

SUMMONS OF TRADER DEBTOR.

THE BANKRUPTCY ACT, 1862.

These are to will and require you to whom this warrant is directed, personally to be and appear before the Court of Bankruptcy, at the Court House, in the city of Victoria, on the _____ day of _____ at _____ o'clock;

and you are hereby informed that the purpose for which you are thus summoned to appear before the said Court is to ascertain, in manner and form prescribed by "The Bankrupt Law Consolidation Act, 1849," whether or not you admit the demand of *James Lowe and Thomas* *Stahlochmidt* of *Victoria* (who claims of you the sum of *\$2850.00* for a debt), or any and what part thereof, or whether you verily believe that you have a good defence upon the merits to the said demand, or to any and what part thereof; and hereof you are not to fail, at your peril.

Given under my hand the *15th* day of *October* in the year of our Lord, 186*4*.

Wm. J. P. Kelly
W. J. P.

To *James Robinson*
of *Chew Westminister*
Steamboat Olone

This summons is served upon you pursuant to the provisions of "The Bankrupt Law Consolidation Act, 1849," and is founded on an affidavit of debt, which was filed in the Court of Bankruptcy, in Victoria, on the 15th day of Oct 1874.

If you shall fail to appear to this summons at the time and place within specified, having no lawful impediment made known to and proved to the satisfaction of the said Court, and allowed, and if you also fail within seven days after personal service of this summons, or within such enlarged time as the said Court may grant, to pay, secure, or compound for the demand within mentioned to the satisfaction of the summoning creditor, or enter into a bond, in such sum, and with two sufficient sureties, as the Court shall approve of, to pay such sum as shall be recovered in any action which shall have been brought, or shall thereafter be brought, for the recovery of the same, together with such costs as shall be given in such action, you will be deemed to have committed an act of bankruptcy on the eighth day after the service of this summons, provided a petition for adjudication of bankruptcy shall be filed against you within two calendar months from the filing of the above mentioned affidavit.

If you shall appear, and on appearance, or at any enlargement or adjournment of the summons, shall refuse to sign an admission of the said demand in the form required by the said Act, and shall not make a deposition on your oath in the form required by the said Act, that you believe you have a good defence upon the merits to such demand, or some part thereof, and shall not (if required by the Court so to do) enter into a bond according to the form contained in schedule (K) to the said Act annexed, in such sum and with such two sufficient sureties as the Court shall approve of, to pay such sum or sums as shall be recovered, together with such costs as shall be given in any action which shall have been or shall be brought for the recovery of such demand or of any part thereof in respect of which such deposition shall be made, and shall also fail within seven days after personal service of this summons, or within such enlarged time as aforesaid, to pay, secure or compound as above mentioned, or to enter into such bond as first above mentioned, the same consequence will follow as in the case first supposed, subject to the same proviso as regards the filing a petition for adjudication of bankruptcy.

If you shall appear, and on appearance shall sign and file an admission of the said demand, and shall not within seven days next after the filing of such admission pay or tender, and offer to pay to the said creditor the amount of such demand, or secure or compound for the same to the satisfaction of such creditor, you will be deemed to have committed an act of bankruptcy on the eighth day after the filing of such admission, subject to the same proviso as before mentioned with regard to the filing a petition for adjudication of bankruptcy.

If you shall appear, and on appearance shall sign an admission for part of the said demand, and shall not make a deposition upon oath, in the form required by the said Act, that you believe you have a good defence upon the merits to the residue, and shall not (if required by the Court so to do,) enter into such bond as aforesaid, to pay such sum or sums as shall be recovered in any action which shall have been brought, or shall thereafter be brought, for the recovery of such residue, together with such costs as shall be given in such action, then if, as to the the sum so admitted, you shall not, within seven days next after the filing of such admission, pay, or tender and offer to pay to the said creditor the sum so admitted, or secure or compound for the same to the satisfaction of such creditor, and as to the residue of such demand shall not within seven days from the service of the summons, or such enlarged time as may be granted by the said Court in that behalf, pay, secure or compound for the same to the satisfaction of such creditor, or enter into a bond in such sum and with such two sufficient sureties as the Court shall approve of, to pay such sum as shall be recovered in any action which shall have been brought, or shall thereafter be brought, for recovery of the same, together with such costs as shall be given in such action, you will be deemed to have committed an act of bankruptcy on the eighth day after the service of this summons, subject to the same proviso as before mentioned with regard to the filing a petition for adjudication of bankruptcy.

If you shall appear, and on appearance shall, as to the whole of the said demand or part of it, make a deposition on your oath (in the form required by the said Act,) that you believe you have a good defence upon the merits to the same, and (if required by the Court so to do,) enter into such bond according to the form contained in schedule (K) in such sum and with such sureties as aforesaid, you will be entitled to a discharge from the summons. You are moreover to observe that an admission made by you after the service of this summons, though signed elsewhere than before the Court, may afterwards be filed in Court, and will be as effectual as if you had appeared and signed it in Court, provided such admission be made in the form contained in schedule (L) to the said Act annexed, and there be present at the time of the signature an attorney of one of Her Majesty's Superior Courts of Law on your behalf, expressly named by you and attending at your request, to inform you of the effect of such admission before it is signed by you, and provided also that such attorney do subscribe his name to the admission as a witness to the due execution thereof, and in such attestation declare himself to be attorney for you, and state therein that he subscribes as such attorney.