GENERAL ORDERS AND FORMS IN BANKRUPTCY

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AMENDED AND ESTABLISHED BY THE

SUPREME COURT OF THE UNITED STATES

JANUARY 16, 1939

EFFECTIVE FEBRUARY 13, 1939

AUTHENTICATED
U.S. GOVERNMENT
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GENERAL ORDERS AND FORMS IN BANKRUPTCY

ORDER

IT IS ORDERED, on this 16th day of January, 1939, that General Orders XIII, XXVII and XLVI of the General Orders in Bankruptcy, and Forms Nos. 4, 7, 8, 19, 29, 32, 36, 39, 41, 44, 45, 46, 49, 50, 51, 52, 53, 54, 55, 56, 60, 61, 62, 63, 64, 66, 70, 72 and 73 of the Forms in Bankruptcy, be, and they hereby are, abrogated.

IT IS FURTHER ORDERED that the General Orders and Forms in Bankruptcy be, and they hereby are, amended and established to read as hereinafter set forth.

IT IS FURTHER ORDERED that this order shall take effect on Monday, February 13, 1939, and shall govern all proceedings then pending to which its provisions are applicable, except to the extent that in the opinion of the court its application to such proceedings would not be practicable or would work injustice, in which event the General Orders and Forms in Bankruptcy heretofore established shall apply: *Provided,* That the General Orders and Forms in Bankruptcy heretofore established shall apply to proceedings pending under sections 12, 73 and 74, as amended, of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898.

1

DOCKET

The clerk shall keep a docket, in which the cases shall be entered and numbered in the order in which they are commenced. It shall contain a memorandum of the filing of the petition and of the action of the court there-

on; of the reference of the case, if any reference is made, to the referee; of the transmission by the referee to the clerk of all bonds, orders and reports, and of the referee's certified record of the proceedings; and of all proceedings in the case except those duly entered on the referee's certified record. The docket shall be arranged in a manner convenient for reference, and shall at all times be open to public inspection. If the proceeding is brought under section 75 or 77, or under chapter IX, X, XI, XII, or XIII, of the Act, the docket shall so indicate.

2

FILING OF PAPERS

The clerk or the referee shall indorse on each paper filed with him the day, and in the case of the original petition, the day and hour, of filing.

3

PROCESS

All process, summonses, and subpoenas, except such as are issued by the Interstate Commerce Commission in the performance of its duties under section 77 of the Act, shall issue out of the court, under the seal thereof, and be tested by the clerk; and blanks, with the signature of the clerk and seal of the court, may, upon application, be furnished to the referees.

4

CONDUCT OF PROCEEDINGS

Proceedings may be conducted by the bankrupt or debtor in person in his own behalf, or by a creditor; but a creditor will only be allowed to manage before the court his individual interest. Every party may appear and conduct the proceedings by attorney, who shall be

an attorney or counselor authorized to practice in the district court. The name of the attorney or counselor, with his business address, shall be entered upon the docket, with the date of the entry. Orders granted on motion shall contain the name of the party or attorney making the motion. Notices and orders which are not, by the Act or by these general orders, required to be served on the party personally may be served upon his attorney.

5

FORM OF PETITIONS AND OTHER PAPERS

(1) All petitions and schedules shall be printed or written out plainly, without abbreviation or interlineation, except where such abbreviation and interlineation may be for the purpose of reference.

(2) Petitioners in involuntary proceedings for adjudication, whose claims rest upon assignment or transfer from other persons, shall annex to one of the triplicate petitions all instruments of assignment or transfer, and an affidavit setting forth the true consideration paid for the assignment or transfer of such claims and stating that the petitioners are the bona fide holders and legal and beneficial owners thereof and whether or not they were purchased for the purpose of instituting bankruptcy proceedings.

(3) Each paper filed shall contain a caption setting forth the name of the court, the title of the proceeding, the docket number, and a brief statement of the character of the paper.

(4) Proceedings shall be entitled "In Bankruptcy," "In Proceedings for a Composition or Extension," "In Proceedings for the Reorganization of a Railroad," "In Proceedings for a Composition by a Public Debtor," "In Proceedings for the Reorganization of a Corporation," "In Proceedings for an Arrangement," "In Proceedings

for a Real Property Arrangement," or "In Proceedings for a Wage Earner Plan," as the case may be.

(5) In proceedings under chapter VIII, X, XI, XII, or XIII, of the Act, unless and until the debtor is adjudicated a bankrupt he shall be referred to as a "debtor." In proceedings under chapter IX, the debtor shall be referred to as the "petitioner."

6

PETITIONS IN DIFFERENT COURTS

If two or more petitions are filed by or against the same person or by or against different members of a partnership in different courts of bankruptcy, each of which has jurisdiction, the court first acquiring jurisdiction shall, upon application by any party in interest and after a hearing upon reasonable notice to parties in interest, determine the court in which the cases can proceed with the greatest convenience to parties in interest, and the proceedings upon the other petitions shall be stayed by the courts in which such petitions have been filed until such determination is made. If the court first acquiring jurisdiction determines that it shall hear the cases, it shall make its order to that effect, and other courts in which petitions have been filed, upon exhibition of a certified copy of such order, shall order the cases before them transferred to the court first acquiring jurisdiction. If the court first acquiring jurisdiction determines that the cases shall be heard by another court, it shall make its order to that effect and that the case before it be transferred to such court; and other courts in which petitions have been filed, upon exhibition of a certified copy of such order, shall order the cases before them transferred to the court named in the order of the court first acquiring jurisdiction.

7

PRIORITY OF PETITIONS

If two or more petitions are filed in the same court against the same person, and the debtor appears and shows cause against an adjudication of bankruptcy on the petitions, the petitions shall be heard and tried in the order of their filing: *Provided,* That the court, in its discretion, may order the proceedings consolidated.

8

PROCEEDINGS IN PARTNERSHIP CASES

(Abrogated, May 25, 1925, 268 U. S. 712.)

9

LIST OF CREDITORS IN INVOLUNTARY BANKRUPTCY

In all cases of involuntary bankruptcy in which the bankrupt is absent or cannot be found, it shall be the duty of the petitioning creditor to file, within five days after the date of the adjudication, a list of the names and places of residence of all the creditors of the bankrupt, according to the best information of the petitioning creditor.

10

INDEMNITY FOR EXPENSES

Before incurring any expense in publishing or mailing notices, or in traveling, or in procuring the attendance of witnesses, or in perpetuating testimony, the clerk, marshal, or referee may require, from the bankrupt, debtor, or other person in whose behalf the duty is to be performed, indemnity for such expense. Money advanced for this purpose by the bankrupt, debtor, or other person shall be repaid him out of the estate as part of the cost of administering the same.

11

AMENDMENTS

The court may allow amendments to the petition and schedules on application of the petitioner. Amendments shall be printed or written, signed and verified, like original petitions and schedules, and filed in triplicate. If amendments are made to separate schedules, the same must be made separately, with proper references. In the application for leave to amend, the petitioner shall state the cause of the error in the paper originally filed.

12

DUTIES OF REFEREE

(1) A copy of the order referring a proceeding to a referee shall forthwith be sent by mail to the referee, or be delivered to him personally by the clerk or other officer of the court. And thereafter all the proceedings, except such as are required by the Act or by these general orders to be had before the judge, shall be had before the referee; and the bankrupt or debtor may receive from the referee a protection against arrest to continue, unless suspended or vacated by order of the court, until the final adjudication on his application for a discharge or for the confirmation of an arrangement or plan.

(2) The times when and places where the referees shall act upon the matters arising under the several cases referred to them shall be fixed by special order of the judge, or by the referee; and at such times and places the referees may perform the duties which they are empowered by the Act to perform.

(3) If a bankrupt files the list of creditors in advance of his schedules, the referee shall promptly call the first meeting of creditors without awaiting the filing of schedules.

(4) The referee, except in no asset cases, shall mail a summary of the trustee's final report and account to the creditors with the notice of the final meeting, together with a statement of the amount of claims proved and allowed.

13

APPOINTMENT AND REMOVAL OF TRUSTEE

(Abrogated.)

14

NO OFFICIAL OR GENERAL TRUSTEE

No official trustee shall be appointed by the court, nor any general trustee to act in classes of cases.

15

TRUSTEE NOT APPOINTED IN CERTAIN CASES

If the schedule of a voluntary bankrupt discloses no assets, and if no creditor appears at the first meeting, the court may, by order setting out the facts, direct that no trustee be appointed; but at any time thereafter a trustee may be appointed, if the court shall deem it desirable. If no trustee is appointed as aforesaid, the court may order that no meeting of the creditors other than the first meeting shall be called.

16

NOTICE TO TRUSTEE OF HIS APPOINTMENT

It shall be the duty of the referee, immediately upon the appointment and approval of the trustee, to notify him in person or by mail of his appointment; and the notice shall require the trustee forthwith to notify the referee of his acceptance or rejection of the trust, and shall contain a statement of the penal sum of the trustee's bond.

17

DUTIES OF TRUSTEE

(1) The trustee shall, immediately upon entering upon his duties, send notice by mail to the Commissioner of Internal Revenue, Washington, D. C., of the adjudication of bankruptcy, and prepare a complete inventory of all the property of the bankrupt or debtor that comes into his possession.

(2) The trustee shall make report to the court, within five days after receiving the notice of his appointment, unless further time is granted by the court, of the articles set off to the bankrupt or debtor by him, according to the provisions of section 47 of the Act, with the estimated value of each article; and any creditor or the bankrupt or debtor may file objections to the determination of the trustee within ten days after the filing of the report, unless further time is granted by the court.

(3) In case the trustee shall neglect to file any report or statement which it is made his duty to file or make by the Act or by these general orders, within five days after the same shall be due, it shall be the duty of the court to make an order requiring the trustee to show cause, at a time specified in the order, why he should not be removed from office. The court shall cause a copy of the order to be served upon the trustee at least three days before the time fixed for the hearing.

(4) All accounts of trustees and receivers shall be referred as of course to the referee for audit, unless otherwise specially ordered by the judge.

18

SALE OF PROPERTY

(1) All sales shall be by public auction unless otherwise ordered by the court. Where the property is sold by an auctioneer he shall, upon completion of the sale,

file with the court and also furnish the receiver or trustee an itemized statement of the property sold, the name of each purchaser, and the price received for each item or lot, or for the property as a whole if it is sold in bulk.

(2) Upon application to the court, and for good cause shown, the receiver or trustee may be authorized to sell the property of the estate or any specified portion thereof at private sale; in which case he shall keep an accurate and itemized account of all property sold, of the price received therefor, and to whom sold; which account he shall forthwith file with the court.

19

ACCOUNTS OF MARSHAL

The marshal shall make return, under oath, of his actual and necessary expenses in the service of every warrant addressed to him, and for custody of property, and other services, and other actual and necessary expenses paid by him, with vouchers therefor whenever practicable, and also with a statement that the amounts charged by him are just and reasonable.

20

PAPERS FILED AFTER REFERENCE

Proofs of claim and other papers filed subsequently to the reference, except such as call for action by the judge, may be filed either with the referee or with the clerk.

21

PROOFS OF CLAIM

(1) A proof of claim against an estate shall be correctly entitled in the court and in the cause. When made to prove a debt due to a partnership it shall state that the deponent is a member of the partnership; when made by

an agent, it shall state the reason the proof is not made by the claimant in person; and when made to prove a debt due to a corporation, the proof shall be made by a duly authorized officer of the corporation. A proof of claim for a debt founded upon an open account shall state when the debt became or will become due; and if it consists of items maturing at different dates the average due date shall be stated, in default of which no interest shall be allowed. Each such proof of claim shall state whether a note or other negotiable instrument has been received for such account or any part thereof, or whether any judgment has been rendered thereon. If a note or other negotiable instrument has been received, it shall be filed with the proof of claim. Proofs of claim received by any trustee shall be delivered to the referee to whom the cause is referred.

(2) Any creditor may file with the referee a request that all notices to which he may be entitled shall be addressed to him at a designated address; and thereafter, and until some other designation shall be made by such creditor, all notices shall be so addressed. In other cases notices shall be addressed to each creditor at the place designated in the proof of claim, or, if no proof of claim has been filed or if filed and no address is therein stated, at the place shown in the list of creditors.

(3) If a claim has been assigned after the commencement of the proceedings but before proof of claim has been filed, the proof of claim therefor shall be supported by an affidavit of the owner at the time of the commencement of proceedings, setting forth the true consideration for the debt, what payments have been made thereon, and that it is entirely unsecured, or if secured, the security as is required in proving secured claims. Upon the filing of satisfactory proof of the assignment of a claim, proof of which has been filed, the referee shall immediately give notice by mail to the original claimant of the filing of

such proof of assignment and that objection thereto must be made within ten days. If no objection be made within ten days, or within further time allowed by the referee, he shall make an order subrogating the assignee to the original claimant. If objection be made, he shall proceed to hear and determine the matter.

(4) The claims of persons contingently liable for the bankrupt or debtor may be proved in the name of the creditor when known by the party contingently liable. When the name of the creditor is unknown, such claim may be proved in the name of the party contingently liable; but no dividend shall be paid upon such claim, except upon satisfactory proof that it will diminish pro tanto the original debt.

(5) The execution of any power of attorney to represent a creditor, or of an assignment of claim after proof, may be proved or acknowledged before any of the officers enumerated in section 20 of the Act. When executed on behalf of a partnership or of a corporation, the person executing the instrument shall make oath that he is a member of the partnership, or a duly authorized officer of the corporation on whose behalf he acts. When the person executing is not personally known to the officer taking the proof or acknowledgment, his identity shall be established by satisfactory proof.

(6) When the trustee or any creditor or the bankrupt or debtor shall desire the reconsideration of any claim allowed against the estate, he may apply by petition to the referee to whom the case is referred for an order for such reconsideration, and thereupon the referee shall make an order fixing a time for hearing the petition, of which due notice shall be given by mail addressed to the creditor. At the time appointed the referee shall take the examination of the creditor, and of any witness that may be called by either party, and if it shall appear from such examination that the claim ought to be expunged or diminished, the referee may order accordingly.

22

TAKING OF TESTIMONY

The examination of witnesses before the referee may be conducted by the party in person or by his counsel or attorney, and shall be governed by the Rules of Civil Procedure for the District Courts of the United States, in so far as they are not inconsistent with the Act or with these general orders. The referee may rule upon the admissibility of evidence and may put witnesses on oath and may himself examine them and may call any party to the proceedings and examine him under oath. If an objection to a question propounded to a witness is sustained by the referee, the examining attorney may make a specific offer of what he expects to prove by the answer of the witness. The referee may add such other or further statement as clearly shows the character of the evidence, the form in which it was offered, the objection made, and the ruling thereon. Upon the request of any party, however, the referee shall take and report the evidence in full, unless it clearly appears that the evidence is not admissible on any ground or that the witness is privileged.

23

ORDERS OF REFEREE

In all orders made by a referee, it shall be recited, according as the fact may be, that notice was given and the manner thereof; or that the order was made by consent; or that no adverse interest was represented at the hearing; or that the order was made after hearing adverse interests.

24

LIST OF PROVED CLAIMS AND INTERESTS

The person with whom proofs of claim or of interest are filed shall maintain open to inspection a list of the

claims and interests proved against the estate, with the names and addresses of the owners thereof, as given by them.

25

SPECIAL MEETING OF CREDITORS

Whenever, by reason of a vacancy in the office of trustee, or for any other cause, it becomes necessary to call a special meeting of the creditors in order to carry out the purposes of the Act, the court may call such a meeting, specifying in the notice the purpose for which it is called.

26

ACCOUNTS OF REFEREE

Every referee shall maintain, substantially in the manner indicated by Form No. 46, a cash book or a record in which he shall keep an accurate and itemized account showing (1) his receipts of moneys as indemnity or charges for expenses, and as compensation for his services, and the case number of the proceeding to which each receipt is credited; and (2) the disposition made of such moneys, showing the case number of the proceeding, if any, on account of which each sum is expended. All moneys received as aforesaid shall be deposited forthwith to the credit of the referee in his official capacity in a depository designated by the court for the purpose, and shall be disbursed only by checks signed by the referee in his official capacity. Within sixty days after the expiration of each six months period ending June thirtieth and December thirty-first of each year, each referee shall submit to the district court (1) a financial statement containing the information indicated by Form No. 47; (2) if the referee devotes part time to his duties, a statement showing the extent to which and the method by which any overhead expenses have been allocated to and reimbursed out of the aforesaid funds; (3) a copy of the

rule or a statement of the method by which the amount of the indemnity or expense charges against individual estates is computed or fixed; (4) a statement containing an inventory of law books, office equipment and other property acquired under the provisions of subdivision b of section 62 of the Act; and (5) a list of the proceedings referred to him which have remained open for more than eighteen months, giving the reasons in each instance why they have not been closed. The statements so submitted shall be in duplicate and verified; and one copy shall be transmitted by the clerk, forthwith upon its receipt, to the Attorney General.

27

REVIEW BY JUDGE

(Abrogated.)

28

REDEMPTION OF PROPERTY AND COMPOUNDING OF CLAIMS

Whenever it may be deemed for the benefit of an estate to redeem and discharge any mortgage, pledge, deposit or lien, upon any property, real or personal, or to compound and settle any debts or other claims due or belonging to the estate, the receiver or trustee, or the bankrupt or debtor, or any creditor who has proved his claim, may file his petition therefor; and thereupon the court shall appoint a suitable time and place for the hearing thereof, notice of which shall be given as the court shall direct, so that all creditors and other persons interested may appear and show cause, if any they have, why an order should not be passed by the court upon the petition authorizing or directing such an act on the part of the receiver or trustee: *Provided,* That the court may, upon cause shown, order an immediate redemption of property without notice.

29

PAYMENT OF MONEYS DEPOSITED

No moneys deposited as required by the Act shall be drawn from the depository unless by check or draft, signed by the clerk of the court or by a receiver or trustee, and countersigned by the judge, or by a referee, or by the clerk or his assistant under an order made by the judge, stating the date, the sum, and the account for which it is drawn. An entry of the substance of each check or draft, with the date thereof, the sum drawn for, and the account for which it is drawn, shall be forthwith made in a book kept for that purpose by the receiver or trustee; and all checks and drafts shall be entered in the order of time in which they are drawn, and shall be numbered in the case of each estate. A copy of this general order shall be furnished to the depository, and also the name of any clerk authorized to countersign said checks.

30

IMPRISONED DEBTOR

If, at the time of the commencement of the proceedings under this Act, the bankrupt or debtor shall be imprisoned, the court, upon application, may order him to be produced upon habeas corpus, by the jailer or any officer in whose custody he may be, before the court, for the purpose of testifying in any manner relating to said proceedings; and, if committed after the commencement of said proceedings upon process in any civil action founded upon a claim provable under the Act, the judge may, upon like application, discharge him from such imprisonment. If the bankrupt or debtor, during the pendency of said proceedings, be arrested or imprisoned upon process in any civil action, the judge, upon his application, may issue a writ of habeas corpus to bring him before the judge

to ascertain whether such process has been issued for the collection of any claim provable under the Act, and if so provable he shall be discharged; if not, he shall be remanded to the custody in which he may lawfully be. Before granting the order for discharge, the judge shall cause notice to be served upon the creditor or his attorney, so as to give him an opportunity of appearing and being heard before the granting of the order.

31

PETITION FOR DISCHARGE

The petition of a bankrupt corporation for a discharge shall state concisely, in accordance with the provisions of the Act and the orders of the court, the proceedings in the case and the acts of the bankrupt.

32

OPPOSITION TO DISCHARGE

Any person opposing a discharge shall, on or before the time fixed for the filing of objections to the discharge, file a specification in writing of the grounds of his opposition.

33

ARBITRATION AND COMPROMISE

Whenever a receiver, trustee or debtor in possession shall make application to the court for authority to submit to arbitration any controversy arising in the settlement of an estate, or for authority to compromise any such controversy, the application shall clearly and distinctly set forth the subject matter of the controversy, and the reasons why it is proper and for the best interest of the estate that the controversy should be settled by arbitration or compromise.

34

COSTS IN CONTESTED PROCEEDINGS

In cases of involuntary bankruptcy, when the debtor resists an adjudication, and the court, after hearing, adjudges the debtor a bankrupt, the petitioning creditor shall recover, and be paid out of the estate, the same costs that are allowed to a party recovering in a civil action cognizable as a case in equity; and if the petition is dismissed, the debtor shall recover like costs against the petitioner.

35

COMPENSATION OF CLERKS, REFEREES, RECEIVERS AND TRUSTEES

(1) The fees allowed by the Act to clerks shall be in full compensation for all services performed by them in regard to filing petitions or other papers required by the Act to be filed with them, or in certifying or delivering papers or copies of records to referees or other officers, or in receiving or paying out moneys; but shall not include copies furnished to other persons, or expenses necessarily incurred in publishing or mailing notices or other papers.

(2) The compensation of referees, prescribed by the Act, shall be in full compensation for all services performed by them under the Act, or under these general orders; but shall not include expenses necessarily incurred by them in publishing or mailing notices, in traveling, or in perpetuating testimony, or other expenses necessarily incurred in the performance of their duties under the Act and allowed by special order of the judge.

(3) The compensation allowed to receivers or trustees by the Act shall be in full compensation for the services performed by them; but shall not include expenses neces-

sarily incurred in the performance of their duties and allowed upon the settlement of their accounts.

(4) In any case in which the fees of the clerk, referee, and trustee are not required by the Act to be paid by a debtor before filing his petition to be adjudged a bankrupt, the judge, at any time during the pendency of the proceedings in bankruptcy, may order those fees to be paid out of the estate; or may, after notice to the bankrupt, and satisfactory proof that he then has or can obtain the money with which to pay those fees, order him to pay them within a time specified, and, if he fails to do so, may order his petition to be dismissed. He may also, pending such proceedings, both in voluntary and involuntary cases, order the commissions of referees, receivers and trustees to be paid immediately after such commissions accrue and are earned.

36

APPEALS

Appeals shall be regulated, except as otherwise provided in the Act, by the rules governing appeals in civil actions in the courts of the United States, including the Rules of Civil Procedure for the District Courts of the United States.

37

GENERAL PROVISIONS

In proceedings under the Act the Rules of Civil Procedure for the District Courts of the United States shall, in so far as they are not inconsistent with the Act or with these general orders, be followed as nearly as may be. But the court may shorten the limitations of time prescribed so as to expedite hearings, and may otherwise modify the rules for the preparation or hearing of any particular proceeding.

38

FORMS

The several forms annexed to these general orders shall be observed and used, with such alterations as may be necessary to suit the circumstances of any particular case.

39

REPRESENTATION OF CREDITORS BY RECEIVERS OR THEIR ATTORNEYS

Neither a receiver nor his attorney shall solicit any proof of claim, power of attorney, or other authority to act for or represent any creditor for any purpose in connection with the administration of an estate or the acceptance or rejection of any arrangement or plan.

40

RECEIVERS AND MARSHALS AS CUSTODIANS

A receiver or marshal appointed by the court to take charge of the property of a bankrupt after the filing of a petition, shall be deemed to be a mere custodian within the meaning of section 48 of the Act, unless his duties and compensation are specifically enlarged by order of the court, upon proper cause shown, either at the time of the appointment or later.

41

WAIVER OF RIGHT TO SHARE IN DEPOSITS OR IN PAYMENTS UNDER AN ARRANGEMENT OR PLAN

Before confirming an arrangement or plan the court shall require all creditors and other persons who may have waived their right to share in the distribution of the deposit or in payments under the arrangement or plan,

for claims, fees or otherwise, to set forth in writing and under oath all agreements with respect thereto with the debtor, his attorney or other person, and shall also require an affidavit by the debtor that he has not directly or indirectly paid or promised any consideration to any attorney, trustee, receiver, creditor, or other person in connection with the proceedings except as set forth in such affidavit or in the arrangement or plan, and that he has no knowledge of any such payment or promise by any other party.

42

COMPENSATION OF ATTORNEYS

No allowance of compensation shall be made to any attorney for a receiver, trustee or debtor in possession except for professional services.

43

FEES AND EXPENSES OF ATTORNEYS FOR PETITIONING CREDITORS

The court may deny the allowance of any fee to the attorney for petitioning creditors or the reimbursement of his expenses, or both, if it shall appear that the proceedings were instituted in collusion with the bankrupt or were not instituted in good faith.

44

APPOINTMENT OF ATTORNEYS

No attorney for a receiver, trustee or debtor in possession shall be appointed except upon the order of the court, which shall be granted only upon the verified petition of the receiver, trustee or debtor in possession, stating the name of the counsel whom he wishes to employ, the reasons for his selection, the professional services he is to

render, the necessity for employing counsel at all, and to the best of the petitioner's knowledge all of the attorney's connections with the bankrupt or debtor, the creditors or any other party in interest, and their respective attorneys. If satisfied that the attorney represents no interest adverse to the receiver, the trustee, or the estate in the matters upon which he is to be engaged, and that his employment would be to the best interests of the estate, the court may authorize his employment, and such employment shall be for specific purposes unless the court is satisfied that the case is one justifying a general retainer. If without disclosure any attorney acting for a receiver or trustee or debtor in possession shall have represented any interest adverse to the receiver, trustee, creditors or stockholders in any matter upon which he is employed for such receiver, trustee, or debtor in possession, the court may deny the allowance of any fee to such attorney, or the reimbursement of his expenses, or both, and may also deny any allowance to the receiver or trustee if it shall appear that he failed to make diligent inquiry into the connections of said attorney.

Nothing herein contained shall prevent the judge, in proceedings under section 77 of the Act, from authorizing the employment of attorneys who are attorneys of the corporation, or associated with its legal department, in connection with the operation of the business of the corporation by a trustee or trustees under subsection (c) of section 77, when such employment is found by the judge to be in the public interest in relation to such operation and is not adverse to the interests of the trustee or trustees or of the creditors of the corporation.

45

AUCTIONEERS, ACCOUNTANTS AND APPRAISERS

No auctioneer or accountant shall be employed by a receiver, trustee or debtor in possession except upon an

order of the court expressly fixing the amount of the compensation or the rate or measure thereof. The compensation of appraisers shall be provided for in like manner in the order appointing them.

46

BANKING INSTITUTION AS CUSTODIAN, RECEIVER OR TRUSTEE

(Abrogated.)

47

REPORTS OF REFEREES AND SPECIAL MASTERS

Unless otherwise directed in the order of reference the report of a referee or of a special master shall set forth his findings of fact and conclusions of law, and the judge shall accept his findings of fact unless clearly erroneous. The judge after hearing may adopt the report or may modify it or may reject it in whole or in part or may receive further evidence or may recommit it with instructions.

48

PROCEEDINGS UNDER CHAPTER XI OF THE ACT

(1) This general order shall apply to proceedings under chapter XI of the Act.

(2) The general orders in bankruptcy shall, in so far as they are not inconsistent with the provisions of chapter XI or of this general order, apply to proceedings under chapter XI: *Provided,* That General Orders 18, 28 and 29 shall not apply to such proceedings unless an order shall be entered directing that bankruptcy be proceeded with pursuant to the provisions of the Act.

(3) The clerk shall forthwith transmit to the Collector of Internal Revenue for the district in which the proceedings are brought a copy of each petition filed under section 321 or 322 of the Act.

(4) All papers filed shall be accompanied by such copies as the clerk or referee may require to enable him to comply with the provisions of the Act and of this general order.

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PROCEEDINGS UNDER SECTION 77 OF THE ACT

(1) This general order shall apply to proceedings under section 77 of the Act.

(2) The general orders in bankruptcy shall, in so far as they are not inconsistent with the provisions of section 77 or of this general order, apply to proceedings under section 77: *Provided,* That General Orders 17, 18, 21, 28, 29 and 41 shall not apply to such proceedings.

(3) Each circuit court of appeals shall cause written notice to be given to the judges of the district courts within the circuit of the names and addresses of the persons from time to time designated and qualified to act as special masters under the provisions of subsection (c) of section 77.

(4) The clerk of the district court in which proceedings under section 77 are brought shall forthwith transmit to the Interstate Commerce Commission copies of (a) the answer, if any, of the railroad corporation, or the pleading of any creditor controverting facts alleged in the petition; (b) the order approving or dismissing the petition; (c) any order (1) directing the debtor to give notice and fixing the date of a hearing on the appointment of a trustee or trustees, (2) appointing or removing a trustee, or (3) confirming the appointment of legal counsel for the trustee or trustees, or removing such counsel; (d) any application by a trustee for authority to issue certificates, and any order authorizing such issuance; (e) such schedules and reports as may be submitted by the officers of the corporation or trustees with respect to the conduct of the debtor's affairs and

the fairness of any proposed plan, and all orders issued to the trustee or trustees with respect to the operation of the corporation's business, together with the petitions upon which the orders were based; (f) the lists of bondholders, creditors, and stockholders required to be filed under paragraph (4) of subsection (c) of section 77, and any other information concerning the security holders filed pursuant to the order of the court; (g) any order determining the time within which, and the manner in which, claims may be filed or evidenced and allowed, and the division of creditors and stockholders into classes, and any order respecting the exercise of any power by any person or committee representing any creditor or stockholder; (h) any order allowing or rejecting such claims, or extending the time within which they may be filed or evidenced; (i) any order directing the trustee or trustees to report facts pertaining to irregularities, fraud, misconduct, or mismanagement, and any report made pursuant to such order; (j) any order directing the debtor or the trustee or trustees to keep records and accounts, in addition to those prescribed by the commission, for the segregation and allocation of earnings and expenses; (k) any order approving the special employment of assistants requested by the commission; (l) any application for allowances of compensation and expenses under the provisions of paragraphs (2) and (12) of subsection (c) of section 77, upon receipt of which the commission shall determine the maximum limits of such allowances and file with the court its report and order thereon, and any order making allowances for compensation and expenses under said paragraph; (m) any order issued upon the petition of the commission for the reference of particular matters to a special master, and the report of such master thereon; (n) any order allowing interested parties to intervene in the proceedings, any minute of appearance by a person other than interveners, and any rule defining matters upon which notice shall be

given to other than interveners; (o) any order extending the time for filing a plan; (p) any motion to dismiss the proceedings because of undue delay in a reasonably expeditious reorganization of the debtor, and notice of any hearing with reference to dismissing the proceedings for such cause; (q) any notice of the time within which parties in interest may file with the court objections to the plan approved by the commission, and any objection to such plan and any claim for equitable treatment filed by a party in interest; (r) any order affirming a finding of the commission affecting the requirement that the plan be submitted to creditors or stockholders as provided in the second paragraph of subsection (e) of section 77; (s) any order entered on the disapproval of the plan, and the judge's opinion stating his conclusions and reasons for such disapproval; (t) if the plan is not confirmed, the order, with the judge's opinion stating his conclusions and reasons therefor, dismissing the proceedings or referring the case back to the commission for further proceedings, and, if the case is referred back to the commission, a copy of the evidence received in any hearings with reference to confirmation; (u) the order confirming the plan, with the judge's opinion stating his conclusions and reasons therefor, and any order directing the transfer or other disposition of the property; (v) the final decree; and (w) such other papers filed in the proceedings as the commission may request of the clerk or the court may direct him to transmit.

(5) The Interstate Commerce Commission shall forthwith cause to be filed in the district court having jurisdiction of the proceedings copies of (a) any order ratifying the appointment of a trustee or trustees; (b) each report and order authorizing the issue of trustees' certificates; (c) each order or call for a hearing, with a statement of its purposes; (d) each plan of reorganization, other than the debtor's, filed with the commission; (e) any report finding a plan to be prima facie impracticable;

(f) any order refusing to approve a plan, together with the commission's report stating fully the reasons for its conclusions; (g) any petition for further hearing on a plan, and any supplemental order modifying any plan, together with the report stating the reasons for such modification; (h) the written acceptances of any plan which is finally approved; (i) any order granting authority for the issuance of securities or for other steps contemplated by the plan; (j) any order issued to the trustee or trustees with respect to the operation of the corporation's business; (k) any order issued under the provisions of subsection (p) of section 77 authorizing the solicitation, use, employment or action under or pursuant to proxies, authorizations, or deposit agreements; and (l) such other papers filed in the proceedings as the court may direct or the commission deem pertinent.

(6) The clerk of the district court in which proceedings under section 77 are brought shall forthwith transmit to the Secretary of the Treasury copies of (a) any petition filed under subsection (a) of section 77; (b) the answer, if any, of the railroad corporation; (c) the order approving or dismissing the petition; (d) any order appointing or removing a trustee; (e) any application by a trustee for authority to issue certificates, and any order authorizing or refusing to authorize such issuance; (f) any order determining the time within which, and the manner in which, claims may be filed or evidenced and allowed, and the division of creditors and stockholders into classes; (g) any plan of reorganization filed with the court; (h) any order approving a plan, or referring the proceedings back to the commission for further action; (i) the order confirming a plan; (j) any application for allowances of compensation and expenses, and any order making or refusing to make such allowances; (k) the order dismissing the proceedings; (l) the final decree; (m) any opinion of the court, or report of a special master, with respect to the matters above enumerated; and (n) such other papers

filed in the proceedings as the Secretary of the Treasury may request or the court may direct to be transmitted to him: *Provided,* That if the Secretary of the Treasury shall determine that the transmission of any such papers is unnecessary, he shall so notify the clerk, whereupon the clerk may dispense with the transmittal of further papers.

The clerk shall also transmit to the Collector of Internal Revenue for the district in which the proceedings are pending a copy of any petition filed under subsection (a) of section 77.

(7) The Interstate Commerce Commission shall forthwith cause to be transmitted to the Secretary of the Treasury copies of (a) any order ratifying the appointment of a trustee; (b) any plan of reorganization, other than the debtor's, filed with the commission; (c) any petition for alteration or modification of a plan; (d) any supplemental report and order modifying a plan; and (e) the plan certified by the commission to the court, together with the report and order approving the plan: *Provided,* That if the Secretary of the Treasury shall determine that the transmission of any such papers is unnecessary, he shall so notify the commission, whereupon the commission may dispense with the transmittal of further papers.

(8) All papers filed with the court and with the Interstate Commerce Commission shall have attached thereto such copies as may be required to carry out this general order.

(9) Any order fixing the time for a hearing on the approval or confirmation by the court of a plan which affects claims or stock of the United States shall include a reasonable notice to the Secretary of the Treasury of not less than thirty days.

(10) All proceedings before the commission under section 77 shall be conducted in accordance with its rules of practice and such special instructions, rules, and regula-

tions as it may issue pursuant to the provisions of said section.

(11) All process to be served outside of the district in which proceedings under section 77 are pending shall be returnable at such time as the judge shall determine, and shall be directed to and served by the United States marshal for the district in which service is to be effected.

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PROCEEDINGS UNDER SECTION 75 OF THE ACT

The following rules shall apply to proceedings under section 75 of the Act:

(1) Upon the expiration of the term of office of a conciliation commissioner, the judge may reappoint him or appoint other or additional conciliation commissioners.

(2) Every petition for relief filed under subdivision (c) of section 75 shall specify the county or counties in which any land used in the petitioner's farming operations is situated, and shall not be granted unless a conciliation commissioner for such county, or for one of such counties, has previously been appointed. The clerk shall not accept the petition unless it is accompanied by the filing fee and the schedules, which shall be in duplicate. Upon the filing of the petition the judge shall enter an order either approving it as properly filed under the section, or dismissing it for want of jurisdiction. If the petition is approved, the case shall be referred, and one of the duplicate schedules delivered, to a conciliation commissioner appointed for service in said county or in one of said counties.

(3) Within ten days after the approval of the petition, or within such further time as the judge for cause shown may allow, the farmer shall file with the conciliation commissioner an inventory of his estate, and the commissioner shall thereupon call the first meeting of creditors, to be held before him at such place as he deems most

convenient for the parties in interest, upon written and published notice as provided in section 58 of the Act. Prior to the meeting he shall set off to the farmer the exemptions to which the farmer is entitled.

(4) If the farmer has not applied for confirmation within such reasonable time as has been finally fixed therefor, which shall be not later than three months after the date of the first meeting, the conciliation commissioner shall, unless the judge for cause shown shall have permitted a further extension, forthwith report the facts to the judge, who shall thereupon dismiss the proceedings.

(5) The money to be paid upon the confirmation of a composition shall be placed in a depository to be designated by order of the judge, subject to withdrawal by the depositor upon the countersignature of the conciliation commissioner. The judge shall furnish a copy of this general order to the depositories and also the name of any conciliation commissioner whose countersignature is authorized.

(6) Application for confirmation shall be filed with the conciliation commissioner who shall forthwith transmit it to the judge with (a) the acceptances, (b) the proofs of claims which have been allowed and those which have been disallowed, (c) a list of the debts having priority, (d) a list of the secured debts, with a description of the security of each, (e) the final inventory, with a list of the exemptions, and (f) a report of the commissioner recommending or opposing confirmation and, in the case of an extension, stating to what extent, if any, it would be desirable for the court after confirmation to retain jurisdiction of the farmer and his property.

(7) The judge shall fix a date and place for a hearing before him upon the application for confirmation. At the hearing any creditor opposing confirmation shall file a written specification of the grounds of his opposition. If the judge does not confirm the proposal he may dismiss the proceedings, or refer the specifications to the com-

missioner for testimony and report and thereafter confirm the proposal or dismiss the proceedings.

(8) If a composition or extension proposal is set aside for fraud under the provisions of subdivision (m) of section 75 the case may be dismissed and the clerk shall notify the creditors accordingly. Whenever the terms of the proposal are modified under the provisions of subdivision (l) of said section, the clerk shall send a written notice of the modifications to the creditors.

(9) The personal representative of a deceased farmer who desires in his representative capacity to effect, under section 75, a composition or extension of the debts of the estate, shall attach to his petition, in lieu of schedules, the following papers, certified as correct by the court which appointed him (hereinafter referred to as the probate court): (a) a copy of the order of his appointment, (b) a copy of an order of the probate court authorizing him to file the petition, (c) a detailed inventory of so much of the property constituting the estate as under the laws of the State of which the decedent died a resident would be available for creditors, and (d) a list of the names and addresses of the creditors, showing the amounts allowed or apparently owing to each, the nature of the securities or liens, if any, held by each, and the claims which are entitled to priority. The petition shall show to the satisfaction of the district court that the decedent at the time of his death was a farmer within the meaning of subdivision (r) of section 75, and shall specify the county or counties in which at the time of the decedent's death his farming operations occurred. If the petition is approved by the district court as properly filed under section 75, the clerk shall file a certified copy of the order of approval with the probate court, and from the date of such order until the case is dismissed the district court shall exercise exclusive jurisdiction over the property required to be listed in the inventory as above provided.

(10) Upon the approval of a personal representative's petition the case shall be referred to a conciliation commissioner and proceeded with as in all other cases under section 75 and this general order, except that (a) the original and any amended or supplementary inventory filed by the petitioner with the approval of the probate court shall be deemed to be correct, and no inventory shall be made by the commissioner; (b) all claims allowed by the probate court, and only such claims, shall be allowed by the commissioner or the district court; (c) the petitioner shall file with the application for confirmation a completed list of the claims allowed up to the date of the application, certified as correct by the probate court; and (d) the clerk shall file with the probate court certified copies of all orders of the judge confirming or denying the proposal, modifying its terms, or dismissing the proceedings before or after confirmation.

(11) In so far as is consistent with the provisions of section 75 and of this general order, the conciliation commissioner shall have all the powers and duties of a referee in bankruptcy and the general orders in bankruptcy shall apply to proceedings under said section. A supervisory conciliation commissioner, if appointed, shall exercise such supervision and control over the conduct of proceedings by conciliation commissioners as the judge may from time to time direct.

(12) The twenty-five dollar fees of the conciliation commissioner, and the fees and expenses of the supervisory conciliation commissioner, shall be payable out of appropriated funds in accordance with such instructions as may be issued from time to time by the Attorney General.

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ANCILLARY RECEIVERSHIPS LIMITED

No ancillary receiver shall be appointed in any district court of the United States in any bankruptcy pro-

ceeding pending in any other district of the United States except (1) upon the application of the primary receiver, or (2) upon the application of any party in interest with the consent of the primary receiver, or by leave of a judge of the court of original jurisdiction. No application for the appointment of such ancillary receiver shall be granted unless the petition contains a detailed statement of the facts showing the necessity for such appointment, which petition shall be verified by the party in interest, or the primary receiver, or by an agent of the party in interest or primary receiver specifically authorized in writing for that purpose and having knowledge of the facts. Such authorization shall be attached to the petition.

52

PROCEEDINGS UNDER CHAPTER X OF THE ACT

(1) This general order shall apply to proceedings under chapter X of the Act.

(2) The general orders in bankruptcy shall, in so far as they are not inconsistent with the provisions of chapter X or of this general order, apply to proceedings under chapter X: *Provided,* That General Orders 12, 16, 17, 18, 20, 21, 28, 29 and 41 shall not apply to such proceedings unless an order shall be entered directing that bankruptcy be proceeded with pursuant to the provisions of the Act.

(3) The clerk shall forthwith transmit to the Collector of Internal Revenue for the district in which the proceedings are brought a copy of each petition filed under section 127 or 128 of the Act.

(4) Whenever, under the provisions of chapter X, a copy of any paper is required to be transmitted to the Securities and Exchange Commission, two copies thereof shall be transmitted.

(5) All papers filed shall be accompanied by such copies as the clerk or referee may require to enable him

to comply with the provisions of the Act and of this general order.

53

BOND OF DESIGNATED DEPOSITORY UNDER SECTION 61

(1) The bond required of a banking institution designated as a depository shall be given with an authorized fidelity or bonding company as surety, or with approved individual sureties who are residents of the judicial district in which the court of bankruptcy or the banking institution is located, and two of whom are neither officers nor directors of the institution designated as a depository: *Provided,* That the judge may, in accordance with the provisions of, and the authority conferred in section 1126 of the Revenue Act of 1926, as amended (U. S. C., Title 6, section 15), accept the deposit of the securities therein designated, in lieu of a surety or sureties upon such bond.

(2) The condition of bonds hereafter given shall be substantially to the effect that the banking institution, so designated, shall well and truly account for and pay over all moneys deposited with it as such depository, and shall pay out such moneys only as provided by the bankruptcy law and applicable general orders and court rules, and shall abide by all orders of the court in respect of such moneys, and shall otherwise faithfully perform all duties pertaining to it as such depository.

(3) As one means of bringing before the judge of the bankruptcy court information respecting possible occasions for requiring a depository to give a new bond with different sureties, it shall be the duty of each depository to file with the bankruptcy court during the month of January in each year a sworn statement in writing disclosing

(a) Whether any of the individual sureties on its bond has removed from the judicial district of which he was a resident, or has died; and

(b) Whether the financial worth of any of its individual sureties has become materially impaired.

(4) As one means of bringing before the judge of the bankruptcy court information respecting occasions for requiring a depository to give a new bond in an increased amount, it shall be the duty of any depository, when its total of bankruptcy deposits equals ninety-five per centum of the amount of its current depository bond, forthwith to file a written statement with the bankruptcy court, setting forth the total amount of such deposits and the amount of its current bond.

(5) No receiver, trustee or debtor in possession shall deposit with any one depository funds committed to his custody as such receiver, trustee or debtor in possession in excess of the amount of the bond of such depository then in force.

(6) It shall be the duty of the judge to require a depository to give a new bond whenever it appears that the prior bond is not sufficient in amount, in view of present and prospective deposits, or that a surety has died or has removed from the judicial district of which he was a resident, or whenever there is otherwise occasion to believe that the prior bond does not constitute adequate security.

(7) It shall be the duty of the judge to require each depository to give a new bond within five years after the giving of its last prior bond.

(8) A surety, or the personal representative of a deceased surety, on the bond of a depository may, by a petition setting forth the grounds therefor, request the judge to require the depository to give a new bond and thereby to relieve such surety, or his estate, from responsibility and liability as respects any future default of the depository, and, if upon a hearing had after reasonable notice to the depository, to other sureties on the bond, and to the trustees or other representatives of estates having deposits in such depository, it appears to the judge that the petition can be granted without injury to any party in in-

terest, the judge shall require the depository to give a new bond.

(9) A new bond given under any subdivision of this general order shall, from the time of its approval by the judge, be regarded as taking the place of the preceding bond as respects any subsequent default of the depository; and, upon approving the new bond, the judge shall enter an order relieving the sureties on the prior bond, and the estate of any deceased surety, from responsibility and liability thereon as respects any default of the depository occurring thereafter.

(10) If any depository, when required to give a new bond, fails to comply with that requirement within the time fixed therefor by this general order or by the judge, it shall be the duty of the judge to order such depository to pay over all moneys on deposit with it as such depository, and to revoke its designation as depository.

54

PROCEEDINGS UNDER CHAPTER XII OF THE ACT

(1) This general order shall apply to proceedings under chapter XII of the Act.

(2) The general orders in bankruptcy shall, in so far as they are not inconsistent with the provisions of chapter XII or of this general order, apply to proceedings under chapter XII: *Provided,* That General Orders 17, 18, 21, 28 and 29 shall not apply to such proceedings unless an order shall be entered directing that bankruptcy be proceeded with pursuant to the provisions of the Act.

(3) The clerk shall forthwith transmit to the Collector of Internal Revenue for the district in which the proceedings are brought a copy of each petition filed under section 421 or 422 of the Act.

(4) All papers filed shall be accompanied by such copies as the clerk or referee may require to enable him to comply with the provisions of the Act and of this general order.

55

PROCEEDINGS UNDER CHAPTER XIII OF THE ACT

(1) This general order shall apply to proceedings under chapter XIII of the Act.

(2) The general orders in bankruptcy shall, in so far as they are not inconsistent with the provisions of chapter XIII or of this general order, apply to proceedings under chapter XIII: *Provided,* That General Orders 14, 18 and 28 shall not apply to such proceedings unless an order shall be entered directing that bankruptcy be proceeded with pursuant to the provisions of the Act.

(3) The clerk shall forthwith transmit to the Collector of Internal Revenue for the district in which the proceedings are brought a copy of each petition filed under section 621 or 622 of the Act.

(4) All papers filed shall be accompanied by such copies as the clerk or referee may require to enable him to comply with the provisions of the Act and of this general order.

(5) Each proof of claim shall, unless the court is satisfied from its other allegations that the claim is not based upon money loaned or upon any bond, note or other obligation, contain proof that the claim is free from usury as defined by the laws of the place where the debt was contracted.

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RULES BY COURTS OF BANKRUPTCY

Each court of bankruptcy, by action of a majority of the judges thereof, may from time to time make and amend rules governing its practice in proceedings under the Act not inconsistent with the Act or with these general orders. Copies of rules and amendments so made by any court of bankruptcy shall, upon their promulgation, be furnished to the Supreme Court of the United States.

FORMS IN BANKRUPTCY.

(N. B.—Oaths required by the Act, except upon hearing before a judge, may be administered by referees, by officers authorized to administer oaths in proceedings before the courts of the United States or under the laws of the State where the same are to be taken, and by diplomatic or consular officers of the United States in any foreign country.

Each paper filed should have a caption, similar to that of the Debtor's Petition, Form No. 1, as prescribed in General Order 5.)

FORM No. 1.

DEBTOR'S PETITION.

In the District Court of the United States for the ——— District of ———.

In the matter of ———, *Bankrupt.*	In Bankruptcy No. ———.

PETITION

To the Honorable ——— ———,

Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, residing at No. — ——— Street, in ———, County of ———, State of ———, by occupation a ———, and employed by ——— [*or* engaged in the business of ———], respectfully represents:

1. Your petitioner has had his principal place of business [*or* has resided, *or* has had his domicile] at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. Your petitioner owes debts and is willing to surrender all his property for the benefit of his creditors, except such as is exempt by law, and desires to obtain the benefit of the Act of Congress relating to bankruptcy.

3. The schedule hereto annexed, marked Schedule A, and verified by your petitioner's oath, contains a full and true statement of all his debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of said Act.

4. The schedule hereto annexed, marked Schedule B, and verified by your petitioner's oath, contains an accurate inventory of all his property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

Wherefore your petitioner prays that he may be adjudged by the court to be a bankrupt within the purview of said Act.

——— ———,
Petitioner.

———— ————, *Attorney.*

State of ————————}
County of ————————} *ss.*

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
Petitioner.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———— ————.
[*Official character.*]

SCHEDULE A.—STATEMENT OF ALL DEBTS OF BANKRUPT.

SCHEDULE A–1.

Statement of all creditors to whom priority is secured by the act.

Claims which have priority.	Reference to ledger or voucher.	Names of creditors.	Residences (if unknown, that fact must be stated).	When and where incurred or contracted.	Whether claim is contingent, unliquidated or disputed.	Nature and consideration of the debt, and whether incurred or contracted as partner or joint contractor and, if so, with whom.	Amount due or claimed.
a.—Wages due workmen, servants, clerks, or traveling or city salesmen on salary or commission basis, whole or part time, whether or not selling exclusively for the bankrupt, to an amount not exceeding $600 each, earned within three months before filing the petition.							$
b.—Taxes due and owing to— (1) The United States. (2) The State of ———. (3) The county, district or municipality of ———, State of ———.							
c.—(1) Debts owing to any person, including the United States, who by the laws of the United States is entitled to priority. (2) Rent owing to a landlord who is entitled to priority by the laws of the State of ———, accrued within three months before filing the petition, for actual use and occupancy.						Total----------	

——— ———, *Petitioner.*

SCHEDULE A.—STATEMENT OF ALL DEBTS OF BANKRUPT—Continued

SCHEDULE A–2.

Creditors holding securities.

[N. B.—Particulars of securities held, with dates of same, and when they were given, to be stated under the names of the several creditors, and also particulars concerning each debt, as required by the Act of Congress relating to bankruptcy, and whether contracted as partner or joint contractor with any other person; and if so, with whom.]

Reference to ledger or voucher.	Names of creditors.	Residences (if unknown, that fact must be stated).	Description of securities.	When and where debts were contracted, and nature and consideration thereof.	Whether claim is contingent, unliquidated or disputed.	Value of securities.	Amount due or claimed.
						$	$
					Total		

——— ———, *Petitioner.*

SCHEDULE A–3.

Creditors whose claims are unsecured.

[N. B.—When the name and residence (or either) of any drawer, maker, indorser, or holder of any bill or note, etc., are unknown, the fact must be stated, and also the name and residence of the last holder known to the debtor. The debt due to each creditor must be stated in full, and any claim by way of set-off stated in the schedule of property.]

Reference to ledger or voucher.	Names of creditors.	Residences (if unknown, that fact must be stated).	When and where contracted.	Whether claim is contingent, unliquidated or disputed.	Nature and consideration of the debt, and whether any judgment, bond, bill of exchange, promissory note, etc., and whether contracted as partner or joint contractor with any other person; and, if so, with whom.	Amount due or claimed.
						$
					Total	

——— ———, *Petitioner.*

SCHEDULE A.—STATEMENT OF ALL DEBTS OF BANKRUPT—Continued

SCHEDULE A–4

Liabilities on notes or bills discounted which ought to be paid by the drawers, makers, acceptors, or indorsers

[N. B.—The dates of the notes or bills, and when due, with the names, residences, and the business or occupation of the drawers, makers, acceptors, or indorsers thereof, are to be set forth under the names of the holders. If the names of the holders are not known, the name of the last holder known to the debtor shall be stated, and his business and place of residence. The same particulars shall be stated as to notes or bills on which the debtor is liable as indorser.]

Reference to ledger or voucher	Names of holders as far as known.	Residences (if unknown, that fact must be stated).	Place where contracted.	Whether claim is disputed.	Nature and consideration of liability, whether same was contracted as partner or joint contractor, or with any other person; and, if so, with whom.	Amount due or claimed.
						$
					Total	

——— ———, *Petitioner.*

SCHEDULE A–5.

Accommodation paper.

[N. B.—The dates of the notes or bills, and when due, with the names and residences of the drawers, makers, acceptors, and indorsers thereof, are to be set forth under the names of the holders; if the debtor be liable as drawer, maker, acceptor, or indorser thereof, it is to be stated accordingly. If the names of the holders are not known, the name of the last holder known to the debtor should be stated, with his residence. Give same particulars as other commercial paper.]

Reference to ledger or voucher.	Names of holders.	Residences (if unknown, that fact must be stated).	Names and residences of persons accommodated.	Place where contracted.	Whether claim is disputed.	Whether liability was contracted as partner or joint contractor, or with any other person; and, if so, with whom.	Amount due or claimed.
							$
						Total	

(723)

———— ————, *Petitioner.*

OATH TO SCHEDULE A.

State of ————}
County of ————} *ss.*

I, ————, the person who subscribed to the foregoing schedule, do hereby make solemn oath that the said schedule is a statement of all my debts, in accordance with the Act of Congress relating to bankruptcy, according to the best of my knowledge, information, and belief.

————— ————, *Petitioner.*

Subscribed and sworn to before me this ———— day of ————, 19—.

————— ————,
————— ————.
(*Official character.*)

SCHEDULE B.—STATEMENT OF ALL PROPERTY OF BANKRUPT.

SCHEDULE B–1.

Real estate.

Location and description of all real estate owned by debtor, or held by him, whether under deed, lease or contract.	Incumbrances thereon, if any, and dates thereof.	Statement of particulars relating thereto.	Estimated value of debtor's interest.	
			$	
		Total		

(724)

——— ———, *Petitioner.*

SCHEDULE B–2

Personal property.

		$	
a.—Cash on hand			
b.—Negotiable and non-negotiable instruments and securities of any description, including stocks in incorporated companies, interests in joint stock companies, and the like (each to be set out separately)			
c.—Stock in trade, in ——— business of ———, at ———, of the value of———			
d.—Household goods and furniture, household stores, wearing apparel and ornaments of the person			
e.—Books, prints, and pictures			
f.—Horses, cows, sheep, and other animals (with number of each)			
g.—Automobiles and other vehicles			
h.—Farming stock and implements of husbandry			
i.—Shipping, and shares in vessels			
j.—Machinery, fixtures, apparatus, and tools used in business, with the place where each is situated			
k.—Patents, copyrights, and trade-marks			
l.—Goods or personal property of any other description, with the place where each is situated			
	Total		

(725)

——— ———, *Petitioner.*

SCHEDULE B.—STATEMENT OF ALL PROPERTY OF BANKRUPT—Continued

SCHEDULE B–3.

Choses in action.

		$	
a.—Debts due petitioner on open account			
b.—Policies of insurance			
c.—Unliquidated claims of every nature, with their estimated value			
d.—Deposits of money in banking institutions and elsewhere			
	Total		

——— ———, *Petitioner.*

SCHEDULE B–4.

Property in reversion, remainder, or expectancy, including property held in trust for the debtor or subject to any power or right to dispose of or to charge.

[N. B.—A particular description of each interest must be entered, with a statement of the location of the property, the names and description of the persons now enjoying the same, the value thereof, and from whom and in what manner debtor's interest in such property is or will be derived. If all or any of the debtor's property has been conveyed by deed of assignment, or otherwise, for the benefit of creditors, the date of such deed should be stated, the name and address of the person to whom the property was conveyed, the amount realized as the proceeds thereof, and the disposal of the same, as far as known to the debtor.]

General interest.	Particular description.	Estimated value of interest.
Interest in land		$
Personal property		
Property in money, stock, shares, bonds, annuities, etc		
Rights and powers, legacies and bequests		
	Total	
Property heretofore conveyed for benefit of creditors.		Amount realized as proceeds of property conveyed.
Portion of debtor's property conveyed by deed of assignment, or otherwise, for the benefit of creditors; date of such deed, name and address of party to whom conveyed; amount realized therefrom, and disposal of same, as far as known to debtor		
Attorney's fees.		
Sum or sums paid to counsel, and to whom, for services rendered or to be rendered in this bankruptcy		
	Total	

(727)

———— ————, *Petitioner.*

SCHEDULE B.—STATEMENT OF ALL PROPERTY OF BANKRUPT—Continued

SCHEDULE B–5.

Property claimed as exempt from the operation of the act of Congress relating to bankruptcy.

[N. B.—Each item of property must be stated, with its valuation, and, if any portion of it is real estate, its location, description and present use.]

		Valuation.
Property claimed to be exempt by the laws of the United States, with reference to the statute creating the exemption		$
Property claimed to be exempt by State laws, with reference to the statute creating the exemption		
	Total	

(728)

———— ————, *Petitioner.*

SCHEDULE B–6

Books, papers, deeds and writings relating to debtor's business and estate.

The following is a true list of all books, papers, deeds and writings relating to petitioner's trade, business, dealings, estate and effects, or any part thereof, which, at the date of this petition, are in petitioner's possession or under petitioner's custody and control, or which are in the possession or custody of any person in trust for petitioner, or for petitioner's use, benefit, or advantage; and also of all others which have been heretofore, at any time, in petitioner's possession, or under petitioner's custody or control, and which are now held by the parties whose names are hereinafter set forth, with the reason for their custody of the same.

Books.	
Deeds.	
Papers.	

———— ————, *Petitioner.*

OATH TO SCHEDULE B.

State of ————————
County of ———————— } *ss.*

I, ————, the person who subscribed to the foregoing schedule, do hereby make solemn oath that the said schedule is a statement of all my property, real and personal, in accordance with the Act of Congress relating to bankruptcy, according to the best of my knowledge, information, and belief.

———— ————, *Petitioner.*

Subscribed and sworn to before me this ———— day of ————, 19—.

———— ————,
————.
[*Official character.*]

Summary of debts and assets.

[From the statements of the debtor in Schedules A and B.]

Schedule A	1-a	Wages		
Schedule A	1-b (1)	Taxes due United States		
Schedule A	1-b (2)	Taxes due States		
Schedule A	1-b (3)	Taxes due counties, districts and municipalities		
Schedule A	1-c (1)	Debts due any person, including the United States, having priority by laws of the United States		
Schedule A	1-c (2)	Rent having priority		
Schedule A	2	Secured claims		
Schedule A	3	Unsecured claims		
Schedule A	4	Notes and bills which ought to be paid by other parties thereto		
Schedule A	5	Accommodation paper		
		Schedule A, total		
Schedule B	1	Real estate		
Schedule B	2-a	Cash on hand		
Schedule B	2-b	Negotiable and non-negotiable instruments and securities		
Schedule B	2-c	Stock in trade		
Schedule B	2-d	Household goods		
Schedule B	2-e	Books, prints, and pictures		
Schedule B	2-f	Horses, cows, and other animals		
Schedule B	2-g	Automobiles and other vehicles		
Schedule B	2-h	Farming stock and implements		
Schedule B	2-i	Shipping and shares in vessels		
Schedule B	2-j	Machinery, fixtures, and tools		
Schedule B	2-k	Patents, copyrights, and trade-marks		
Schedule B	2-l	Other personal property		
Schedule B	3-a	Debts due on open accounts		
Schedule B	3-b	Policies of insurance		
Schedule B	3-c	Unliquidated claims		
Schedule B	3-d	Deposits of money in banks and elsewhere		
Schedule B	4	Property in reversion, remainder, expectancy or trust		
Schedule B	5	Property claimed as exempt		
Schedule B	6	Books, deeds and papers		
		Schedule B, total		

FORM NO. 2.

STATEMENT OF AFFAIRS.

(For Bankrupt or Debtor Not Engaged in Business.)

(NOTE.—Each question should be answered or the failure to answer explained. If the answer is "none," this should be stated. If additional space is needed for the answer to any question, a separate sheet, properly identified and made a part hereof, should be used and attached.

The term, "original petition," as used in the following questions, shall mean the petition filed under section 3b or 4a of chapter III, section 322 of chapter XI, section 422 of chapter XII, or section 622 of chapter XIII.)

1. **Name and residence.**
   a. What is your full name?

   b. Where do you now reside?

   c. Where else have you resided during the six years immediately preceding the filing of the original petition herein?

2. **Occupation and income.**
   a. What is your occupation?

   b. Where are you now employed?
      (Give the name and address of your employer, or the address at which you carry on your trade or profession, and the length of time you have been so employed.)

   c. Have you been in partnership with anyone, or engaged in any business, during the six years immediately preceding the filing of the original petition herein?
      (If so, give particulars, including names, dates and places.)

   d. What amount of income have you received from your trade or profession during each of the two years immediately preceding the filing of the original petition herein?

   e. What amount of income have you received from other sources during each of these two years?
      (Give particulars, including each source, and the amount received therefrom.)

3. **Income tax returns.**
   a. Where did you file your last federal and state income tax returns, and for what years?

4. **Bank accounts and safe deposit boxes.**
   a. What bank accounts have you maintained, alone or together with any other person, and in your own or any other name, within the two years immediately preceding the filing of the original petition herein?
      (Give the name and address of each bank, the name in which the deposit was maintained, and the name of every person authorized to make withdrawals from such account.)

4. **Bank accounts and safe deposit boxes**—Continued.

b. What safe deposit box or boxes or other depository or depositories have you kept or used for your securities, cash or other valuables, within the two years immediately preceding the filing of the original petition herein?

(Give the name and address of the bank or other depository, the name in which each box or other depository was kept, the name of every person who had the right of access thereto, a brief description of the contents thereof, and, if surrendered, when surrendered, or, if transferred, when transferred and the name and address of the transferee.)

5. **Books and records.**

a. Have you kept books of account or records relating to your affairs within the two years immediately preceding the filing of the original petition herein?

b. In whose possession are these books or records?

(Give names and addresses.)

c. Have you destroyed any books of account or records relating to your affairs within the two years immediately preceding the filing of the original petition herein?

(If so, give particulars, including date of destruction and reason therefor.)

6. **Property held in trust.**

a. What property do you hold in trust for any other person?

(Give name and address of each person, and a description of the property and the amount or value thereof.)

7. **Prior bankruptcy or other proceedings; assignments for benefit of creditors.**

a. What proceedings under the Bankruptcy Act have been brought by or against you during the six years immediately preceding the filing of the original petition herein?

(Give the location of the bankruptcy court, the nature of the proceeding, and whether a discharge was granted or refused, or a composition, arrangement or plan was or was not confirmed.)

b. Was any of your property, at the time of the filing of the original petition herein, in the hands of a receiver or trustee?

(If so, give the name and location of the court, the nature of the proceeding, a brief description of the property, and the name of the receiver or trustee.)

7. **Prior bankruptcy or other proceedings; assignments for benefit of creditors**—Continued.

c. Have you made any assignment of your property for the benefit of your creditors, or any general settlement with your creditors, within the two years immediately preceding the filing of the original petition herein?

(If so, give dates, the name of the assignee, and a brief statement of the terms of assignment or settlement.)

8. **Suits, executions and attachments.**

a. Have you been party plaintiff or defendant in any suit within the year immediately preceding the filing of the original petition herein?

(If so, give the name and location of the court, the title and nature of the proceeding, and the result.)

b. Has any execution or attachment been levied against your property within the four months immediately preceding the filing of the original petition herein?

(If so, give particulars, including property seized and at whose suit.)

9. **Loans repaid.**

a. What repayments of loans have you made during the year immediately preceding the filing of the original petition herein?

(Give the name and address of the lender, the amount of the loan and when received, the amount and date when repaid, and, if the lender is a relative, the relationship.)

10. **Transfer of property.**

a. What property have you transferred or otherwise disposed of during the year immediately preceding the filing of the original petition herein?

(Give a description of the property, the date of the transfer or disposition, to whom transferred or how disposed of, and, if the transferee is a relative, the relationship, the consideration, if any, received therefor, and the disposition of such consideration.)

11. **Losses.**

a. Have you suffered any losses from fire, theft or gambling during the year immediately preceding the filing of the original petition herein?

(If so, give particulars, including dates, and the amounts of money or value and general description of property lost.)

——— ———,
Bankrupt [or *Debtor*].

State of ———— }
County of ———— } *ss.*

I, ——— ———, the person who subscribed to the foregoing statement of affairs, do hereby make solemn oath that the answers therein contained are true and complete to the best of my knowledge, information, and belief.

——— ———,
Bankrupt [or *Debtor*].

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

FORM No. 3.

STATEMENT OF AFFAIRS.

(For Bankrupt or Debtor Engaged in Business.)

(NOTE.—Each question should be answered or the failure to answer explained. If the answer is "none," this should be stated. If additional space is needed for the answer to any question, a separate sheet properly identified and made a part hereof, should be used and attached.

If the bankrupt or debtor is a partnership or a corporation, the questions shall be deemed to be addressed to, and shall be answered on behalf of, the partnership or corporation; and the statement shall be verified by a member of the partnership or by a duly authorized officer of the corporation.

The term, "original petition," as used in the following questions, shall mean the petition filed under section 3b or 4a of chapter III, section 322 of chapter XI, section 422 of chapter XII, or section 622 of chapter XIII.)

1. **Nature, location and name of business.**

a. What business are you engaged in?

(If business operations have been terminated, give the date of such termination.)

b. Where, and under what name, do you carry on such business?

c. When did you commence such business?

d. Where else, and under what other names, have you carried on business within the six years immediately preceding the filing of the original petition herein?

(Give street addresses, the names of any partners, joint adventurers, or other associates, the nature of the business, and the periods for which it was carried on.)

2. **Books and records.**

a. By whom, or under whose supervision, have your books of account and records been kept during the two years immediately preceding the filing of the original petition herein?

(Give names, addresses, and periods of time.)

b. By whom have your books of account and records been audited during the two years immediately preceding the filing of the original petition herein?

(Give names, addresses, and dates of audits.)

c. In whose possession are your books of account and records?

(Give names and addresses.)

3. **Financial statements.**

a. Have you issued any financial statements within the two years immediately preceding the filing of the original petition herein?

(Give dates, and the names and addresses of the persons to whom issued, including mercantile and trade agencies.)

4. **Inventories.**

a. When was the last inventory of your property taken?

b. By whom, or under whose supervision, was this inventory taken?

c. What was the amount, in dollars, of the inventory?

(State whether the inventory was taken at cost, market, or otherwise.)

4. **Inventories**—Continued.

d. When was the next prior inventory of your property taken?

e. By whom, or under whose supervision, was this inventory taken?

f. What was the amount, in dollars, of the inventory?

(State whether the inventory was taken at cost, market, or otherwise.)

g. In whose possession are the records of the two inventories above referred to?

(Give names and addresses.)

5. **Income other than from operation of business.**

a. What amount of income, other than from the operation of your business, have you received during each of the two years immediately preceding the filing of the original petition herein?

(Give particulars, including each source, and the amount received therefrom.)

6. **Income tax returns.**

a. Where did you file your last federal and state income tax returns, and for what years?

7. **Bank accounts and safe deposit boxes.**

a. What bank accounts have you maintained, alone or together with any other person, and in your own or any other name, within the two years immediately preceding the filing of the original petition herein?

(Give the name and address of each bank, the name in which the deposit was maintained, and the name of every person authorized to make withdrawals from such account.)

b. What safe deposit box or boxes or other depository or depositories have you kept or used for your securities, cash or other valuables, within the two years immediately preceding the filing of the original petition herein?

(Give the name and address of the bank or other depository, the name in which each box or other depository was kept, the name of every person who had the right of access thereto, a brief description of the contents thereof, and, if surrendered, when surrendered, or, if transferred, when transferred and the name and address of the transferee.)

8. **Property held in trust.**

a. What property do you hold in trust for any other person?

(Give name and address of each person, and a description of the property and the amount or value thereof.)

9. **Prior bankruptcy or other proceedings; assignments for benefit of creditors.**

a. What proceedings under the Bankruptcy Act have been brought by or against you during the six years immediately preceding the filing of the original petition herein?

(Give the location of the bankruptcy court, the nature of the proceeding, and whether a discharge was granted or refused, or a composition, arrangement or plan was or was not confirmed.)

b. Was any of your property, at the time of the filing of the original petition herein, in the hands of a receiver or trustee?

(If so, give the name and location of the court, the nature of the proceeding, a brief description of the property, and the name of the receiver or trustee.)

c. Have you made any assignment of your property for the benefit of your creditors, or any general settlement with your creditors, within the two years immediately preceding the filing of the original petition herein?

(If so, give dates, the name of the assignee, and a brief statement of the terms of assignment or settlement.)

10. **Loans repaid.**

a. What repayments of loans have you made during the year immediately preceding the filing of the original petition herein?

(Give the name and address of the lender, the amount of the loan and when received, the amount and date when repaid, and, if the lender is a relative, the relationship. If the bankrupt or debtor is a partnership, state whether the lender is or was a partner or a relative of a partner, and, if so, the relationship. If the bankrupt or debtor is a corporation, state whether the lender is or was an officer, director or stockholder, or a relative of an officer, director or stockholder, and, if so, the relationship.)

11. **Transfer of property.**

a. What property have you transferred or disposed of, other than in the ordinary course of business, during the year immediately preceding the filing of the original petition herein?

(Give a description of the property, the date of the transfer or disposition, to whom transferred or how disposed of, and, if the transferee is a relative, the relationship, the consideration, if any, received therefor, and the disposition of such consideration.)

12. **Accounts receivable.**

a. Have you assigned any of your accounts receivable during the year immediately preceding the filing of the original petition herein?

(If so, give names and addresses of assignees.)

13. **Losses.**

a. Have you suffered any losses from fire, theft or gambling during the year immediately preceding the filing of the petition herein?

(If so, give particulars, including dates, and the amounts of money or value and general description of property lost.)

(*If the bankrupt or debtor is a partnership or corporation the following additional questions should be answered.*)

14. **Withdrawals.**

a. What personal withdrawals, including loans, have been made by each member of the partnership, or by each officer, director or managing executive of the corporation, during the year immediately preceding the filing of the original petition herein?

(Give the name of each person, whether a partner, officer, director or manager, the dates and amounts of withdrawals, and the nature or purpose thereof.)

15. **Members of partnership; officers, directors, managers, and principal stockholders of corporation.**

a. What are the names and addresses of each member of the partnership, or the names, titles and addresses of each officer, director and managing executive, and of each stockholder holding 25 per cent. or more of the issued and outstanding stock, of the corporation?

_____ _____,

Bankrupt [or *Debtor*].

State of ————————|
County of ————————| *ss.*

I, ——— ———, the person who subscribed to the foregoing statement of affairs, do hereby make solemn oath that the answers therein contained are true and complete to the best of my knowledge, information, and belief.

——— ———,
Bankrupt [or *Debtor*].

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———— ————
[*Official character.*]

FORM NO. 4.

PARTNERSHIP PETITION.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, and ——— ———, of ———, respectfully represents:

1. Your petitioners are copartners, trading under the firm name of ——— ———, and file this petition jointly in behalf of said partnership and of themselves, individually.

2. The said partnership and your petitioners have had their principal place of business at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

3. The said partnership and your petitioners owe debts.

4. Your petitioners are willing to surrender all of the property of said partnership and all of their individual property for the benefit of the creditors of said partnership and of their creditors, except such property as is exempt by law, and desire to obtain the benefit of the Act of Congress relating to bankruptcy.

5. The schedule hereto annexed, marked Schedule A, and verified by the oaths of your petitioners, contains a full and true statement of all the debts of said partnership, and, so far as it is possible to ascertain, the names and places of residence of its creditors, and such further statements concerning said debts as are required by the provisions of said Act.

6. The schedule hereto annexed, marked Schedule B, and verified by the oaths of your petitioners, contains an accurate inventory of all the property, real and personal, of said partnership, and such further statements concerning said property as are required by the provisions of said Act.

7. The schedule hereto annexed, marked Schedule C, and verified by the oath of your petitioner, ——— ———, contains a full and true statement of all his individual debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of said Act.

8. The schedule hereto annexed, marked Schedule D, and verified by the oath of your petitioner, ——— ———, contains an accurate inventory of all his individual property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

9. The schedule hereto annexed, marked Schedule E, and verified by the oath of your petitioner, ——— ———, contains a full and true statement of all his individual debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of said Act.

10. The schedule hereto annexed, marked Schedule F, and verified by the oath of your petitioner, ——— ———, contains an accurate inventory of all his individual property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

Wherefore your petitioners pray that the said partnership, and each of your petitioners, may be adjudged by the court to be a bankrupt within the purview of said Act.

——— ———,
——— ———,
Petitioners.

——— ———, *Attorney.*

State of ———— }
County of ———— } *ss.*

——— ——— and ——— ———, the petitioners named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of their knowledge, information, and belief.

——— ———,
——— ———,
Petitioners.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
——— ———.
[*Official character.*]

[Schedules to be annexed corresponding with schedules under Form No. 1.]

FORM No. 5.

CREDITORS' PETITION.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, and ——— ———, of ———, and ——— ———, of ———, respectfully represents:

1. ——— ———, of ———, has had his principal place of business [*or* has resided *or* has had his domicile] at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. Said ——— ——— owes debts to the amount of $1000, and is not a wage-earner or a farmer.

3. Your petitioners are creditors of said ——— ———, having provable claims against him, fixed as to liability and liquidated in amount, amounting in the aggregate, in excess of the value of securities held by them, to $500. The nature and amount of your petitioners' claims are as follows:

———————————————————————

———————————————————————

4. Within four months next preceding the filing of this petition, the said ——— ——— committed an act of bankruptcy, in that he did heretofore, to wit, on the ——— day of ———, 19—, ———————

———————————————————————

Wherefore your petitioners pray that service of this petition, with a subpoena, may be made upon said ———, as provided in the Act of Congress relating to bankruptcy, and that he may be adjudged by the court to be a bankrupt within the purview of said Act.

——— ———,
——— ———,
——— ———,
Petitioners.

——— ———, *Attorney.*

State of ———————}
County of ———————} *ss.*

——— ———, ——— ———, and ——— ———, the petitioners above named, do hereby make solemn oath that the statements contained in the foregoing petition, subscribed by them, are true.

——— ———,
——— ———,
——— ———,
Petitioners.

Subscribed and sworn to before me this ——— day of ———, 19—.

———— ————,
————.
[*Official character.*]

FORM No. 6.

SUBPOENA TO ALLEGED BANKRUPT.

United States of America, ——— District of ———.
To ———, in said district:

A petition in bankruptcy having been filed on the ——— day of ———, 19—, before the District Court of the United States within and for the ——— District of ———, as a court of bankruptcy, praying that you may be adjudged a bankrupt under the Act of Congress relating to bankruptcy,

You are hereby summoned and required to appear and plead to said petition, on or before the ——— day of ———, 19—; and, if you fail to do so, you may be adjudged a bankrupt by default.

Witness the Honorable ——— ———, judge of said court, and the seal thereof, at ———, this ——— day of ———, 19—.

———— ————,
Clerk.

[SEAL OF THE COURT]

FORM No. 7.

ANSWER OF ALLEGED BANKRUPT.

A petition having been filed in the above court on the ——— day of ———, 19—, praying that your respondent, the alleged bankrupt above named, be adjudged a bankrupt, your respondent now appears and answers the said petition as follows:

1. Respondent admits the allegations contained in paragraphs ——— of the petition.

2. Respondent denies each and every allegation contained in paragraphs ——— of the petition.

Wherefore your respondent prays that a hearing may be had on said petition and this answer, and that the issues presented thereby may be determined by the court [*or* by a jury].

———— ————.

State of ————————}
County of ————————} *ss.*

I, ——— ———, the respondent named in the foregoing answer, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

———— ————.

Subscribed and sworn to before me this ——— day of ———, 19—.

———— ————,

————.

[*Official character.*]

FORM No. 8.

BOND OF APPLICANT FOR A RECEIVER OR MARSHAL.

Know all men by these presents: That we, ——— ———, as principal, and ——— ———, as surety, are held and firmly bound unto ——— ———, in the sum of ——— dollars, to be paid to the said ——— ———, his executors, administrators, or assigns, to which payment, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents.

Signed and sealed this ——— day of ———, 19—.

The condition of this obligation is such that whereas a petition in bankruptcy has been filed in the District Court of the United States for the ——— District of ——— against the said ——— ———, and the said ——— ——— has applied to that court to have a receiver [*or* marshal] take charge of the property of said ——— ———, subject to the further order of said court;

Now, therefore, if said property be taken in charge by said receiver [*or* marshal], and if the said ——— ——— shall indemnify the said ——— ——— for such costs, counsel fees, expenses, and damages as may be occasioned by such seizure, taking, and detention of such property in the event the said petition is dismissed or withdrawn by the petitioners, then the above obligation to be void; otherwise to remain in full force and virtue.

Sealed and delivered in the presence of

———— ———— ———— ———— [SEAL]

———— ———— ———— ———— [SEAL]

Approved this ——— day of ———, 19—.

————,

District Judge or *Referee in Bankruptcy.*

FORM No. 9.

COUNTERBOND TO RECEIVER OR MARSHAL.

Know all men by these presents: That we, ——— ———, as principal, and ——— ———, as surety, are held and firmly bound unto ——— ———, marshal of the United States of the ——— District of ——— [*or* the receiver appointed by the District Court of the United States for the ——— District of ——— to take charge of the property of ——— ———], in the sum of ——— dollars, lawful money of the United States, to be paid to the said ——— ———, his successors in office or assigns, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally by these presents.

Signed and sealed this ——— day of ———, 19—.

The condition of this obligation is such that whereas a petition in bankruptcy has been filed in the said district court against the said ——— ———, and the said court has ordered said ——— ——— to take charge of the property of the said ——— ———, subject to the further order of the court, and the said district court upon a petition of said ——— ——— has ordered the said property to be released to him,

Now, therefore, if the said property shall be released accordingly to the said ——— ———, and the said ——— ———, being adjudged a bankrupt, shall account for and turn over said property or pay the value thereof in money at the time of seizure to the trustee, then the above obligation to be void; otherwise to remain in full force and virtue.

Sealed and delivered in
the presence of

——— ——— ——— ——— [SEAL]

——— ——— ——— ——— [SEAL]

Approved this ——— day of ———, 19—.

———,
District Judge or *Referee in Bankruptcy.*

FORM No. 10.

ADJUDICATION THAT DEBTOR IS NOT A BANKRUPT.

At ———, in said district, on the ——— day of ———, 19—.

This cause having been heard at ———, in said court, upon the petition of ——— ———, ——— ———, and ——— ———, that ——— ——— be adjudged a bankrupt under the Act of Congress relating to bankruptcy; and [*here state the proceedings, whether there was no opposition, or, if opposed, what proceedings were had*];

And, upon consideration of the proofs in said cause [*and the arguments of counsel thereon, if any*], it having been found that the material facts alleged in said petition were not proved;

It is adjudged that said ——— ——— is not a bankrupt as alleged, and that said petition be dismissed, with costs.

———— ————,
District Judge or *Referee in Bankruptcy.*

FORM No. 11.

ADJUDICATION OF BANKRUPTCY.

At ———, in said district, on the ——— day of ———, 19—.

The petition of ——— ———, filed on the ——— day of ———, 19—, that ——— ——— be adjudged a bankrupt under the Act of Congress relating to bankruptcy, having been heard and duly considered; and [*here state the proceedings, whether there was no opposition, or, if opposed, what proceedings were had*];

It is adjudged that the said ——— ——— is a bankrupt under the Act of Congress relating to bankruptcy.

———— ————,
District Judge or *Referee in Bankruptcy.*

FORM No. 12.

APPOINTMENT AND OATH OF APPRAISER.

——— ———, of ———, a disinterested person, is hereby appointed appraiser, forthwith to appraise, after having been duly sworn, all the items of real and personal property belonging to the estate of the said bankrupt, and to prepare and file with the court a report of said appraisal.

[*Here set out such instructions as may be deemed appropriate for the appraisal of the property of the particular estate*].

Dated at ———, this ——— day of ———, 19—.

———— ————,
Referee in Bankruptcy.

United States of America }
——— District of ——— } *ss.*

I, ——— ———, the person above named, do hereby make solemn oath that I will fully and fairly appraise the aforesaid property according to my best skill and judgment.

———— ————.

Subscribed and sworn to before me this ——— day of ———, 19—.

———— ————,
———— ————.
[*Official character.*]

FORM No. 13.

ORDER OF GENERAL REFERENCE.

At ———, in said district, on the ——— day of ———, 19—.

Whereas a petition was filed in this court, on the ——— day of ———, 19—, by [*or* against] ——— ———, the bankrupt [*or* alleged bankrupt] above named, praying that he be adjudged a bankrupt under the Act of Congress relating to bankruptcy; [*If the debtor has been adjudged a bankrupt, add:* and whereas the said ——— ——— was adjudged a bankrupt, upon said petition, on the ——— day of ———, 19—;]

It is ordered that the above entitled proceeding be, and it hereby is, referred to ——— ———, one of the referees in bankruptcy of this court, to take such further proceedings therein as are required and permitted by said Act, and that the said ——— ——— shall henceforth attend before the said referee and submit to such orders as may be made by him or by a judge of this court relating to said bankruptcy.

——— ———,
District Judge.

FORM No. 14.

ORDER OF REFERENCE IN JUDGE'S ABSENCE.

At ———, in said district, on the ——— day of ———, 19—.

Whereas a petition was filed in this court on the ——— day of ———, 19—, by [*or* against] ——— ———, the alleged bankrupt above named, praying that he be adjudged a bankrupt under the Act of Congress relating to bankruptcy; and whereas the judge of said court was absent from said district [*or* said division of said district] at the time of the filing of said petition [*or, in case of involuntary bankruptcy,* on the next day after the last day on which pleadings might have been filed, and none have been filed by the alleged bankrupt];

It is ordered that the above entitled proceeding be, and it hereby is, referred to ——— ———, one of the referees in bankruptcy of this court, to consider said petition and take such proceedings therein as are required and permitted by said Act, and that the said ——— ———, shall henceforth attend before said referee.

Witness my hand and the seal of the said court.

——— ———,
Clerk.

[SEAL OF THE COURT]

FORM No. 15.

REFEREE'S OATH OF OFFICE.

I, ——— ———, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as referee in bankruptcy, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States: So help me God.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,

District Judge.

FORM No. 16.

BOND OF REFEREE.

Know all men by these presents: That we, ——— ———, of ———, as principal, and ——— ———, of ———, and ——— ———, of ———, as sureties, are held and firmly bound to the United States of America in the sum of ——— dollars, lawful money of the United States, to be paid to the said United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents.

Signed and sealed this ——— day of ———, 19—.

The condition of this obligation is such that whereas the said ——— ———, has been on the ——— day of ———, 19—, appointed by the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———, a referee in bankruptcy in said district, under the Act of Congress relating to bankruptcy;

Now, therefore, if the said ——— ——— shall well and faithfully discharge and perform all the duties pertaining to the said office of referee in bankruptcy, then this obligation to be void; otherwise to remain in full force and virtue.

Signed and sealed in
the presence of

——— ———, [L. S.]

——— ———, [L. S.]

——— ———. [L. S.]

Approved this ——— day of ———, 19—.

——— ———,

District Judge.

FORM No. 17.

NOTICE OF FIRST MEETING OF CREDITORS.

To the creditors of ——— ———, of ———, in the County of ———, and district aforesaid, a bankrupt:

Notice is hereby given that said ——— ——— has been duly adjudged a bankrupt on a petition filed by [*or* against] him on the ——— day of ———, 19—, and that the first meeting of his creditors will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ——— noon, at which place and time the said creditors may attend, prove their claims, appoint a trustee, appoint a committee of creditors, examine the bankrupt, and transact such other business as may properly come before said meeting.

Dated at ———, this ——— day of ———, 19—.

———— ————,
Referee in Bankruptcy.

FORM No. 18.

POWER OF ATTORNEY.

To ——— ——— and ——— ———:

I, ——— ———, of ———, in the County of ———, State of ———, do hereby authorize you, or any one of you, with full power of substitution, to attend all meetings of creditors of the bankrupt aforesaid, and all adjournments thereof, at the places and times appointed by the court, and for me and in my name to vote for or against any proposal or resolution that may be then submitted under the Act of Congress relating to bankruptcy, to vote for a trustee or trustees of the estate of the said bankrupt and for a committee of creditors, to accept any arrangement or wage-earner's plan proposed by said bankrupt in satisfaction of his debts, and to receive payment of dividends, and payment or delivery of money or of other consideration due me under such arrangement or wage-earner's plan, and for any other purpose in my interest whatsoever; and with like powers to attend and vote at any other meeting or meetings of creditors, or sitting or sittings of the court, which may be held therein for any of the purposes aforesaid.

In witness whereof I have hereunto signed my name and affixed my seal the ——— day of ———, 19—.

———— ————, [L. S.]

Signed, sealed and delivered
in the presence of

———— ————.

Acknowledged before me this ——— day of ———, 19—.

———— ————,
———— ————.
[*Official character.*]

FORM No. 19.

SPECIAL POWER OF ATTORNEY.

To ——— ——— and ——— ———:

I hereby authorize you, or any one of you, to attend the meeting of creditors of the bankrupt aforesaid, advertised or directed to be held at ———, on the ——— day of ———, before ———, or any adjournment thereof, and then and there for me and in my name to vote for or against any proposal or resolution that may be lawfully made or passed at such meeting or adjourned meeting, and in the choice of trustee or trustees of the estate of the said bankrupt.

In witness whereof I have hereunto signed my name and affixed my seal the ——— day of ———, 19—.

——— ———, [L. S.]

Signed, sealed and delivered
in the presence of
——— ———.

Acknowledged before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

FORM No. 20.

ORDER APPROVING APPOINTMENT OF TRUSTEE.

At ———, in said district, on the ——— day of ———, 19—.

——— ———, of ———, having been appointed trustee of the estate of the above named bankrupt by the creditors of said bankrupt, as provided in the Act of Congress relating to bankruptcy,

It is ordered that the appointment of said ——— ———, as trustee be, and it hereby is, approved, and the amount of his bond is fixed at ——— dollars.

——— ———,
Referee in Bankruptcy.

FORM No. 21.

APPOINTMENT OF TRUSTEE BY REFEREE.

At ———, in said district, on the ——— day of ———, 19—.

The creditors of the above named bankrupt having failed to appoint a trustee as provided in the Act of Congress relating to bank-

ruptcy, I hereby appoint ——— ———, of ———, trustee of the estate of said bankrupt, and fix the amount of his bond at ——— dollars.

———— ————,
Referee in Bankruptcy.

FORM No. 22.

NOTICE TO TRUSTEE OF HIS APPOINTMENT.

To ——— ———, of ———:

I hereby notify you that you were duly appointed trustee [*or* one of the trustees] of the estate of the above named bankrupt at the first meeting of creditors, on the ——— day of ———, 19—, and I have approved said appointment. The amount of your bond as such trustee has been fixed at ——— dollars. You are required to notify me forthwith of your acceptance or rejection of the trust.

Dated at ———, the ——— day of ———, 19—.

———— ————,
Referee in Bankruptcy.

FORM No. 23.

BOND OF RECEIVER OR TRUSTEE.

Know all men by these presents: That we ——— ———, of ———, as principal, and ——— ———, of ———, and ——— ———, of ———, as sureties, are held and firmly bound unto the United States of America in the sum of ——— dollars, in lawful money of the United States, to be paid to the said United States, for which payment, well and truly to be made, we bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Signed and sealed this ——— day of ———, 19—.

The condition of this obligation is such that whereas the above named ——— ——— was, on the ——— day of ———, 19—, appointed receiver [*or* trustee] in the case pending in bankruptcy in said court, wherein ——— ——— is the bankrupt, and he, the said ——— ———, has accepted said trust with all the duties and obligations pertaining thereunto;

Now, therefore, if the said ——— ———, receiver [*or* trustee] as aforesaid, shall obey such orders as said court may make in relation to said trust, and shall faithfully and truly account for all the moneys, assets, and effects of the estate of said bankrupt which shall come into his hands and possession, and shall in all respects faith-

fully perform all his official duties as said receiver [*or* trustee], then this obligation to be void; otherwise, to remain in full force and virtue.

Signed and sealed in
the presence of

——— ——— ——— ——— [SEAL]
——— ——— ——— ——— [SEAL]
——— ——— [SEAL]

FORM No. 24.

ORDER APPROVING TRUSTEE'S BOND.

At ———, in said district, on the ——— day of ———, 19—.

The above named ——— ———, having been duly adjudged a bankrupt on a petition filed by [*or* against] him on the ——— day of ———, 19—; and ——— ———, of ———, in said district, having been duly appointed trustee of the estate of said bankrupt, and having duly qualified by giving a bond with sufficient sureties for the faithful performance of his official duties in the amount fixed by the order of this court, viz., ——— dollars;

It is ordered that the said bond be, and it hereby is, approved.

——— ———,
Referee in Bankruptcy.

FORM No. 25.

ORDER THAT NO TRUSTEE BE APPOINTED.

At ———, in said district, on the ——— day of ———, 19—.

It appearing that the schedule of the bankrupt discloses no assets, and that no creditor has appeared at the first meeting, and that the appointment of a trustee of the bankrupt's estate is not now desirable, it is hereby ordered that, until further order of the court, no trustee be appointed and no other meeting of the creditors be called.

——— ———,
Referee in Bankruptcy.

FORM No. 26.

ORDER FOR EXAMINATION OF BANKRUPT.

At ———, in said district, on the ——— day of ———, 19—.

Upon the application of ——— ———, trustee of said bankrupt [*or* a creditor of said bankrupt], it is ordered that said bankrupt attend before ——— ———, one of the referees in bankruptcy of this court,

at ———, on the ——— day of ———, at — o'clock in the ——— noon, to submit to examination under the Act of Congress relating to bankruptcy, and that a copy of this order be delivered to him, the said bankrupt, forthwith.

——— ———,
Referee in Bankruptcy.

FORM No. 27.

SUBPOENA TO WITNESS.

To ——— ———:

Whereas the above entitled proceeding is pending in the District Court of the United States for the ——— District of ———;

You are hereby commanded personally to be and appear before ——— ———, one of the referees in bankruptcy of said court, at ———, on the ——— day of ———, at — o'clock in the ———noon, [and bring with you ———————————————————————————————,]

then and there to be examined in relation to said proceeding.

Witness the Honorable ——— ———, judge of said court, and the seal thereof, at ———, this ——— day of ———, 19—.

——— ———,
Clerk.

FORM No. 28.

PROOF OF CLAIM BY INDIVIDUAL.

State of ———————}
County of ———————} *ss.*

——— ———, of No. — ——— Street, in ———, County of ———, State of ———, being duly sworn, deposes and says:

1. That ——— ———, the above named bankrupt, was at and before the filing by [*or* against] him of the petition for adjudication of bankruptcy, and still is, justly and truly indebted [*or* liable] to said deponent in the sum of ——— dollars.

2. That the consideration of said debt [*or* liability] is as follows: ———————————————————————————————
———————————————————————————————.

3. That no part of said debt [*or* liability] has been paid, except ———————————————————————————————
———————————————————————————————.

4. That there are no set-offs or counterclaims to said debt [*or* liability] except ———————————————————————————————
———————————————————————————————.

5. That deponent does not hold, and has not, nor has any person by his order, or to his knowledge or belief, for his use, had or received, any security or securities for said debt [*or* liability], except ———

———.

6. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which said debt [*or* liability] is founded is attached hereto [*or* is lost or destroyed, as set forth in the affidavit attached hereto].

7. [*If the debt is founded upon an open account*] That the said debt was [*or* will become] due on ——— [*or* that the average due date thereof is ———]; that no note or other negotiable instrument has been received for such account or any part thereof [*or* that the said debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except ———

———.

——— ———,
Creditor.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
——— ———.
[*Official character.*]

FORM No. 29.

PROOF OF CLAIM BY CORPORATION.

State of ———
County of ——— } *ss.*

——— ———, of ———, in the County of ———, State of ———, being duly sworn, deposes and says:

1. That he is the ——— of ———, a corporation organized and existing under the laws of the State of ———, and carrying on business at No. — ——— Street, in ———, County of ———, State of ———, and is duly authorized to make this proof of claim on its behalf.

2. That ——— ———, the above named bankrupt, was at and before the filing by [*or* against] him of the petition for adjudication of bankruptcy, and still is, justly and truly indebted [*or* liable] to said corporation in the sum of ——— dollars.

3. That the consideration of said debt [*or* liability] is as follows:

———.

4. That no part of said debt [*or* liability] has been paid, except

———

5. That there are no set-offs or counterclaims to said debt [*or* liability], except ——————————————————————————————.

6. That said corporation does not hold, and has not, nor has any person by its order, or to deponent's knowledge or belief, for its use, had or received, any security or securities for said debt [*or* liability] except ——————————————————————————————.

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which said debt [*or* liability] is founded is attached hereto [*or* is lost or destroyed, as set forth in the affidavit attached hereto].

8. [*If the debt is founded upon an open account*] That the said debt was [*or* will become] due on ——— [*or* that the average due date thereof is ———]; that no note or other negotiable instrument has been received for such account or any part thereof [*or* that the said debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except ——————————————————————————————.

——— ———,
——— *of Said Corporation.*

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
——— ———.
[*Official character.*]

FORM No. 30.

PROOF OF CLAIM BY PARTNERSHIP.

State of ——————————— }
County of ——————————— } *ss.*

——— ———, of ———, in the County of ———, State of ———, being duly sworn, deposes and says:

1. That he is a member of ———, a copartnership composed of deponent and ——— ———, of ———, in the County of ———, State of ———, and carrying on business at No. — ——— Street, in ———, County of ———, State of ———.

2. That ——— ———, the above named bankrupt, was at and before the filing by [*or* against] him of the petition for adjudication of bankruptcy, and still is, justly and truly indebted [*or* liable] to said copartnership in the sum of ——— dollars.

3. That the consideration of said debt [*or* liability] is as follows: ——————————————————————————————.

4. That no part of said debt [*or* liability] has been paid, except

———————————————————————————————.

5. That there are no set-offs or counterclaims to said debt [*or* liability], except ——————————————————————————.

6. That said copartnership does not hold, and has not, nor has any person by its order, or to deponent's knowledge or belief, for its use, had or received, any security or securities for said debt [*or* liability], except ——————————————————————————.

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which said debt [*or* liability] is founded is attached hereto [*or* is lost or destroyed, as set forth in the affidavit attached hereto].

8. [*If the debt is founded upon an open account*] That the said debt was [*or* will become] due on ——— [*or* that the average due date thereof is ———]; that no note or other negotiable instrument has been received for such account or any part thereof [*or* that the said debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except ——————————————————————————.

———————————————————————————————.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,

——— ———.

[*Official character.*]

FORM No. 31.

PROOF OF CLAIM BY AGENT OR ATTORNEY.

State of ——————————}
County of ——————————} *ss.*

——— ———, of ———, in the County of ———, State of ———, being duly sworn, deposes and says:

1. That he is the attorney [*or* agent] of ——— ———, of No. — ——— Street, in ———, County of ———, State of ———; that deponent is duly authorized by said ——— ——— to make this proof of claim in his behalf; and that said proof cannot be made by said ——— ——— in person because ——————————————————————————.

2. That ——— ———, the above named bankrupt, was at and before the filing by [*or* against] him of the petition for adjudication of bankruptcy, and still is, justly and truly indebted [*or* liable] to said ——— ——— in the sum of ——— dollars.

3. That the consideration of said debt [*or* liability] is as follows:

———————————————————————————————————.

4. That no part of said debt [*or* liability] has been paid, except

———————————————————————————————————.

5. That there are no set-offs or counterclaims to said debt [*or* liability], except ———————————————————————————————.

6. That said ——— ——— does not hold, and has not, nor has any person by his order, or to deponent's knowledge or belief, for his use, had or received, any security or securities for said debt [*or* liability], except ———————————————————————————————.

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which said debt [*or* liability] is founded is attached hereto [*or* is lost or destroyed, as set forth in the affidavit attached hereto].

8. [*If the debt is founded upon an open account*] That the said debt was [*or* will become] due on ——— [*or* that the average due date thereof is ———]; that no note or other negotiable instrument has been received for such account or any part thereof [*or* that the said debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except ———————————————————————————————.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,

——— ———.

[*Official character.*]

FORM No. 32.

AFFIDAVIT OF LOSS OF NEGOTIABLE INSTRUMENT.

State of ——————— }
County of ——————— } *ss.*

——— ———, of ———, in the County of ———, State of ———, being duly sworn, deposes and says that the note [*or other negotiable*

instrument], the particulars whereof are underwritten, has been lost under the following circumstances: ——————————————

——————————————————————————————;

and that he, this deponent, has not been able to find the same; and this deponent further says that he has not, nor has the said ——— ———, or any person or persons to their use, to this deponent's knowledge or belief, negotiated the said note [*or other negotiable instrument*], nor in any manner parted with or assigned the legal or beneficial interests therein, or any part thereof; that he, this deponent, is the person now legally and beneficially interested in the same; and that the particulars of the said instrument are as follows:

Date.	When due.	Drawer or maker.	Acceptor.	Prior indorser or indorsers, if any.	Amount.

——— ———.

Subscribed and sworn to before me, this ——— day of ———, 19—.

——— ———,

——— ———.

[*Official character.*]

FORM No. 33.

ORDER EXPUNGING OR REDUCING CLAIM.

At ———, in said district, on the ——— day of ———, 19—.

The petition for reconsideration of the claim of ——— ——— against the estate of the above named bankrupt in the amount of ——— dollars having been heard on the ——— day of ———, 19—; and due notice of said hearing having been given [*here state the manner of notice*] to said claimant; and upon the evidence submitted to this court upon said claim [*and, if the fact be so, upon hearing counsel thereon*];

It is ordered that the said claim of ——— ——— be, and it hereby is, expunged from the list of claims in this proceeding [*or*, reduced to ——— dollars and allowed at said amount].

——— ———,
Referee in Bankruptcy.

FORM No. 34.

ORDER FOR PAYMENT OF DIVIDENDS.

At ———, in said district, on the ——— day of ———, 19—.

It appearing that, pursuant to the provisions of section 65 of the Act of Congress relating to bankruptcy, a first [*or* further, *or* final] dividend should be declared and paid herein;

It is ordered that a first [*or* second, *etc.*, *or* final] dividend of ——— per cent. be, and it hereby is, declared on all unsecured claims, not entitled to priority, allowed against the estate of the above named bankrupt, in accordance with the following dividend sheet:

No.	Creditors. (The names of all parties to the proof to be set forth.)	Amount of Claim Allowed.	Amount of Dividend.
		$	$

——— ———,
Referee in Bankruptcy.

FORM No. 35.

PETITION FOR SALE OF REAL ESTATE.

The petition of ——— ———, trustee of the estate of the above named bankrupt, respectfully represents:

1. A portion of said bankrupt's estate consists of the following described real estate: [*Here describe the property and any mortgages or liens thereon, and give its appraised or estimated value.*]

2. In the judgment of your petitioner it will be for the benefit of said estate to sell said property at public auction, upon the follow-

ing terms and conditions: ——————————————————

——————————————————————————————.

Wherefore your petitioner prays that he may be authorized to make sale by public auction of said real estate as aforesaid.

——— ———,

Trustee.

State of ——————————— }
County of ——————————— } *ss.*

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief. ——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,

——— ———.

[*Official character.*]

FORM No. 36.

ORDER FOR SALE OF REAL ESTATE.

At ———, in said district, on the ——— day of ———, 19—.

The petition of ——— ———, trustee of the estate of the above named bankrupt, filed on the ——— day of ———, 19—, that said trustee be authorized to sell at public auction certain real estate belonging to said estate, having come on for hearing before me, of which hearing [*here set forth to whom notice was given and the manner thereof*], now after due hearing, no adverse interest being represented thereat [*or* after hearing ——— ——— in favor of said petition and ——— ——— in opposition thereto];

It is ordered that the said trustee be, and he hereby is, authorized to sell at public auction all that certain real estate, belonging to the estate of said bankrupt, mentioned in said petition and described as follows: ——————————————————————

——————————————————————————————;

upon terms and conditions as follows: ——————————————

——————————————————————————————;

and that the said trustee shall keep an accurate account of each lot or parcel sold and the price received therefor and to whom sold; which said account he shall forthwith file with this court.

——— ———,

Referee in Bankruptcy.

FORM No. 37.

PETITION FOR REDEMPTION OF PROPERTY.

The petition of ——— ———, trustee of the estate of the above named bankrupt, respectfully represents:

1. A portion of said bankrupt's estate consists of the following described property: [*Here describe the property and give its appraised or estimated value.*]

2. Said property is subject to the following described mortgage [*or* lien *or* pledge]: ——————————————————————————————————————.

3. In the judgment of your petitioner it will be for the benefit of the estate to redeem said property from said mortgage [*or* lien *or* pledge], for the following reasons: ——————————————————————————————————————.

Wherefore your petitioner prays that he may be authorized to pay out of the assets of said estate the sum of ——— dollars, being the amount of said mortgage [*or* lien *or* pledge], to redeem said property therefrom.

——— ———,
Trustee.

State of ——————————
County of ——————————} *ss.*

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
——— ———.
[*Official character.*]

FORM No. 38.

ORDER FOR REDEMPTION OF PROPERTY.

At ———, in said district, on the ——— day of ———, 19—.

The petition of ——— ———, trustee of the estate of the above named bankrupt, filed on the ——— day of ———, 19—, that said trustee be authorized to redeem certain property belonging to said estate, having come on for hearing before me, of which hearing [*here*

set forth to whom notice was given and the manner thereof], now, after due hearing, no adverse interest being represented thereat [*or* after hearing ——— ——— in favor of said petition and ——— ——— in opposition thereto];

It is ordered that the said trustee be, and he hereby is, authorized to redeem that certain property, belonging to said estate, mentioned in said petition and described as follows: ———

———,

from the mortgage [*or* lien *or* pledge] so mentioned and described as follows: ———

———,

and for that purpose to pay out of the assets of said estate the said sum of ——— dollars.

———,
Referee in Bankruptcy.

FORM No. 39.

TRUSTEE'S REPORT OF EXEMPT PROPERTY.

To ——— ———, Referee in Bankruptcy:

The following is a schedule of property designated and set apart to be retained by the bankrupt aforesaid as his own property, under the provisions of the Act of Congress relating to bankruptcy, as his exemptions allowed by law and claimed by him in his schedules filed in the above entitled proceeding.

General head.	Particular description.	Estimated value.
Property claimed to be exempt by the laws of the United States, with reference to the statute creating the exemption		$
Property claimed to be exempt by State laws, with reference to the statute creating the exemption		

Dated this ——— day of ———, 19—.

———,
Trustee.

FORM No. 40.

REPORT OF TRUSTEE IN NO ASSET CASE.

To ——— ———, Referee in Bankruptcy:

——— ———, of ———, in the County of ———, State of ———, trustee of the estate of the above named bankrupt, respectfully reports that he has neither received any property nor paid any moneys on account of said estate; that he has made diligent inquiry into the whereabouts of property belonging to the said estate; and that there are no assets in said estate over and above the exemptions claimed by, and by him set aside to, the said bankrupt.

Wherefore he prays that this report be approved, and that he be discharged of his trust.

——— ———,
Trustee.

State of ———
County of ——— } *ss.*

I, ——— ———, the trustee named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,

———.
[*Official character.*]

FORM No. 41.

PETITION FOR DISCHARGE.

The petition of ——— ———, the bankrupt above named, a corporation organized and existing under the laws of the State of ———, respectfully represents that on the ——— day of ———, 19—, a petition was filed by [*or* against] it, praying that it be adjudged a bankrupt under the Act of Congress relating to bankruptcy; that on the ——— day of ———, 19—, it was duly adjudged a bankrupt under said Act; that it has duly surrendered all its property and rights of property, and has fully complied with all the requirements of said Act, and with all the orders of the court pertaining to its bankruptcy.

Wherefore your petitioner prays that it may be decreed by this court to have a discharge from all debts provable against its estate under said Act, except such debts as are excepted by said Act from such discharge.

——— ———,
By ——— ———,
——— *of said corporation.*

State of ———}
County of ———} *ss.*

——— ———, being duly sworn, deposes and says that he is the ——— of ——— ———, the petitioner named in the foregoing petition, and is duly authorized to make this affidavit on its behalf, and that the statements contained in said petition are true according to the best of his knowledge, information, and belief.

——— ———.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

FORM No. 42.

ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE.

At ———, in said district, on the ——— day of ———, 19—.

It appearing that the above named bankrupt has been duly adjudged a bankrupt and has been duly examined at a meeting of creditors as required by the Act of Congress relating to bankruptcy; [*if the bankrupt is a corporation, add:* and it further appearing that said bankrupt filed its application for a discharge on the ——— day of ———, 19—;]

It is ordered that the ——— day of ———, 19—, be, and it hereby is, fixed as the last day for the filing of objections to the discharge of said bankrupt.

——— ———,
Referee in Bankruptcy.

FORM No. 43.

NOTICE OF ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE.

To the creditors of the above named bankrupt and other parties in interest:

Notice is hereby given that on the ——— day of ———, 19—, an order was made in the above entitled proceeding, fixing the ——— day of ———, 19—, as the last day for the filing of objections to the discharge of said bankrupt.

Dated this ——— day of ———, 19—.

——— ———,
Referee in Bankruptcy.

FORM No. 44.

SPECIFICATION OF OBJECTIONS TO DISCHARGE.

——— ———, of ———, in the County of ———, State of ———, the trustee of the estate [*or* a creditor] of the above named bankrupt [*or* the United States attorney for said district [*or* the attorney designated by the Attorney General of the United States], having examined into the acts and conduct of said bankrupt and being satisfied that probable grounds exist for the denial of the discharge of said bankrupt and that the public interest so warrants], does hereby oppose the granting to said bankrupt of a discharge from his debts, and specifies the following as grounds of objection: [*Here specify in separately numbered paragraphs the grounds of objection.*]

——— ———,
Trustee [or *creditor, etc.*]

State of ———}
County of ———} *ss.*

I, ——— ———, the trustee [*or* creditor, *etc.*] named in the foregoing petition do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
———.
[*Official character.*]

FORM No. 45.

DISCHARGE OF BANKRUPT.

At ———, in said district, on the ——— day of ———, 19—.

It appearing that ——— ———, of ———, in the County of ———, State of ———, was duly adjudged a bankrupt on a petition filed by [*or* against] him on the ——— day of ———, 19—; and

It further appearing that, after due notice by mail, no objection to the discharge of said bankrupt was filed within the time fixed by the court [*or* objections to the discharge of the said bankrupt were filed and, after due notice by mail, were heard and were not sustained];

It is ordered that the said ——— ——— be, and he hereby is, discharged from all debts and claims which are made provable by said Act against his estate, except such debts as are, by said Act, excepted from the operation of a discharge in bankruptcy.

——— ———,

Referee in Bankruptcy.

FORM NO. 46.

Referee's cash book.

[Additional columns may be added if further itemization is desired.]

RECEIVED					DISBURSED								
Date	Case No.	From Whom and For What	Compensation of Referee	Indemnity, Costs, etc.	Date	Case No.	To Whom and For What	Check No.	Compensation of Referee	Office and Travel Expense	Publication and Printing Expense	Other Disbursements	Refunds
Amounts brought forward					Amounts brought forward								
Amounts carried forward					Amounts carried forward								

FORM No. 47.

REFEREE'S FINANCIAL STATEMENT.

District Court of the United States for the ——— District of ———.
Made by ——— ———, Referee, for period ending ———.

Balance brought forward from last report..... $———
Receipts during period:
Compensation of Referee..... $———
Indemnity, Costs, etc..... ———
Total..... $———
Total to be accounted for..... $———
Disbursements during period:
Compensation of Referee:
Statutory fees received from clerk..... $———
Commissions..... ———
Claims fees..... ———
Fees as special master..... ———
Other items..... ———
Total..... $———
Office and Travel Expense:
Office rent..... $———
Clerical assistance..... ———
Telephone and Telegraph..... ———
Office supplies and equipment... ———
Travel expense..... ———
Miscellaneous..... ———
Total..... $———
Publishing and Printing Expense..... $———
Other disbursements..... $———
Refunds..... $———
Total disbursements..... $———
Unexpended balance..... $———
Amount on deposit, at close of business, ———, 19—, with
——— ———..... $———
(Name of Bank) (Location)
Outstanding checks:
No. ——— Amount $———
——— ———
——— ———
Total amount of outstanding checks..... $———
Net bank balance..... ———
Cash on hand, if any..... ———
Total balance as shown by cash book..... ———

FORM No. 48.

ORIGINAL PETITION IN PROCEEDINGS UNDER CHAPTER XI.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, in the County of ———, State of ———, by occupation a ——— [*or* engaged in the business of ———], respectfully represents:

1. Your petitioner has had his principal place of business [*or* has resided, *or* has had his domicile] at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. No bankruptcy proceeding, initiated by a petition by or against your petitioner, is now pending.

3. Your petitioner is insolvent [*or* unable to pay his debts as they mature], and proposes the following arrangement with his unsecured creditors: ——————————————————————————————————.

4. The schedule hereto annexed, marked Schedule A, and verified by your petitioner's oath, contains a full and true statement of all his debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of the Act of Congress relating to bankruptcy.

5. The schedule hereto annexed, marked Schedule B, and verified by your petitioner's oath, contains an accurate inventory of all his property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

6. The statement hereto annexed, marked Exhibit 1, and verified by your petitioner's oath, contains a full and true statement of all his executory contracts, as required by the provisions of said Act.

7. The statement hereto annexed, marked Exhibit 2, and verified by your petitioner's oath, contains a full and true statement of his affairs, as required by the provisions of said Act.

Wherefore your petitioner prays that proceedings may be had upon this petition in accordance with the provisions of chapter XI of the Act of Congress relating to bankruptcy.

——— ———,
Petitioner.

——— ———, *Attorney.*

State of ——————————} *ss.*
County of ——————————}

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

———— ————,
Petitioner.

Subscribed and sworn to before me this ——— day of ———, 19—.

———— ————,
————— ————.
[*Official character.*]

[Schedules to be annexed corresponding with schedules under Form No. 1.]

FORM NO. 49.

NOTICE OF MEETING OF CREDITORS IN PROCEEDINGS UNDER CHAPTER XI.

To the creditors of ——— ———, of ———, in the County of ———, and district aforesaid:

Notice is hereby given that on the ——— day of ———, 19—, the said ——— ——— filed a petition in this court proposing an arrangement with his unsecured creditors under the provisions of chapter XI of the Act of Congress relating to bankruptcy, and that a meeting of his creditors will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ———noon, at which place and time the said creditors may attend, prove their claims, nominate a trustee, appoint a committee of creditors, examine the debtor, present written acceptances of the proposed arrangement, and transact such other business as may properly come before said meeting.

Annexed hereto is a copy of said proposed arrangement, a summary of the liabilities of said debtor as shown by his schedules, and a summary of the appraisal of the property of said debtor [*or* a summary of the assets of said debtor as shown by his schedules].

[*If appropriate, the following may be added:*]

Notice is also hereby given that the application to confirm said arrangement shall be filed with this court on or before the ——— day of ———, 19—; and that the hearing on the confirmation and objections thereto, if any, will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ———noon.

Dated this ——— day of ———, 19—.

———— ————,
Referee in Bankruptcy.

FORM No. 50.

APPLICATION FOR CONFIRMATION OF AN ARRANGEMENT UNDER CHAPTER XI.

To ——— ———, Referee in Bankruptcy:

——— ———, the above named debtor, respectfully represents that the arrangement under chapter XI of the Act of Congress relating to bankruptcy, proposed in the petition filed by him on the ——— day of ———, 19—, has been duly accepted, in accordance with the provisions of said chapter, and that the deposit required by the provisions of said chapter and by the said arrangement, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court.

Wherefore the said ——— prays that the said arrangement be confirmed by the court.

——— ———,
Debtor.

State of ———
County of ——— } *ss.*

I, ——— ———, the debtor named in the foregoing application, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
Debtor.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

FORM No. 51.

ORDER CONFIRMING AN ARRANGEMENT UNDER CHAPTER XI.
(WHERE ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

A petition having been filed herein on the ——— day of ———, 19—, by the above named debtor, proposing an arrangement under chapter XI of the Act of Congress relating to bankruptcy, and said arrangement having been accepted in writing by all creditors affected thereby, at a meeting of creditors held on the ——— day of ———, 19—, of which meeting ——— days' notice by mail was given to said debtor, to his creditors, and to other parties in interest; and

It appearing that the deposit required by the provisions of said chapter and by said arrangement, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court, and that said arrangement and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act;

It is ordered that the said arrangement be, and it hereby is, confirmed.

——— ———,
Referee in Bankruptcy.

FORM NO. 52.

ORDER CONFIRMING AN ARRANGEMENT UNDER CHAPTER XI. (WHERE LESS THAN ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

The application of ——— ———, the above named debtor, for confirmation of the arrangement under chapter XI of the Act of Congress relating to bankruptcy, proposed by said debtor in the petition filed by him on the ——— day of ———, 19—, having been heard and duly considered; and due notice of said hearing having been given [*here state the manner of notice*]; and [*here state the proceedings, whether there was no opposition, or if opposed, what proceedings were had*]; and

It appearing that said arrangement has been duly accepted in accordance with the provisions of said chapter, and that the said deposit required by the provisions of said chapter and by said arrangement, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court; and

It further appearing that the provisions of said chapter have been complied with; that the arrangement is for the best interests of the creditors of said debtor; that the arrangement is fair and equitable, and feasible; that the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of a bankrupt; and that the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act;

It is ordered that the said arrangement be, and it hereby is, confirmed.

——— ———,
Referee in Bankruptcy.

FORM No. 53.

ORIGINAL PETITION IN PROCEEDINGS UNDER CHAPTER XII.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, in the County of ———, State of ———, by occupation a ——— [*or* engaged in the business of ———], respectfully represents:

1. Your petitioner has had his principal place of business [*or* has resided, *or* has had his domicile] at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. Your petitioner is the legal [*or* equitable] owner, as more fully set forth in the arrangement hereinafter proposed, of the real property [*or* chattel real] described in, and which is security for debts dealt with by, said arrangement, and has an interest in said property other than a right to redeem it from a sale had before the filing of this petition.

3. No bankruptcy proceeding, initiated by a petition by or against your petitioner, is now pending.

4. Your petitioner is insolvent [*or* unable to pay his debts as they mature], and proposes the following arrangement with his creditors:

_____

_____.

5. The schedule hereto annexed, marked Schedule A, and verified by your petitioner's oath, contains a full and true statement of all his debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of the Act of Congress relating to bankruptcy.

6. The schedule hereto annexed, marked Schedule B, and verified by your petitioner's oath, contains an accurate inventory of all his property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

7. The statement hereto annexed, marked Exhibit 1, and verified by your petitioner's oath, contains a full and true statement of all his executory contracts, as required by the provisions of said Act.

8. The statement hereto annexed, marked Exhibit 2, and verified by your petitioner's oath, contains a full and true statement of his affairs, as required by the provisions of said Act.

Wherefore your petitioner prays that proceedings may be had upon this petition in accordance with the provisions of chapter XII of the Act of Congress relating to bankruptcy.

——— ———,
Petitioner.

——— ———, *Attorney.*

State of ———
County of ——— } *ss.*

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
Petitioner.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

[Schedules to be annexed corresponding with schedules under Form No. 1.]

FORM No. 54.

NOTICE OF MEETING OF CREDITORS IN PROCEEDINGS UNDER CHAPTER XII.

To the creditors of ——— ———, of ———, in the County of ———, in the district aforesaid:

Notice is hereby given that on the ——— day of ———, 19—, the said ——— ——— filed a petition in this court proposing an arrangement with his creditors under the provisions of chapter XII of the Act of Congress relating to bankruptcy, and that a meeting of his creditors will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ——— noon, at which place and time the said creditors may attend, prove their claims, examine the debtor, present written acceptances of the proposed arrangement, and transact such other business as may properly come before said meeting.

Annexed hereto is a copy of said proposed arrangement, a summary of the liabilities of said debtor as shown by his schedules, and a summary of the appraisal of the property of said debtor [*or* a summary of the assets of said debtor as shown by his schedules].

[*If appropriate, the following may be added:*]

Notice is also hereby given that the application to confirm said arrangement shall be filed with this court on or before the ——— day of ———, 19—; and that the hearing on the confirmation and objections thereto, if any, will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ——— noon.

Dated this ——— day of ———, 19—.

——— ———,
Referee in Bankruptcy.

FORM No. 55.

APPLICATION FOR CONFIRMATION OF AN ARRANGEMENT UNDER CHAPTER XII.

To ——— ———, Referee in Bankruptcy:

——— ———, the above named debtor, respectfully represents that the arrangement under chapter XII of the Act of Congress relating to bankruptcy, proposed in the petition filed by him on the ——— day of ———, 19—, has been duly accepted, in accordance with the provisions of said chapter, and that the deposit required by the provisions of said chapter and by the said arrangement, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court.

Wherefore the said ——— ——— prays that the said arrangement be confirmed by the court.

——— ———,
Debtor.

State of ———}
County of ———} *ss.*

I, ——— ———, the debtor named in the foregoing application, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
Debtor.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
———.
[*Official character.*]

FORM No. 56.

ORDER CONFIRMING AN ARRANGEMENT UNDER CHAPTER XII.
(WHERE ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

A petition having been filed herein on the ——— day of ———, 19—, by the above named debtor, proposing an arrangement under chapter XII of the Act of Congress relating to bankruptcy, and said arrangement having been accepted in writing by all creditors affected thereby, at a meeting of creditors held on the ——— day of ———, 19—, of which meeting ——— days' notice by mail was given to said debtor, to his creditors, and to other parties in interest; and

It appearing that the deposit required by the provisions of said chapter and by said arrangement, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court, and that said arrangement and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act;

It is ordered that the said arrangement be, and it hereby is, confirmed.

———— ————,
Referee in Bankruptcy.

FORM No. 57.

ORDER CONFIRMING AN ARRANGEMENT UNDER CHAPTER XII.
(WHERE LESS THAN ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

The application of ——— ———, the above named debtor, for confirmation of the arrangement under chapter XII of the Act of Congress relating to bankruptcy, proposed by said debtor in the petition filed by him on the ——— day of ———, 19—, having been heard and duly considered; and due notice of said hearing having been given [*here state the manner of notice*]; and [*here state the proceedings, whether there was no opposition, or if opposed, what proceedings were had*]; and

It appearing that said arrangement has been duly accepted in accordance with the provisions of said chapter, and that the deposit required by the provisions of said chapter and by said arrangement, amounting to the sum of ——— dollars, has been deposited, subject

to the order of the court, in ———, of ———, the depository designated by the court; and

It further appearing that the provisions of said chapter have been complied with; that the arrangement is for the best interests of the creditors of said debtor; that the arrangement is fair and equitable, and feasible; that the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of a bankrupt; that the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act; and that all payments made or promised by the debtor, by any person issuing securities or acquiring property under the arrangement, or by any other person, for services and for costs and expenses in, or in connection with, this proceeding, or in connection with and incident to the arrangement, have been fully disclosed to the court and are reasonable [*or, if to be fixed after confirmation of the arrangement,* will be subject to the approval of the court];

It is ordered that the said arrangement be, and it hereby is, confirmed.

———— ————,
Referee in Bankruptcy

FORM No. 58.

ORIGINAL PETITION IN PROCEEDINGS UNDER CHAPTER XIII.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, in the County of ———, State of ———, by occupation a ———, and employed by ——— ———, respectfully represents:

1. Your petitioner has resided [*or* has had his domicile] at ———, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. Your petitioner works for wages [*or* salary, *or* hire] at a rate of compensation which, when added to all his other income, does not exceed $3,600 per year.

3. No bankruptcy proceeding, initiated by a petition by or against your petitioner, is now pending.

4. Your petitioner is insolvent [*or* unable to pay his debts as they mature], and desires to effect a composition [*or* an extension of time to pay his debts, *or* a composition and an extension of time to pay his debts] out of his future earnings.

5. The schedule hereto annexed, marked Schedule A, and verified by your petitioner's oath, contains a full and true statement of all his debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of the Act of Congress relating to bankruptcy.

6. The schedule hereto annexed, marked Schedule B, and verified by your petitioner's oath, contains an accurate inventory of all his property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

7. The statement hereto annexed, marked Exhibit 1, and verified by your petitioner's oath, contains a full and true statement of all his executory contracts, as required by the provisions of said Act.

8. The statement hereto annexed, marked Exhibit 2, and verified by your petitioner's oath, contains a full and true statement of his affairs, as required by the provisions of said Act.

Wherefore your petitioner prays that proceedings may be had upon this petition in accordance with the provisions of chapter XIII of the Act of Congress relating to bankruptcy.

——— ———,
Petitioner.

———— ————, *Attorney.*

State of ————————}
County of ————————} *ss.*

I, ——— ———, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,
Petitioner.

Subscribed and sworn to before me this ——— day of ———, 19—.

——— ———,
——— ———.
[*Official character.*]

[Schedules to be annexed corresponding with schedules under Form No. 1.]

FORM No. 59.

NOTICE OF MEETING OF CREDITORS IN PROCEEDINGS UNDER CHAPTER XIII.

To the creditors of ——— ———, of ———, in the County of ———, and district aforesaid:

Notice is hereby given that on the ——— day of ———, 19—, the said ——— ——— filed a petition in this court stating that he desires to effect a composition or an extension of time to pay his debts out of his future earnings and praying that proceedings be had upon his petition in accordance with the provisions of chapter XIII of the Act of Congress relating to bankruptcy; and that a meeting of his creditors will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ——— noon, at which place and time the said debtor shall submit his plan for a composition or extension, and the said creditors may attend, prove their claims, examine the debtor, present written acceptances of the plan proposed by him, and transact such other business as may properly come before said meeting.

[*If appropriate, the following may be added:*]

Notice is also hereby given that the application to confirm said plan shall be filed with this court on or before the ——— day of ———, 19—; and that the hearing on the confirmation and objections thereto, if any, will be held at ———, in ———, on the ——— day of ———, 19—, at — o'clock in the ——— noon.

Dated this ——— day of ———, 19—.

——— ———,
Referee in Bankruptcy.

FORM No. 60.

APPLICATION FOR CONFIRMATION OF AN ARRANGEMENT UNDER CHAPTER XIII.

To ——— ———, Referee in Bankruptcy:

——— ———, the above named debtor, respectfully represents that the plan under chapter XIII of the Act of Congress relating to bankruptcy, submitted by him at a meeting of his creditors on the ——— day of ———, 19—, has been duly accepted, in accordance with the provisions of said chapter, and that he has made the deposit of moneys required by the provisions of said chapter [*If it be the fact, add:* and that the deposit required by the provisions of

said plan, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court].

Wherefore the said ——— ——— prays that the said plan be confirmed by the court.

———,
Debtor.

State of ———
County of ——— } ss.

I, ——— ———, the debtor named in the foregoing application, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

———,
Debtor.

Subscribed and sworn to before me this —— day of ———, 19—

———,
———.
[*Official character.*]

FORM No. 61.

ORDER CONFIRMING A PLAN UNDER CHAPTER XIII. (WHERE ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

The plan of ——— ———, the above named debtor, under chapter XIII of the Act of Congress relating to bankruptcy, submitted by him at a meeting of his creditors on the ——— day of ———, 19—, of which meeting ——— days' notice by mail was given to the said debtor and to his creditors, having been accepted in writing at said meeting by all creditors affected thereby; and

It appearing that said plan and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act; and that the deposit required by the provisions of said chapter has been made; [*If it be the fact, add:* and that the deposit required by the provisions of said plan, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court;]

It is ordered that the said plan be, and it hereby is, confirmed.

———,
Referee in Bankruptcy.

FORM NO. 62.

ORDER CONFIRMING A PLAN UNDER CHAPTER XIII. (WHERE LESS THAN ALL AFFECTED CREDITORS HAVE ACCEPTED.)

At ———, in said district, on the ——— day of ———, 19—.

The application of ——— ———, the above named debtor, for confirmation of the plan under chapter XIII of the Act of Congress relating to bankruptcy, submitted by said debtor at a meeting of his creditors on the ——— day of ———, 19—, having been heard and duly considered; and due notice of said hearing having been given [*here state the manner of notice*]; and [*here state the proceedings, whether there was no opposition, or if opposed, what proceedings were had*]; and

It appearing that said plan has been duly accepted in accordance with the provisions of said chapter, and that the deposit required by the provisions of said chapter has been made; [*If it be the fact, add:* and that the deposit required by the provisions of said plan, amounting to the sum of ——— dollars, has been deposited, subject to the order of the court, in ———, of ———, the depository designated by the court;] and

It further appearing that the provisions of said chapter have been complied with; that the plan is for the best interests of the creditors of said debtor; that the plan is fair and equitable, and feasible; that the debtor has not been guilty of any of the acts or failed to perform any of the duties which would be a bar to the discharge of a bankrupt; and that the proposal and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by said Act;

It is ordered that the said plan be, and it hereby is, confirmed.

——— ———,
Referee in Bankruptcy.

FORM NO. 63.

DEBTOR'S PETITION IN PROCEEDINGS UNDER SECTION 75 OF THE BANKRUPTCY ACT.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

The petition of ——— ———, of ———, in the county of ———, and district and State of ———, respectfully represents:

That he is primarily bona fide personally engaged in producing products of the soil [*or* that he is primarily bona fide personally

engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state, or the principal part of whose income is derived from any one or more of the foregoing operations] as follows:

_____

_____

_____;

that such operations occur in the county [*or* counties] of ———, within said judicial district; that he is insolvent [*or* unable to meet his debts as they mature]; and that he desires to effect a composition or extension of time to pay his debts under section 75 of the Bankruptcy Act.

That the schedule hereto annexed, marked "A", and verified by your petitioner's oath, contains a full and true statement of all his debts, and (so far as it is possible to ascertain) the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of said Act.

That the schedule hereto annexed, marked "B", and verified by your petitioner's oath, contains an accurate inventory of all his property, both real and personal, and such further statements concerning said property as are required by the provisions of said Act.

Wherefore your petitioner prays that his petition may be approved by the court and proceedings had in accordance with the provisions of said section.

——— ———.

——— ———, Attorney. *Petitioner.*

United States of America, District of ———, ss:

I, ——— ———, the petitioning debtor mentioned and described in the foregoing petition, do hereby make solemn oath that the statements contained therein are true according to the best of my knowledge, information, and belief.

——— ———,

Petitioner.

Subscribed and sworn to before me this ——— day of ———, A. D. 19—.

——— ———,

———.

[*Official character.*]

FORM No. 64.

ORDER APPROVING DEBTOR'S PETITION IN PROCEEDINGS UNDER SECTION 75.

At ———, in said district, on the ——— day of ———, 19—, before the Honorable ——— ———, judge of said court, the petition of ——— ———, praying that he be afforded an opportunity to effect a composition or an extension of time to pay his debts under section 75 of the Bankruptcy Act, having been heard and duly considered, is approved as properly filed under said section.

Witness the Honorable ——— ———, judge of said court, and the seal thereof, at ———, in said district, on the ——— day of ———, 19—.

——— ———,
Clerk.

[SEAL OF THE COURT]

FORM No. 65.

ORDER OF REFERENCE IN PROCEEDINGS UNDER SECTION 75.

Whereas the petition of ——— ———, filed in this court on the ——— day of ———, 19—, praying that he be afforded an opportunity to effect a composition or an extension of time to pay his debts under section 75 of the Bankruptcy Act, having been duly approved by order of this court on the ——— day of ———, 19—, it is thereupon ordered, that said matter be referred to ——— ———, one of the conciliation commissioners of this court, to take such further proceedings therein as are required by said section; and that the said ——— ——— shall attend before said conciliation commissioner on the ——— day of ———, at ———, and thenceforth shall submit to such orders as may be made by said conciliation commissioner or by this court relating to the proceedings under said section.

Witness the Honorable ——— ———, judge of the said court, and the seal thereof, at ———, in said district, on the ——— day of ———, 19—.

——— ———,
Clerk.

[SEAL OF THE COURT]

FORM No. 66.

BOND OF CONCILIATION COMMISSIONER.

Know all men by these presents: That we ——— ———, of ———, as principal, and ——— ———, of ——— and ——— ———, of ———, as sureties, are held and firmly bound to the United States of America in the sum of ——— dollars, lawful money of the United States, to be paid to the said United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, by these presents.

Signed and sealed this ——— day of ———, A. D. 19—.

The condition of this obligation is such that whereas the said ——— ——— has been on the ——— day of ———, A. D. 19—, appointed by the Honorable ——— ———, judge of the District Court of the United States for the ——— District of ———, a conciliation commissioner under section 75 of the Bankruptcy Act, in and for the county of ———, in said district:

Now, therefore, if the said ——— ——— shall well and faithfully discharge and perform all the duties pertaining to the said office of conciliation commissioner, then this obligation to be void; otherwise to remain in full force and virtue.

Signed and sealed in
the presence of—

——— ——— ——— ——— [L. S.]
——— ——— ——— ——— [L. S.]
——— ——— [L. S.]

Approved this ——— day of ———.

———,
District Judge.

FORM No. 67.

NOTICE OF FIRST MEETING OF CREDITORS IN PROCEEDINGS UNDER SECTION 75.

To the creditors of ——— ———, of ———, in the county of ———, and district aforesaid:

Notice is hereby given that on the ——— day of ———, A. D. 19—, the petition of the said ——— ———, praying that he be afforded an opportunity to effect a composition or an extension of time to pay his debts under section 75 of the Bankruptcy Act, was

approved by this court as properly filed under said section; and that the first meeting of his creditors will be held at ——— in ———, on the ——— day of ———, A. D. 19—, at — o'clock in the ——— noon, at which time the said creditors may attend, prove their claims, examine the debtor, and transact such other business as may properly come before said meeting.

———— ————,
Conciliation Commissioner.

———— —, 19—.

FORM No. 68.

APPLICATION FOR CONFIRMATION OF A COMPOSITION OR EXTENSION PROPOSAL UNDER SECTION 75.

To the Honorable ——— ———, Judge of the District Court of the United States for the ——— District of ———:

At ———, in said district, on the ——— day of ———, A. D. 19—, now comes ——— ———, the above-named debtor, and respectfully represents to the court that, after he had filed in court a schedule of his property and a list of his creditors, as required by law, he offered a proposal for a composition or an extension to his creditors, which proposal has been accepted in writing by a majority in number of all creditors whose claims have been allowed, including secured creditors whose claims are to be affected by the proposal, which number represents a majority in amount of such claims.

Wherefore the said ——— ——— respectfully asks that the said proposal be confirmed by the court.

———— ————,
Debtor.

FORM No. 69.

ORDER CONFIRMING A COMPOSITION OR EXTENSION PROPOSAL UNDER SECTION 75.

An application for the confirmation of the proposal offered by the debtor under section 75 of the Bankruptcy Act having been filed in court, and it appearing that the proposal has been accepted by a majority in number of creditors whose claims have been allowed, including secured creditors whose claims are to be affected by the proposal, which number represents a majority in amount of such claims; and it also appearing that the proposal includes an equitable

and feasible method of liquidation for secured creditors whose claims are affected and of financial rehabilitation for the debtor; that it is for the best interests of all creditors; and that the offer and its acceptance are in good faith and have not been made or procured by any means, promises, or acts contrary to the acts of Congress relating to bankruptcy: It is therefore hereby ordered that the said proposal be, and it hereby is, confirmed.

Witness the Honorable ——— ———, judge of said court, and the seal thereof, this ——— day of ———, A. D. 19—.

——— ———,
Clerk.

[SEAL OF THE COURT]