AMENDMENTS TO GENERAL ORDERS IN BANKRUPTCY AND THE OFFICIAL FORMS

Effective July 19, 1961

The following amendments to the General Orders and Official Forms in Bankruptcy were prescribed by the Supreme Court of the United States on May 29, 1961. They became effective on July 19, 1961, as provided in paragraph 3 of the Court's order, *post*, p. 1044.

For earlier publications of the General Orders and Official Forms in Bankruptcy and amendments thereto, see 172 U. S. 653, 199 U. S. 618, 210 U. S. 567, 239 U. S. 623, 244 U. S. 641, 267 U. S. 613, 268 U. S. 712, 280 U. S. 617, 283 U. S. 870, 286 U. S. 573, 288 U. S. 619, 288 U. S. 655, 295 U. S. 771, 297 U. S. 735, 298 U. S. 695, 300 U. S. 689, 302 U. S. 787, 302 U. S. 788, 303 U. S. 671, 303 U. S. 626, 305 U. S. 677, 310 U. S. 661, 331 U. S. 871, 355 U. S. 969.

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SUPREME COURT OF THE UNITED STATES

MAY 29, 1961

ORDERED:

1. That Official Forms in Bankruptcy Nos. 14, 21, 63, 64, 65, 66, 67, 68 and 69, be, and they hereby are, abrogated.

2. That General Orders 1, 5, 9, 24, 48, 49, 51, 52, 53, 54, 55 and 56, and Forms Nos. 7, 17A, 17B, 20, 22, 28, 29, 30, 31, 35, 37, 40, 41, 42A, 42B, 43A, 43B, 44, 48, 49, 50, 51, 52, 55, 58 and 60 of the Official Forms in Bankruptcy be, and they hereby are, amended and established to read as hereinafter set forth.

3. That this order shall take effect on Wednesday, July 19, 1961, 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.

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AMENDMENTS TO GENERAL ORDERS IN BANKRUPTCY

1

Docket

The clerk of the district court shall keep a docket, in which the cases shall be entered and numbered in the order in which they are commenced. It shall contain an entry of the filing of the petition and of the action of the judge or clerk of the district court thereon; of the reference of the case, if any reference is made, to a referee; of the transmission of the referee's certified record of the proceedings; and of all proceedings in the case except those duly entered on the referee's docket. The clerk's 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 77, or under chapter IX, X, XI, XII, or XIII, of the Act, the docket shall so indicate.

The referee, in each case referred to him, shall keep a docket sheet of all proceedings before him substantially in the manner indicated by Form No. 70. The referee's docket shall at all times be open to public inspection. The original referee's docket sheet shall be transmitted to the clerk of the district court for preservation by him when the case is closed.

5

Form of Petitions and Other Papers

Paragraphs 2, 4, and 5

(2) Petitioners in involuntary proceedings for adjudication, whose claims rest upon assignment or transfer from other persons, shall annex to each of the triplicate

petitions a copy of 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.

(4) Proceedings shall be entitled "In Bankruptcy," "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 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."

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 or creditors to file, within five days after the date of the adjudication or within such additional time as may be allowed by the court, a list of the names and places of residence or business of all the creditors of the bankrupt, according to the best information of the petitioning creditor or creditors.

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. The list of claims or of interests shall be maintained sub-

stantially in the manner indicated by Form No. 71. The original list shall be transmitted to the clerk of the district court for preservation by him when the case is closed.

48

PROCEEDINGS UNDER CHAPTER XI OF THE ACT

PARAGRAPH 3

(3) The clerk of the district court or, in the case of a petition filed after a reference, the referee after such reference, shall forthwith transmit to the District Director 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.

49

PROCEEDINGS UNDER SECTION 77 OF THE ACT

PARAGRAPH 6

(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 District Director of Internal Revenue for the district in which the proceedings are pending a copy of any petition filed under subsection (a) of section 77.

51

ANCILLARY RECEIVERSHIPS LIMITED

No ancillary receiver shall be appointed in any district court of the United States in any bankruptcy proceeding 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 application contains a detailed statement of the facts showing the necessity for such appointment. The application shall be signed 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 application.

52

PROCEEDINGS UNDER CHAPTER X OF THE ACT

PARAGRAPH 3

(3) The clerk of the district court shall forthwith transmit to the District Director 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.

53

BOND OF DESIGNATED DEPOSITORY UNDER SECTION 61

PARAGRAPHS 1 AND 2

(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 Title 6, United States Code, 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 Act 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: *Provided,* That no security in the form of a bond or otherwise shall be required in the case of such part of the deposits as are insured under Title 12, United States Code, section 1821.

54

PROCEEDINGS UNDER CHAPTER XII OF THE ACT

PARAGRAPH 3

(3) The clerk of the district court shall forthwith transmit to the District Director 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.

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, insofar 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) 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.

(4) 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.

56

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 distributed by the clerk of the district court as follows: Two copies to the Library of the Supreme Court of the United States, Washington 25, D. C.; two copies to the Director of Libraries, Department of Justice, Washington 25, D. C.; two copies to the Comptroller General, General Accounting Office, Washington 25, D. C.; and four copies to the Administrative Office of the United States Courts, Washington 25, D. C.

AMENDMENTS TO
OFFICIAL FORMS IN BANKRUPTCY

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 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 the petition and this answer, and that the issues presented thereby may be determined by the court [*or* by a jury].

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

Signed: .....,
Respondent [or *Attorney for Respondent*].
Address: .....

Form No. 14

Order of Reference in Judge's Absence

(Abrogated)

Form No. 17A

Order for First Meeting of Creditors

[*To be used in cases where the filing fees are to be paid in installments*]

At ....., in this district, on the ..... day of ....., 19...

It is ordered that the first meeting of creditors herein be held at ....., in ....., on ....., 19..., at ..... o'clock ... m., ... time.

It is further ordered that the above-named bankrupt [*or, in proceedings under chapter XIII*, debtor] be and appear before a referee of this court at the time and place appointed for the first meeting of creditors for the purpose of being examined as provided by the Bankruptcy Act.

.....,
Referee in Bankruptcy.

FORM No. 17B

NOTICE OF FIRST MEETING OF CREDITORS

[*To be used in cases where the filing fees are to be paid in installments*]

To the creditors of ....., of ....., a bankrupt:

Notice is hereby given that ..... has been duly adjudged a bankrupt on a petition filed by him on ....., 19..., and that the first meeting of his creditors will be held at ....., in ....., on ....., 19..., at ..... o'clock .... m., ... time, at which place and time the 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 the meeting.

Dated at ....., ..., 19...

....., *Referee in Bankruptcy.*

FORM No. 20

ORDER APPROVING APPOINTMENT OF TRUSTEE

OR

APPOINTMENT OF TRUSTEE BY REFEREE

At ....., in this district, on the ..... day of ....., 19...

[*If the creditors elect a trustee, use paragraph (1) and strike paragraph (2); if the creditors fail to elect a trustee, use paragraph (2) and strike paragraph (1).*]

(1) ....., of ....., having been appointed trustee of the estate of the above-named bankrupt by his creditors, as provided in the Bankruptcy Act,

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

(2) The creditors of the above-named bankrupt having failed to appoint a trustee as provided in the Bankruptcy Act, ..., of ....., is hereby appointed trustee of the estate of the bankrupt, and the amount of his bond is fixed at ..... dollars.

....., *Referee in Bankruptcy.*

FORM No. 21

APPOINTMENT OF TRUSTEE BY REFEREE

(Abrogated)

FORM No. 22

NOTICE TO TRUSTEE OF HIS APPOINTMENT AND, IF FIXED, NOTICE OF TIME FIXED FOR FILING OBJECTIONS TO DISCHARGE

To ....., of .....:

I hereby notify you that you were duly appointed trustee of the estate of the above-named bankrupt at the first meeting of creditors, on the ..... day of ....., 19..., and I have approved the 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.

[*If the time for the filing of objections to the bankrupt's discharge has been fixed, add the following paragraph; if the time has not been fixed, strike out the paragraph.*]

You are further notified that the ..... day of ....., 19..., has been fixed as the last day for the filing of objections to the discharge of the bankrupt.

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

.....,
Referee in Bankruptcy.

FORM No. 28

PROOF OF CLAIM BY INDIVIDUAL

....., of No. ..... Street, in ....., County of ....., State of ....., 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 the undersigned in the sum of ..... dollars.

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

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

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

5. That this creditor 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 the debt [*or* liability] except .....
.....

6. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which the 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 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 debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except .....

.....

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

....., *Creditor.*

Penalty For Presenting Fraudulent Claim.—Fine of not more than $5,000 or imprisonment for not more than five years or both—Title 18, U. S. C., § 152.

FORM No. 29

PROOF OF CLAIM BY CORPORATION

....., of ....., in the County of ....., State of ....., 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 this corporation in the sum of ..... dollars.

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

.....

.....

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

.....

.....

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

.....

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

.....

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which the 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 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 debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except .....

.....

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

.....,

as .....,

of or for the corporation.

Penalty For Presenting Fraudulent Claim.—Fine of not more than $5,000 or imprisonment for not more than five years or both—Title 18, U. S. C., § 152.

FORM No. 30

PROOF OF CLAIM BY PARTNERSHIP

....., of ....., in the County of ....., State of ....., says:

1. That he is a member of ....., a copartnership composed of the undersigned 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 this copartnership in the sum of ..... dollars.

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

.....

.....

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

.....

.....

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

.....

6. That the copartnership does not hold, and has not, nor has any person by its order, or to the knowledge or belief of the undersigned,

for its use, had or received, any security or securities for the debt [*or* liability], except .....

.....

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which the 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 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 debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except .....

.....

.....

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

.....

Penalty For Presenting Fraudulent Claim.—Fine of not more than $5,000 or imprisonment for not more than five years or both—Title 18, U. S. C., § 152.

FORM No. 31

PROOF OF CLAIM BY AGENT OR ATTORNEY

....., of ....., in the County of ....., State of ....., says:

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

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

.....

.....

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

.....

.....

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

.....

6. That ..... does not hold, and has not, nor has any person by his order, or to the knowledge or belief of the undersigned, for his use, had or received, any security or securities for the debt [*or* liability], except .....

.....

7. [*If the debt or liability is founded upon an instrument of writing*] That the instrument upon which the 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 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 debt is evidenced by a note [*or* other negotiable instrument], which is attached hereto]; and that no judgment has been rendered thereon, except .....

.....

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

.....

Penalty For Presenting Fraudulent Claim.—Fine of not more than $5,000 or imprisonment for not more than five years or both—Title 18, U. S. C., § 152.

FORM NO. 35

APPLICATION FOR SALE OF REAL ESTATE

This application of ....., trustee of the estate of the above-named bankrupt, respectfully represents:

1. A portion of the 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 this applicant it will be for the benefit of the estate to sell this property at public auction, upon the following terms and conditions: .....

.....

Wherefore this applicant prays that he may be authorized to make sale at public auction of the real estate as aforesaid.

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

Signed: .....,

Trustee [or *Attorney for Trustee*].

Address: .....

FORM No. 37

APPLICATION FOR REDEMPTION OF PROPERTY

This application of ....., trustee of the estate of the above-named bankrupt, respectfully represents:

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

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

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

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

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

Signed: .....,
Trustee [or *Attorney for Trustee*].
Address: .....

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 this estate; that he has made diligent inquiry into the whereabouts of property belonging to the estate; and that there are no assets in the estate over and above the exemptions claimed by, and by him set aside to, the bankrupt.

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

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

Signed: .....,
Trustee [or *Attorney for Trustee*].
Address: .....

FORM No. 41

APPLICATION FOR DISCHARGE

This application 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 Bankruptcy Act; that on the ..... day of ....., 19..., it was duly adjudged a bankrupt under the Act; that it has duly surrendered all its property and rights of property, and has fully complied with all the requirements of the Act, and with all the orders of the court pertaining to its bankruptcy.

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

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

Signed: .....,
as .....,
of or for the corporation.
Address: .....

FORM No. 42A

ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE

[*To be used in cases where the filing fees have been paid in installments*]

At ....., in this district, 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 the bankrupt.

.....,
Referee in Bankruptcy.

FORM No. 42B

ORDER FOR FIRST MEETING OF CREDITORS

AND

ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE

[*To be used in cases where the filing fees were paid in full at the time of filing*]

At ....., in this district, on the ..... day of ....., 19...

It is ordered that the first meeting of creditors herein be held at ....., in ....., on ....., 19..., at ..... o'clock ... m., ... time.

It is further ordered that the above-named bankrupt be and appear before a referee of this court at the time and place appointed for the first meeting of creditors for the purpose of being examined as provided by the Bankruptcy Act.

And it is further 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 the bankrupt.

....., *Referee in Bankruptcy.*

FORM No. 43A

NOTICE OF ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE

[*To be used in cases where the filing fees have been paid in installments*]

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 the bankrupt.

Dated this ..... day of ....., 19...

....., *Referee in Bankruptcy.*

FORM No. 43B

NOTICE OF FIRST MEETING OF CREDITORS AND NOTICE OF ORDER FIXING TIME FOR FILING OBJECTIONS TO DISCHARGE

[*To be used in cases where the filing fees were paid in full at the time of filing*]

To the creditors of ....., of ....., a bankrupt, and to other parties in interest:

Notice is hereby given that ..... has been duly adjudged a bankrupt on a petition filed by [*or* against] him on ....., 19..., and that the first meeting of his creditors will be held at ....., in ....., on ....., 19..., at ..... o'clock ... m., ... time, at which place and time the 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 the meeting.

Notice is also 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 the 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 this district [*or* the attorney designated by the Attorney General of the United States], having examined into the acts and conduct of the bankrupt and being satisfied that probable grounds exist for the denial of the discharge of the bankrupt and that the public interest so warrants], does hereby oppose the granting to the 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.*]

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

Signed: .....,
Trustee [or *creditor* or *attorney*].
Address: .....

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 the six months immediately preceding the filing of this petition [*or* 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: .....
.....

[*or* intends to propose an arrangement pursuant to the provisions of chapter XI of the Bankruptcy Act.]

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 or of business of his creditors, and such further statements concerning his debts as are required by the provisions of the Bankruptcy Act.

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 his property as are required by the provisions of the 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 the 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 the Act.

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

....., *Petitioner.*

Address: .....

....., *Attorney.*

Address: .....

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. 49

NOTICE OF MEETING OF CREDITORS IN PROCEEDINGS UNDER CHAPTER XI

To ....., of ....., his creditors, and to other parties in interest:

Notice is hereby given that on the ..... day of ....., 19..., ... filed a petition in this court proposing [*or* stating that he intends to propose] an arrangement with his unsecured creditors under the provisions of chapter XI of the Bankruptcy Act, and that a meeting of his creditors will be held at ....., in ....., on the ..... day of ....., 19..., at ..... o'clock ... m., ... time, at which place and time the creditors may attend, prove their claims, nominate a trustee, appoint a committee of creditors, examine the debtor, present written acceptances of the proposed arrangement, if filed, and transact such other business as may properly come before the meeting.

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

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

Notice is also hereby given that the application to confirm the 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 ... m., ... time.

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 Bankruptcy Act proposed on the ..... day of ....., 19..., has been duly accepted, in accordance with the provisions of this chapter, and that the deposit required by the provisions of the chapter and by the 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 debtor prays that the arrangement be confirmed by the court.

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

Signed: .....,

Debtor [or *Attorney for Debtor*].

Address: .....

FORM NO. 51

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

At ....., in this district, on the ..... day of ....., 19...

A petition having been filed herein on the ..... day of ....., 19..., by the above-named debtor, and an arrangement under chapter XI of the Bankruptcy Act having been proposed and thereafter 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 the debtor, to his creditors, and to other parties in interest; and

It appearing that the deposit required by the provisions of this chapter and by the 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 the arrangement and its acceptance are in good faith and have not been made or procured by any means, promises, or acts forbidden by the Act;

It is ordered that the 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 this district, on the ..... day of ....., 19...

The application of ....., the above-named debtor, for confirmation of the arrangement under chapter XI of the Bankruptcy Act proposed by the debtor having been heard and duly considered; and due notice of the 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 the arrangement has been duly accepted in accordance with the provisions of this chapter, and that the deposit required by the provisions of the chapter and by the 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 the 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 the Act.

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

....,
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 Bankruptcy Act, proposed in the petition filed by him on the ..... day of ....., 19..., has been duly accepted, in accordance with the provisions of this chapter, and that the deposit required by the provisions of the chapter and by the 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 debtor prays that the arrangement be confirmed by the court.

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

Signed: .....,
Debtor [or *Attorney for Debtor*].
Address: .....

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 the six months immediately preceding the filing of this petition [*or* 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 an individual whose principal income is derived from wages, salary or commissions.

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 or of business of his creditors, and such further statements concerning said debts as are required by the provisions of the Bankruptcy Act.

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 the 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 the 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 the Act.

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

....., *Petitioner.*

Address: .....

....., *Attorney.*

Address: .....

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. 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 Bankruptcy Act, submitted by him at a meeting of his creditors on the ..... day of ....., 19..., has been duly accepted, in accordance with the provisions of this chapter, and that he has made the deposit of moneys required by the provisions of the chapter [*If it be the fact, add:* and that the deposit required by the provisions of the 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 debtor prays that the plan be confirmed by the court.

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

Signed: .....,

Debtor [or *Attorney for Debtor*].

Address: .....

FORM No. 63

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

(Abrogated)

FORM No. 64

ORDER APPROVING DEBTOR'S PETITION IN PROCEEDINGS UNDER SECTION 75

(Abrogated)

FORM No. 65

ORDER OF REFERENCE IN PROCEEDINGS UNDER SECTION 75

(Abrogated)

FORM No. 66

BOND OF CONCILIATION COMMISSIONER

(Abrogated)

FORM No. 67

NOTICE OF FIRST MEETING OF CREDITORS IN PROCEEDINGS UNDER SECTION 75

(Abrogated)

FORM No. 68

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

(Abrogated)

FORM No. 69

ORDER CONFIRMING A COMPOSITION OR EXTENSION PROPOSAL UNDER SECTION 75

(Abrogated)