

THE CREDITOR SHOULD FILL UP WHICHEVER OF THE TWO FOLLOWING FORMS IS APPLICABLE.

[SEE BACK.]

THE BANKRUPTCY ACTS, 1883 & 1890.

In the County Court of

IN BANKRUPTCY.

holden at ... RE ... No. ... of 189 .

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) ... a Creditor,

of ... 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 } (h) of Witness }

Address ...

SPECIAL PROXY.

I, (a) ... 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.)

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) ...

(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.

Dated this ... day of ... 189 .

(Signed) (g) ...

(h) The signature of the Creditor appointing a proxy must NOT be attested as witness by the person nominated as proxy.

Signature } (h) 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.](i)"

(j) 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 (k) ...

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

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.

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.

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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.

Office of the  
Official Receiver in Bankruptcy,  
Canterbury  
July 18 1893

Dear Sirs  
Dorchester.

I enclose guarantee  
for 6 months rent of  
cottage to Thomas last. The  
debtor states the years  
rent to that date is £10  
not £10. 8/6 as claimed by  
you.

I cannot guarantee  
the rents of the other  
holdings at present.

With regard to Rookson  
fields & the Newfoundland

You must prove for the  
balance due for rent & that  
less the amount of valuation  
on the Rookson field, you  
must also prove for the  
balance of rent due in  
respect of the cottage.

As to Schoolfield I need  
the agreement for tenancy  
returned by you & as per  
I enclose Inventory and  
Valuation of the messuages &  
improvements thereon  
Kindly let me hear what  
you propose to do as to this.

Yours truly  
Worshipful Mowbray  
Messrs. Immerson & Co. O.R.

Stamilton the Rectory  
Jan: 18<sup>th</sup> 1862  
Messrs Emerson  
re The R. Charge.  
Ed Leaning (counsel)  
my answer to my  
letter of Saturday last,  
I shall be obliged to  
place the matter in  
the Court,  
unless some definite  
arrangement is proposed  
by you, in reply to this.  
Yours faithfully  
W. J. Smallwood