

Notice to Creditors of First Meeting, where no order for summary administration has been made and the debtor has not submitted a proposal for a composition or scheme.

In the High Court of Justice.

IN BANKRUPTCY.

No. 1205 of 1891.

RE JAMES TROLLOPE, of No. 4, Bond Court, Walbrook, in the City of London, and of Lower Walmer, in the County of Kent, and residing at Grove House, Liverpool Road, Lower Walmer, in the County of Kent, Builder and Contractor, carrying on business at 4, Bond Court, aforesaid, and also at Lower Walmer, aforesaid.

DATE OF RECEIVING ORDER.

(Under Receiving Order dated the 11th day of September, 1891.)

DATE OF FIRST MEETING.

NOTICE IS HEREBY GIVEN that the First Meeting of the Creditors in the above matter will be held at Bankruptcy Buildings, Portugal Street, Lincoln's Inn, London, on the Eighth day of October, 1891, at Twelve o'clock at Noon.

DATE BY WHICH PROOF OF DEBT MUST BE FILED.

To entitle you to vote thereat your Proof must be lodged with me not later than Twelve o'clock at Noon on the Seventh day of October, 1891.

A form of Proof and form of General and Special Proxy are enclosed herewith.

DATE BY WHICH PROXY MUST BE FILED.

Proxies to be used at the Meeting must be lodged with me not later than Four o'clock in the Afternoon on the Seventh day of October, 1891.

DATE OF PUBLIC EXAMINATION.

The Public Examination of the Debtor is fixed for the Tenth day of November, 1891, at Twelve o'clock at Noon, at the Court sitting in Bankruptcy, at 34, Lincoln's Inn Fields, London.

Any Creditor who has tendered a proof, or his representative, authorized in writing, may question the Debtor on his Public Examination, concerning his affairs and the causes of his failure.

Dated this 30th day of September, 1891.

A. H. WILDY,

Official Receiver,

33, Carey Street, Lincoln's Inn,

London.

The Debtor's Statement of Affairs has been lodged, and Summary is enclosed.

NOTE.

At the First Meeting the Creditors may amongst other things:—

1. By ordinary resolution resolve that the Debtor be adjudged Bankrupt, and in that case they may also, by ordinary resolution, appoint a Trustee.
2. By ordinary resolution fix the remuneration of the Trustee, or resolve that the same be left to the Committee of Inspection.
3. By ordinary resolution appoint a Committee of Inspection from among the Creditors or the holders of general proxies or general powers of attorney for the Creditors.

Creditors are particularly requested to attend to these dates, and also to the directions on the forms of Proof and Proxy.

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060

Proof of Debt.
General Form.

In the High Court of Justice.

IN BANKRUPTCY.

No. 1205 of 1891.

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(Under Receiving Order dated the 11th day of September, 1891.)

NOTE.—The Stamp must not be defaced by the Creditor.

Where the debt proved for exceeds £2, a Shilling Bankruptcy stamp must be affixed here, or a postal order for 1s. be sent to the Official Receiver, as otherwise the proof cannot be admitted.

You should attend carefully to these Directions.

(b) Fill in full name, address, and occupation of deponent.

If proof made by Creditor strike out clauses (c) and (d).
If made by Clerk strike out (d).
If by Agent of a Company strike out (c).

(e) Insert "me and to C. D. and E. F., my co-partners in trade," if any, or if by Clerk, insert name, address, and description of principal.

NOTE THIS.
(f) State consideration [as — Goods sold and delivered by me] [and my said partner] to him [or them] at his [or their] request between the dates of [or moneys advanced by me in respect of the under-mentioned Bill of Exchange] or as the case may be.
* Strike out the words not applicable.

(g) "My said partners or any of them" or "the above-named Creditor" (as the case may be).

(h) "My" or "our" or "their" or "his" (as the case may be).

(i) [Here state the particulars of all Securities held, and where the Securities are on the property of the Debtor, assess the value of the same, and if any Bills or other Negotiable Securities be held, specify them in the Schedule.]

N.B.—Bills or other Negotiable Securities must be produced before the proof can be admitted.

Admitted to vote for
£ : :
this day of
189 .

Official Receiver.
Admitted to rank for
Dividend for
£ : :
this day of
189 .

Official Receiver.

I (b)

of

in the County of

, make oath and say :

(c) That I am in the employ of the under-mentioned Creditor , and that I am duly authorized by to make this affidavit, and that it is within my own knowledge that the debt hereinafter deponed to was incurred, and for the consideration stated, and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

(d) That I am duly authorized under the seal of the Company hereinafter named, to make the proof of debt on its behalf.

That the said

w , at the date of the Receiving Order, viz. :—the day of , 18 ,
and still justly and truly indebted to (e)

in the sum of

Shillings and Pence for (f)

Pounds,

as shewn by the Account endorsed hereon

or by the Account hereto annexed marked * " A "

for which sum or any part thereof I say that I have not nor hath (g)

or any person by (h) order to my knowledge or belief for (h)

use had or received any manner of satisfaction or security whatsoever, save and except the following (i) :—

Date.	Drawer.	Acceptor.	Amount.	Due date.

Sworn at

this day of 189 ,

Before me

Deponent's Signature.

THE PROOF CANNOT BE ADMITTED FOR VOTING AT THE FIRST MEETING UNLESS IT IS PROPERLY COMPLETED AND LODGED WITH THE OFFICIAL RECEIVER BEFORE THE TIME NAMED IN THE NOTICE CONVENING SUCH MEETING.

[OVER.]

[SEE BACK.]

THE BANKRUPTCY ACTS, 1883 & 1890.

In the High Court of Justice.

IN BANKRUPTCY.

No. _____ of 189

RE _____

GENERAL PROXY.

N.B.
The Proxy must be lodged with the Official Receiver or Trustee not later than Four o'clock p.m. on the day before the Meeting at which it is to be used.

The blanks in the proxy form must be filled in by the Creditor, or by a person in his regular employment, or by a Commissioner to administer Oaths in the Supreme Court.

If not filled in by the Creditor, the Certificate at the foot must be filled up and signed by the person filling in the blanks.

(a) If a firm, write "we" instead of "I," and set out the full name of the firm.

(b) Here insert *either* (but not both) "Mr. _____" of _____ "a Clerk, Manager, &c., in my regular employ,"

or "the Official Receiver in the above matter." (See at back as to Proxies.)

(c) "My" or "our."
(d) When the Creditor desires that his general proxy should receive dividends, he should strike out the words in brackets, putting his initials thereto.

It is not intended that the Official Receiver shall in any case receive dividends on behalf of a Creditor.

(e) If a firm, sign the firm's trading title and add:—"By A.B. a partner in the said firm."

[See also Notes 1 and 2 at foot.]

I, (a) _____ of _____ a Creditor, hereby appoint (b) _____ to be (c) _____ General Proxy in the above matter [excepting as to receipt of dividend] (d)

Dated this _____ day of _____ 189 .

(Signed) (e) _____

Signature } _____
of Witness } _____
Address _____

SPECIAL PROXY.

I, (a) _____ of _____ a Creditor,

(f) Here insert *either* (but not both) "Mr. _____" of _____,

or "The Official Receiver in the above matter." (See at back as to Proxies.)

(g) Here insert the word "for" or the word "against" (as the case may require) and specify the particular resolution or name of proposed Trustee, remuneration or other matter.

A Creditor may give a special proxy to any person to vote at any specified meeting or adjournment thereof on all or any of the following matters:—

(1) For or against any specific proposal for a composition or scheme of arrangement.

(2) For or against the appointment of any specified person as Trustee, at a specified rate of remuneration, or as member of the Committee of Inspection, or for or against the continuance in office of any specified person as Trustee or member of a Committee of Inspection.

(3) On all questions relating to any matter other than those above referred to, arising at any specified meeting or adjournment thereof.

hereby appoint (f) _____ as (c) _____ proxy at the Meeting of Creditors to be held on the _____ day of _____ 189 , or at any adjournment thereof, to Vote (g) _____

Dated this _____ day of _____ 189 .

(Signed) (e) _____

Signature } _____
of Witness } _____
Address _____

NOTES:—

1. The authorized agent of a Corporation may fill up blanks and sign for the Corporation, thus:—
"For the _____ Company.
" (J.S.) _____
" (duly authorized under the seal of the Company.)"

2. A proxy given by a Creditor may be filled up and signed by any person having a general authority in writing to sign for such Creditor. Such person shall sign:—"J.S. _____
[duly authorized by a general authority in writing to sign on behalf of _____
(inserting name of Creditor).]" (h)

(h) The Official Receiver or Trustee may require the authority to sign to be produced for his inspection.

CERTIFICATE TO BE SIGNED BY PERSON OTHER THAN CREDITOR FILLING UP THE ABOVE PROXY.

I, _____ of _____ being a (j) _____ hereby certify that all insertions in the above proxy are in my own handwriting, and have been made by me at the request of the above-named _____ and in his presence before he attached his signature [or mark] thereto.

(j) Here state whether Clerk or Manager in the regular employment of the Creditor or a Commissioner to administer Oaths in the Supreme Court.

Dated this _____ day of _____ 189 .

Signature _____

EXTRACTS FROM THE BANKRUPTCY ACTS, 1883 AND 1890,
AND FROM THE BANKRUPTCY RULES, 1886 AND 1890, AS
TO PROXIES.

- Schedule I. of the Act of 1883.* 15. A Creditor may vote either in person or by proxy.
- S. 22 (1) of the Act of 1890.* 22. (1.) Every instrument of proxy shall be in the prescribed form and *shall be issued* by the Official Receiver of the debtor's estate, or by some other Official Receiver, or, after the appointment of a trustee, by the trustee, and *every insertion therein shall be in the handwriting of the person giving the proxy, or of any manager or clerk or other person in his regular employment, or of any Commissioner to administer Oaths in the Supreme Court.*
- Bankruptcy Rules, 1886 & 1890.* Rule 246. A proxy given by a Creditor shall be deemed to be sufficiently executed if it is signed by any person in the employ of the Creditor having a general authority to sign for such Creditor, or by the authorized agent of such Creditor if resident abroad; such authority shall be in writing, and shall be produced to the Official Receiver if required.
- Bankruptcy Rules, 1886 & 1890.* Rule 247. The proxy of a Creditor blind or incapable of writing may be accepted if such Creditor has attached his signature or mark thereto in the presence of a witness, who shall add to his signature his description and residence; and provided that all insertions in the proxy are in the handwriting of the witness, and such witness shall have certified at the foot of the proxy that all such insertions have been made by him at the request of the Creditor and in his presence before he attached his signature or mark.
- Schedule I. of the Act of 1883.* 17. A Creditor may give a general proxy to his manager or clerk, or any other person *in his regular employment.* In such case the instrument of proxy shall state the relation in which the person to act thereunder stands to the Creditor.
21. A Creditor may appoint the Official Receiver of the Debtor's estate to act in manner prescribed as his general or special proxy.
- Bankruptcy Rules, 1886 & 1890.* Rule 248. No person shall be appointed a general or special proxy who is a minor.
- S. 22 (3) of the Act of 1890.* 22. (3.) A Creditor may give a special proxy to any person to vote at any specified meeting, or adjournment thereof, on all or any of the following matters:—
- (a) For or against any specific proposal for a composition or scheme of arrangement.
- (b) For or against the appointment of any specified person as trustee at a specified rate of remuneration, or as member of the committee of inspection, or for or against the continuance in office of any specified person as trustee or member of a committee of inspection.
- (c) On all questions relating to any matter other than those above referred to, arising at any specified meeting or adjournment thereof.
- Schedule I. of the Act of 1883.* 19. A proxy shall not be used unless it is deposited with the Official Receiver or Trustee before the meeting at which it is to be used.
- Bankruptcy Rules, 1886 & 1890.* Rule 245. (2.) A proxy shall be lodged with the Official Receiver or Trustee *not later than four o'clock on the day before the meeting or adjourned meeting at which it is to be used.*
- Schedule I. of the Act of 1883.* 20. Where it appears to the satisfaction of the Court that any solicitation has been used by or on behalf of a Trustee or Receiver in obtaining proxies, or in procuring the trusteeship or receivership, except by the direction of a meeting of creditors, the Court shall have power, if it think fit, to order that no remuneration shall be allowed to the person by whom or on whose behalf such solicitation may have been exercised, notwithstanding any resolution of the committee of inspection or of the creditors to the contrary.

06e

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General Form.

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NOTE.—The Stamp must not be defaced by the Creditor.

Where the debt proved for exceeds £2, a Shilling Bankruptcy stamp must be affixed here, or a postal order for 1s. be sent to the Official Receiver, as otherwise the proof cannot be admitted.

(b) Fill in full name, address, and occupation of deponent.

If proof made by Creditor strike out clauses (c) and (d).
If made by Clerk strike out (d).
If by Agent of a Company strike out (c).

(e) Insert "me and to C. D. and E. F., my co-partners in trade," if any, or if by Clerk, insert name, address, and description of principal.

You should attend carefully to these Directions.

£ : :

NOTE THIS.
(f) State consideration [as — Goods sold and delivered by me] [and my said partner] to him [or them] at his [or their] request between the dates of [or moneys advanced by me in respect of the under-mentioned Bill of Exchange] or as the case may be. * Strike out the words not applicable.

(g) "My said partners or any of them" or "the above-named Creditor" (as the case may be).

(h) "My" or "our" or "their" or "his" (as the case may be).

(i) [Here state the particulars of all Securities held, and where the Securities are on the property of the Debtor, assess the value of the same, and if any Bills or other Negotiable Securities be held, specify them in the Schedule.]

N.B.—Bills or other Negotiable Securities must be produced before the proof can be admitted.

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I (b)

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(c) That I am in the employ of the under-mentioned Creditor , and that I am duly authorized by to make this affidavit, and that it is within my own knowledge that the debt hereinafter deponed to was incurred, and for the consideration stated, and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

(d) That I am duly authorized under the seal of the Company hereinafter named, to make the proof of debt on its behalf.

That the said

w , at the date of the Receiving Order, viz. :—the day of , 18 , and still justly and truly indebted to (e)

in the sum of Pounds,

Shillings and Pence for (f)

as shewn by the Account endorsed hereon

or by the Account hereto annexed marked * " A "

for which sum or any part thereof I say that I have not nor hath (g)

or any person by (h) order to my knowledge or belief for (h)

use had or received any manner of satisfaction or security whatsoever, save and except the following (i) :—

Date.	Drawer.	Acceptor.	Amount.	Due date.

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Before me

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[OVER.]

PARTICULARS OF ACCOUNT REFERRED TO ON OTHER SIDE

(Credit should be given for Contra Accounts.)

If space not sufficient, let the particulars be annexed, but where the particulars are on a separate sheet of paper, the same must be marked by the person before whom the Affidavit is sworn, thus:—

IN BANKRUPTCY—“ This is the account marked with the letter ‘A’ referred to in the annexed proof of debt
made by _____ in re _____ sworn before me this _____
day of _____ 189

(Signed)

Commissioner or Officer administering Oath.”

DATE.	CONSIDERATION.	AMOUNT.		REMARKS.
				<small>* The Vouchers (if any) by which the Account can be substantiated should be set out here.</small> *

Signature of Deponent _____

Signature of Commissioner or Officer administering Oath _____