person shall be the person proposed by the creditors present, if they are unanimous; and if they are not unanimous, then the judge may appoint either one of the persons proposed by the creditors, or one of the official assignees named by the Board of Trade.

Who may be official assignee.

15. Instead of petitioning to quash the attachment, the debtor may, within the like delay, petition the judge to suspend further proceedings against him, and to that end to submit such petition to a meeting of the creditors and the debtor to be called for that purpose, in order that the creditors may determine whether the proceedings against the debtor shall be suspended or not.

Debtor may petition for suspension of proceedings.

16. The debtor shall produce with such petition a schedule of his estate, and a list of his creditors with the amount of his indebtedness to each, and the places of their respective residences, or places of business.

Schedule to be produced with the petition.