



SUPPLEMENT

TO THE

VICTORIA

GOVERNMENT GAZETTE

OF FRIDAY, SEPTEMBER 22, 1899.

Published by Authority.

No. 79.]

TUESDAY, SEPTEMBER 26.

[1899.

RULES UNDER PART VII. OF COMPANIES ACT 1896.

THE subjoined Rules of the Supreme Court, having been duly laid before Parliament, are now published pursuant to law.

Crown Law Offices, Melbourne, 22nd September, 1899.

ISAAC A. ISAACS,
Attorney General.

WHEREAS by the *Companies Act* 1896 it is amongst other things enacted that the Supreme Court may make general rules or orders for carrying into effect the objects of Division VII. of the said Act, the said Court doth now make the rules and orders following for carrying into effect certain of the objects of the said Division :—

1. In these rules unless repugnant to the context the masculine gender shall be deemed and taken to include females, and the singular number shall include the plural, and the plural number shall include the singular, and unless the context or subject-matter otherwise requires, the following words and expressions shall have the meaning respectively assigned to them ;

Interpretation of terms.

“ Act ” shall mean the *Companies Act* 1896.

“ Month ” shall mean calendar month.

2. Where the Court has made an order for winding up a company the statement as to the affairs of the company required by section 131 of the Act shall be in the forms or to the effect provided in the First Schedule hereto, and shall contain in addition to the information contained in the forms such other information as the official liquidator may, by writing under his hand, require, and the directions specified in the forms shall (unless the Court otherwise directs) be observed in reference to every statement.

Form of statement of affairs to be supplied by directors and manager of company ordered to be wound up.
Companies Act 1896, Section 131.
First Schedule.

3. Where a creditor or contributory requires to inspect the statement of affairs of a company submitted in pursuance of section 131 of the Act, or requires a copy thereof, or an extract therefrom, he shall apply to the liquidator in the form or to the effect of that contained in the Second Schedule hereto.

Form of application by creditors, &c., to inspect statement.
Ib., Second Schedule.

4. For the purposes of the next two succeeding rules the winding-up of a company shall be deemed to be or to have been concluded :—

When winding up of company in liquidation to be deemed to have been concluded.
Ib., Section 139.

(a) In case of a company wound up by order of the court at the date on which the order for dissolution shall be or shall have been reported by the official liquidator to the Registrar-General, pursuant to the 106th section of the *Companies Act* 1890; and

(b) In the case of companies wound up voluntarily or under the supervision of the Court, at the date when the company by section 129 of the *Companies Act* 1890, or section 162 of the *Companies Act* 1896, is to be deemed to be or to have been dissolved, unless at such date any funds or assets of the company remain unclaimed or undistributed in the hands or under the control of the liquidator or of any person who has acted as liquidator, in which case the winding up shall not be deemed to be or to have been concluded until such funds or assets have

either been distributed or paid into a bank in accordance with the provisions of section 55 of the *Trusts Act* 1890, and a statutory declaration by the liquidator in the form or to the effect of that contained in the Third Schedule hereto has been filed with the Registrar-General.

Third Schedule.

Period to be covered by particulars in statements of company winding up of which concluded since 23rd December, 1896.
Ib., Section 139.

5. In the case of every company the winding up of which has been or will be concluded between the 23rd day of December, 1896, and the 1st day of November, 1899, and not within a year after the commencement of such winding up a statement commencing at the date when a liquidator was first appointed, and brought down to and inclusive of the day when the liquidation was concluded shall be sent to the Registrar-General on or before the 31st day of October, 1899.

Period to be covered by particulars of statement of company winding up of which is not concluded before 1st November, 1899.
Ib., Section 139.

6. In all cases not covered by the last preceding rule the statement with respect to proceedings in and position of a liquidation of a company the winding up of which is not concluded within a year after its commencement shall be sent to the Registrar-General twice in every year, as follows:—

- (1) Where the winding up has commenced on or before the 1st day of November, 1898, and will not be concluded before the 1st day of November, 1899, the first statement, brought down to and inclusive of the 31st day of October, 1899, shall be sent to the Registrar-General on or before the 30th day of November, 1899, or within such extended time as the Court may in any particular case sanction, and the next statement brought down to and inclusive of the 30th day of April, 1900, shall be sent within 30 days from that date.
- (2) Where the winding up has commenced after the 1st day of November, 1898, the first statement, commencing at the date when a liquidator was first appointed and brought down to the end of twelve months from the commencement of the winding up, shall be sent within 30 days from the expiration of such twelve months.
- (3) The subsequent statements shall be sent at intervals of half-a-year, each statement being brought down to the end of the half-year for which it is sent.

Form of statement.
Ib., Section 139.
Fourth Schedule.

7.—(1) The form in the Fourth Schedule to these rules with such variations as circumstances may require shall be used, and the directions specified in the form shall be observed, in reference to every statement required by section 139 of the Act.

Directions as to preparation, &c.

- (2) Every such statement shall contain a detailed account of all the liquidator's realizations and disbursements in respect of the company. The statement of realizations shall contain a record of all receipts derived from assets existing at the date of the winding-up order or resolution and subsequently realized, including balance in bank, book debts, and calls collected, property sold, &c., and the account of disbursements shall contain detailed particulars of all payments for costs and charges, or to creditors or contributories. Where property has been realized, the gross proceeds of sale must be entered under realizations, and the necessary payments incidental to sales must be entered as disbursements. These accounts should not contain payments into or out of bank, or temporary investments by the liquidator, or the proceeds of such investments when realized, which should be shown separately:—

(a) By means of the bank pass-book.

(b) By a separate detailed statement of moneys invested, and investments realized.

Interest allowed or charged by the bank, bank commission, exchange discounts, rebates, and other like charges, and profit or loss upon the realization of temporary investments must however be inserted in the accounts of realizations or disbursements, as the case may be. Each receipt and payment must be entered in the account in such a manner as sufficiently to explain its nature. The receipts and payments must severally be added up at the foot of each sheet, and the totals carried forward from one account to another without any intermediate balance, so that the gross totals shall represent the total amounts received and paid by the liquidator respectively.

Trading account

- (3) When the liquidator carries on a business, a trading account must be forwarded as a distinct account, and the totals of receipts and payments on the trading account must alone be set out in the statement.

Separate accounts of payments of dividends, &c., to creditors, and returns of surplus to contributories.

- (4) When dividends or instalments of compositions are paid to creditors, or a return of surplus assets is made to contributories, the total amount of each dividend or instalment of composition or payment to contributories must be entered in the statement of disbursements as one sum; and the liquidator must forward separate accounts showing in lists the amount of the claim of each creditor and the amount of dividend or composition payable to each creditor and of the surplus assets payable to each contributory, distinguishing in each list the dividends or instalments of compositions and shares of surplus assets actually paid and those remaining unclaimed.

- (5) Every statement shall be verified by a statutory declaration in the form in the Fifth Schedule to these rules with such variations as circumstances may require. Declaration verifying statement. Fifth Schedule.
- 8.—(1) Every liquidator shall at the expiration of six months from the date of the winding-up order, and at the expiration of every succeeding six months thereafter, until his release, send to the Registrar-General an account constituted by a copy of the cash-book for such period in duplicate, together with the necessary vouchers and copies of the certificates of audit by an auditor appointed by the Court. He shall also forward with the first account a summary of the company's statement of affairs in the form or to the effect of that contained in the Sixth Schedule to these rules, showing thereon in red ink the amounts realized, and explaining the cause of the non-realization of such assets as may be unrealized. Account of liquidator's receipts and payments. Section 141. Sixth Schedule.
- (2) When the assets of the company have been fully realized and distributed, the liquidator shall forthwith send in his accounts to the Registrar-General, although the six months may not have expired. Time of sending final account.
- (3) The accounts sent in by the liquidator shall be certified and verified by him by a statutory declaration in the form or to the effect of that contained in the Fifth Schedule hereto with such necessary alterations as the case may require. Certification and verification by liquidator. Fifth Schedule.
- (4) The statutory declaration by the auditor appointed by the Court verifying the account shall be in the form or to the effect of that contained in the Seventh Schedule hereto. Verification by auditor. Seventh Schedule.
- 9.—(1) Where the liquidator carries on the business of the company he shall keep a distinct account of the trading, and shall incorporate in the cash-book the total weekly amount of the receipts and payments on such trading account. Trading account.
- (2) The trading account shall, from time to time, and not less than once in every month, be verified by statutory declaration of the liquidator, and the liquidator shall thereupon submit such account to the committee of inspection (if any), or such member thereof as may be appointed by the committee for that purpose, who shall examine and certify the same. Verification, &c., trading account.
10. When the liquidator's account has been audited the Registrar-General shall certify the fact upon the account, and thereupon the duplicate copy bearing a like certificate shall be filed with the proceedings in the winding-up in the office of the Prothonotary of the Supreme Court. Registrar-General's certificate of audit.
11. Where a liquidator has not during any period for which a statement under section 139 of the Act has to be sent in, or in connexion with his account of receipts and payments under section 141 of the Act, has not since the date of his appointment or since the last audit of his accounts, as the case may be, received or paid any sum of money on account of the assets of the company, he shall at the time when he is required to send his statement or accounts, as the case may be, to the Registrar-General, send to the Registrar-General a statutory declaration of no receipts or payments in the form or to the effect of that contained in the Eighth Schedule to these rules. Liquidator not receiving or paying money for period to file declaration. Eighth Schedule.
12. (1) Every liquidator of a company shall keep a book, to be called the "record-book," in which shall be recorded all minutes, all proceedings had and resolutions passed at any meeting of creditors or contributories or of the committee of inspection, and all such matters as may be necessary to give a correct view of his administration of the company's affairs, but he shall not be bound to insert in the "record-book" any document of a confidential nature (such as the opinion of counsel on any matter affecting the interest of the creditors or contributories) nor need he exhibit any such document to any person other than a member of the committee of inspection unless so ordered by the Court. Record-book to be kept. Section 142.
- (2) Every liquidator shall keep a book to be called the "cash-book" in the form or to the effect of that contained in the Ninth Schedule, in which he shall (subject to the provisions of these rules as to trading accounts) enter from day to day the receipts and payments made by him. Form of cash-book, &c. Section 142. Ninth Schedule.
- (3) The liquidator shall submit the record-book and cash-book together with any other requisite books and vouchers to the committee of inspection (if any) when required, and not less than once in every three months.
13. The liquidator, desiring to apply for directions in relation to any particular matter arising under the winding up may so do in Chambers *ex parte*. Application for directions may be made in Chambers. Section 144 (3). Judge may require notice to be given. Ib.
14. In the event of the Judge deeming it necessary or advisable that any person who may be affected by the application should receive notice before dealing with the application he may adjourn the application and direct that notice be given to such person or persons or classes of persons as he may indicate either by advertisement or otherwise as he may think fit.
15. Any application under the last two preceding rules may at any time be adjourned from Chambers to be heard in Court, and thereafter again adjourned from Court to be heard in Chambers, and so on, from time to time, as the Judge hearing the same may think expedient. Application in Chambers may be adjourned into Court. Ib.

Prothonotary to keep books, &c.
Section 151.
Tenth Schedule.
Form of Return by Prothonotary.
Ib. 151.
Eleventh Schedule.

16. The Prothonotary shall keep books in the forms in the Tenth Schedule hereto, and the particulars given under the different heads in such books shall be entered forthwith after each proceeding has been concluded.

17. The Prothonotary, on or before the 31st day of January in each and every year shall make a return to the Attorney-General of the business of the Court during the year ending the 31st day of December next preceding in connexion with the winding up of companies in the form or to the effect of that contained in the Eleventh Schedule hereto.

Punctuation.

18. In the construction of these rules regard shall not be had to punctuation other than full stops.

RULES.—COMPANIES ACT 1896 (No. 1482, SEC. 131 (1)).

FORMS.

FIRST SCHEDULE.

STATEMENT OF AFFAIRS, ETC., TO OFFICIAL LIQUIDATOR.

In the matter of

in liquidation.

STATEMENT of Affairs on the

day of

1, the date of the Winding-up Order.

I.—As regards Creditors.

Gross Liabilities.			Liabilities.			Expected to Rank.			Assets.			Estimated to Produce.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
			Debts and Liabilities, viz.:						(a) Property, as per list "H," viz.:					
			(a) Unsecured creditors, as per list "A" ...						(a) Cash at bankers ...					
			(b) Creditors fully secured (not including debenture-holders), as per list "B" ...						(b) Cash in hand ...					
			Estimated value of securities ...						(c) Stock in trade (estimated cost £ ...)					
			Estimated surplus... Carried to list "C" ...						(d) Machinery ...					
			Balance to contra ...						(e) Trade fixtures, fittings, utensils, &c. ...					
			(c) Creditors partly secured, as per list "C," less estimated value of securities ...						(f) Investments in shares, &c. ...					
			Estimated to rank for dividend...						(g) Loans on mortgage ...					
			(d) Liabilities on bills discounted other than the company's own acceptances for value, as per list "D" ...						(h) Other property ...					
			Of which it is expected will rank for dividend ...						(b) Book debts, as per list "I," viz.:					
			(e) Other liabilities, as per list "E" ...						Good ...					
			Of which it is expected will rank for dividend ...						Doubtful ...					
			(f) Loans on debenture bonds, as per list "F," deducted contra ...						Bad ...					
			(g) Preferential creditors for rates, taxes, wages, &c., as per list "G," deducted contra ...						£ ...					
			Estimated surplus after meeting liabilities of company, subject to cost of liquidation ...						Estimated to produce ...					
									(c) Bills of exchange or other similar securities on hand, as per list "J," £ ...					
									Estimated to produce ...					
									(d) Surplus from securities in the hands of creditors fully secured, per contra (a) ...					
									(e) Unpaid calls, as per list "K," £ ...					
									Estimated to produce ...					
									Estimated Total Assets ...					
									Deduct loans on debenture bonds secured on the assets of the company, as per contra (f) ...					
									Estimated Net Assets ...					
									Deduct preferential creditors, as per contra (g) ...					
									Estimated amount available to meet unsecured creditors, subject to cost of liquidation ...					
									Estimated deficiency of assets to meet liabilities of the company, subject to cost of liquidation ...					

The nominal amount of unpaid capital liable to be called up to meet the above deficiency is £

FIRST SCHEDULE—continued.
II.—As regards Contributories.

	£	s.	d.	£	s.	d.		£	s.	d.
Capital issued and allotted, viz. :—							Estimated surplus as above (if any)			
(a) Founders' shares of £ per share							subject to costs of liquidation ...			
Amount called up at £ per share,										
as per list "L" ...										
(b) Ordinary shares of £ per share										
Amount called up at £ per share,										
as per list "M" ...										
(c) Preference shares of £ per share										
Amount called up at £ per share,										
as per list "N" ...										
[Add particulars of any other capital.]										
Less unpaid calls estimated to be unrecoverable ...							Total deficiency as explained in statement list "O" ...			
Add deficiency to meet liabilities as above										
				£				£		

We,* of † jointly and severally make oath and say that the above statement and the several lists hereunto annexed, marked A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, respectively, are, to the best of our knowledge and belief, a full, true, and complete statement of the affairs of the above-named company on the day of the date of the winding-up order herein.

Sworn by the ‡ deponent § at in the colony of Victoria, this day of 1 before me—

A Commissioner of the Supreme Court of the Colony of Victoria for taking affidavits.
[or A Commissioner for taking oaths and affidavits].

* Name of one of the deponents.
† Place of abode and calling, and character in relation to the company in respect of which the obligation to make the statement is imposed by section 131 of Act No. 1482.
‡ If all sworn at same time, insert "several."
§ If sworn separately, insert name of particular deponent.
NOTE.—Repeat form of jurat where necessary in consequence of deponents being sworn at different times.

LIST "A."

In re in liquidation.

UNSECURED CREDITORS.

Instructions—

- Names to be arranged in alphabetical order of the initial letter of the creditors' surnames, and numbered consecutively.
The names of creditors having the same initial letter for Ten pounds and upwards to be placed before any creditor having the same initial letter to whom is due an amount under Ten pounds.
- When there is a contra account against the creditor less than the amount of his claim against the company the amount of the creditor's claim and the amount of the contra account should be shown in the third column, and the balance only be inserted under the heading "Amount of Debt," thus—
Total amount of claim £
Less contra account £
No sum so set off should be included in List "I."
- The particulars of any bills of exchange and promissory notes held by a creditor should be inserted immediately below the name and address of such creditor.
- The names of any creditors who are also contributories, or alleged to be contributories, of the company must be shown separately and described as such at the end of the list.

No.	Name.	Address and Occupation.	Amount of Debt.	Date when Contracted.		Consideration†
				Month.	Year.	

Signatures—

Dated—

September 26, 1899.

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FIRST SCHEDULE—continued.

LIST "B."

In re

In liquidation.

CREDITORS FULLY SECURED (NOT INCLUDING DEBENTURE-HOLDERS).

No.	Name of Creditor.	Address and Occupation.	Amount of Debt.	Date when Contracted.		Conside-ration.	Particulars of Security.	Date when given.	Estimated Value.	Estimated Surplus of Security.
				Month.	Year.					

Signatures—

Date—

LIST "C."

In re

in liquidation.

CREDITORS PARTLY SECURED.

(State whether also contributories of the company.)

No.	Name of Creditor.	Address and Occupation.	Amount of Debt.	Date when Contracted.		Conside-ration.	Particulars of Security.	Month and Year when given.	Estimated Value of Security.	Balance of Debt Unsecured.
				Month.	Year.					

Signatures—

Date—

LIST "D."

In re

in liquidation.

LIABILITIES OF COMPANY ON BILLS DISCOUNTED OTHER THAN ITS OWN ACCEPTANCES FOR VALUE.

No.	Acceptor's Name.	Address and Occupation.	Whether liable as Drawer or Indorser.	Date when Due.	Amount.	Holder's Name.	Holder's Address and Occupation.	Amount expected to rank for Dividend.

Signatures—

Date—

FIRST SCHEDULE—continued.

LIST "E."

In re

in liquidation.

FULL PARTICULARS OF ALL LIABILITIES NOT OTHERWISE SCHEDULED TO BE GIVEN HERE.

No.	Name of Creditor or Claimant.	Address and Occupation.	Amount of Liability or Claim.	Date when Liability Incurred.		Nature of Liability.	Consideration.	Amount expected to rank against Assets for Dividend.
				Month.	Year.			

Signatures—

Date—

LIST "F."

In re

in liquidation.

LIST OF DEBENTURE-HOLDERS IN ISSUE OF THE DAY OF

NOTE.—1. Names to be arranged in alphabetical order of the initial letter of the creditor's surname and numbered consecutively.

2. Separate lists must be furnished of holders of each issue of debentures should more than one issue have been made.

No.	Name of Holder.	Address and Occupation.	Amount.	Description of Assets over which Security extends.

Signatures—

Date—

LIST "G."

In re

in liquidation.

PREFERENTIAL CREDITORS FOR RATES, TAXES, RENT, SALARY, AND WAGES.

No.	Name of Creditor.	Address and Occupation.	Nature of Claim.	Period during which claim accrued due.	Date when due.	Amount of Claim.	Amount Payable in full.	Difference ranking for Dividend.

Signatures—

Date—

September 26, 1899.

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FIRST SCHEDULE—continued.

LIST "H."

In re

in liquidation.

FULL PARTICULARS OF EVERY DESCRIPTION OF PROPERTY NOT INCLUDED IN ANY OTHER LIST ARE TO BE SET FORTH IN THIS LIST.

Full Statement and Nature of Property.	Estimated to Produce.		
(a) Cash at bankers			
(b) Cash in hand			
(c) Stock in trade*			
(d) Machinery at*			
(e) Trade fixtures, fittings, office furniture, utensils, &c. ...			
(f) Investments in debentures, stocks, or shares†			
(g) Loans for which mortgage or other security held‡ ...			
(h) Other property, viz.†			

* State where.

† Give particulars.

Signatures—

Date—

LIST "I."

DEBTS DUE TO THE COMPANY.

In re

in liquidation.

NOTE.—1. Names to be arranged in alphabetical order of the initial letter of the debtor's surname, and numbered consecutively.

2. If any debtor to the company is also a creditor, but for a less amount than his indebtedness, the gross amount due to the company and the amount of the contra account should be shown in the fourth column. No such claim should be included in Sheet "A."

No.	Name of Debtor.	Residence and Occupation.	Due to company less contra account	Amount of Debt.			Folio of Ledger or other book where particulars are to be found.	When Contracted.		Estimated to Produce.	Particulars of any Security held for Debt.
				Good.	Doubtful.	Bad.		Month.	Year.		

Signatures—

Date—

LIST "J."

In re

in liquidation.

BILLS OF EXCHANGE, PROMISSORY NOTES, ETC., ON HAND AVAILABLE AS ASSETS.

No.	Name of Acceptor of Bill or Note.	Address, &c.	Amount of Bill or Note.	Date when Due.	Estimated to Produce.	Particulars of any Property held as Security for Payment of Bill or Note

Signatures—

Date—

FIRST SCHEDULE—continued.

LIST "K."

In re
in liquidation.

UNPAID CALLS.

No. in Share Register.	Name of Shareholder.	Address and Occupation.	No. of Shares held.	Amount of Call per Share unpaid.			Total Amount due.			Estimated to realize—		

Signatures—

Date—

LIST "L."

In re
in liquidation.

LIST OF FOUNDERS' SHARES.

Register No.	Name of Shareholder.	Address and Occupation.	Nominal Amount of Share.	Number of Shares held.	Amount per Share called up.			Total Amount called up.		

Signatures—

Date—

LIST "M."

In re
in liquidation

LIST OF ORDINARY SHARES.

No.	Register No.	Name of Shareholder.	Address and Occupation.	Nominal Amount of Share.	No. of Shares held.	Amount per Share called up.			Total Amount called up.		

Signatures—

Date—

September 26, 1899.

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FIRST SCHEDULE—continued.

“LIST N.”

In re
in liquidation.

LIST OF PREFERENCE SHARES.

Register No.	Name of Shareholder.	Address and Occupation.	Nominal Amount of Share.	Number of Shares held.	Amount per Share called up.			Total Amount called up.		
					£	s.	d.	£	s.	d.

Signatures—

Date—

LIST “O.”

In re
in liquidation.

(1) DEFICIENCY ACCOUNT FOR USE WHERE WINDING-UP ORDER MADE *within* THREE YEARS OF FORMATION OF COMPANY.

			£	s.	d.				£	s.	d.
1.	Gross profit (if any) arising from carrying on business from date of formation of company to date of winding-up order	...				1.	Expenses of carrying on business from date of formation of company to date of winding-up order, viz. :—				
2.	Deficiency, as per statement of affairs	...					Salaries and wages	...	£	s.	d.
							Rent, rates, and taxes	...			
							Miscellaneous trade expenses	...			
							Depreciations written off in company's books	...			
							Interest on loans	...			
							2. Bad debts (if any), as per list “J” *	...			
							3. Directors' fees from date of formation of company to date of winding-up order	...			
							4. Dividends paid (if any) from date of formation of company to date of winding-up order	...			
							5. Losses on investments realized from date of formation of company to date of winding-up order, exclusive of depreciation written off as above, viz. :—†	...			
							6. Depreciation on property not written off in company's books, viz. :—†	...			
							7. Other losses and expenses (if any)‡ from date of formation of company to date of winding-up order, viz. :—†	...			
							8. Unpaid calls as per list “K”	...	£	s.	d.
							Less amount taken credit for in front sheet as estimated to be realized therefrom as per list “K”	...			
							Balance estimated as unrecoverable	...			
	Total amount to be accounted for §	£					Total amount accounted for §	£			

NOTES.

- * This list must show when debts were contracted.
- † Where particulars are numerous they should be inserted in a separate schedule.
- ‡ Here add particulars of other losses or expenses (if any) and liabilities (if any) for which no consideration received.
- § These figures should agree.

Signatures—

Dated—

FIRST SCHEDULE—continued.

LIST "O."

In re _____ in liquidation.

(2) DEFICIENCY ACCOUNT WHERE WINDING-UP ORDER MADE MORE THAN THREE YEARS AFTER FORMATION OF COMPANY.

	£	s.	d.		£	s.	d.
1. Excess of assets over capital and liabilities on the * day of (if any), as per company's balance-sheet ...				1. Excess of capital and liabilities over assets, on the* day of (if any), as per company's balance-sheet ...			
2. Gross profit (if any) arising from carrying on business from the* day of ...				2. Expenses of carrying on business from the* day of viz.:— ...			
3. Deficiency, as per statement of affairs ...				Salaries and wages ...			
				Rents, rates, and taxes ...			
				Micellaneous trade expenses ...			
				Depreciations written off in company's books ...			
				Interest on loans ...			
				3. Bad debts (if any), as per list "J" † ...			
				4. Directors' fees from the * day of ...			
				5. Dividends paid (if any) since the* day of ...			
				6. Losses on investments realized since the* day of exclusive of depreciation written off as above, viz.:— ‡			
				7. Depreciation on property not written off in company's books, viz.:— ‡ ...			
				8. Other losses and expenses (if any) since the* day of viz.:— §			
				9. Unpaid calls, as per list "K" ...			
				Less amount taken credit for in front sheet as estimated to be realized therefrom ...			
				Balance estimated as irrecoverable ...			
Total amount to be accounted for	£			Total amount accounted for	£		

NOTES. |

- * Three years before date of winding-up order.
- † This list must show when debts were contracted.
- ‡ When particulars are numerous they should be inserted in a separate schedule.
- § Here add particulars of other losses or expenses (if any) and liabilities (if any) for which no consideration received.
- ¶ These figures should agree.

Signatures—
Dated—

COMPANIES ACT 1896 (No. 1482).

SECOND SCHEDULE.

APPLICATION OF CREDITOR OR CONTRIBUTORY TO INSPECT, ETC., STATEMENT OF AFFAIRS.

In re _____ in liquidation.

To _____ the Official Liquidator.

Sir,

I beg to apply { to inspect (1) or } the Statement of Affairs of the above company
 { for a copy of or }
 { for an extract as below from }
 submitted in pursuance of Section 131 of the Companies Act 1896.

My full name is _____ and I am a _____
 and reside at _____ and am a { creditor or } of the company in respect of (2)
 { contributory }

(2) Give particulars of debt or fact constituting person creditor or contributory.
 I herewith hand you the sum of _____ being
 the prescribed fee. A.B., the creditor (or contributory) above named.

[Where extract is required here state generally the nature of the extract required.]

COMPANIES ACT 1896 (No. 1482).
THIRD SCHEDULE.

STATUTORY DECLARATION OF LIQUIDATOR OF WINDING UP HAVING BEEN COMPLETED.

In re

now dissolved.

I, of at the time of its dissolution the liquidator of the above-named company, do solemnly and sincerely declare—

1. That three months have elapsed since the date of the registration with the Registrar-General of the return required by law, from which date the above company is to be deemed to be dissolved.

2. That no funds or assets of the company remain in my hands or under my control, or in the hands or under the control of any person who has acted as liquidator of the company.

3. That on the day of I caused to be paid, with the privity of the Master-in-Equity of the Supreme Court, in conformity with the terms of section 55 of the *Trusts Act* 1890, into the Bank, in the City of Melbourne, to the account of the said Master, in the matter of the "unclaimed and undistributed funds and assets of the company now dissolved" all the funds and assets of the said company remaining unclaimed or undistributed on that date in my hands or under my control.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at this day of 1 before me—

* NOTE.—Where funds or assets have all been distributed paragraph 3 may be omitted.

COMPANIES ACT 1896 (No. 1482, SEC. 139 (1)).
FOURTH SCHEDULE.

In re

in liquidation.

FORM OF STATEMENT OF RECEIPTS AND PAYMENTS BY LIQUIDATOR, ETC.

LIQUIDATOR'S STATEMENT PURSUANT TO SECTION 139 (1) OF THE COMPANIES ACT 1896.

Name of company ...
Nature of proceedings (whether wound up by the Court or under the supervision of the Court or voluntarily) ...
Date of commencement of winding up ...
Date to which statement is brought down ...
Name and address of the liquidator ...
Account as follows:—

Realization.				Disbursements.							
Date.	Of whom Received.	Nature of Assets Realized.	Amount.			Date.	To whom Paid.	Nature of Disbursements.	Amount.		
			£	s.	d.				£	s.	d.
(On last page)—Total realizations to be carried to next account.				(On last page)—Total disbursements to be carried to next account.							

Analysis of Balance.

Total Realizations ...	£ s. d.
Total Disbursements ...	£ s. d.
Balance	£ s. d.

The balance is made up as follows:—

(1) Cash in hands of liquidator ...	£ s. d.
(2) Amounts invested by liquidator (as per separate account herewith) ...	£ s. d.
Less amounts realized from same ...	£ s. d.
Balance of amount invested ...	£ s. d.
(3) Total payments into bank, including balance at date of commencement of winding up (as per bank book) ...	£ s. d.
Total withdrawn from bank ...	£ s. d.
Balance at bank ...	£ s. d.
Total as shown above ...	£ s. d.

NOTE.—The liquidator should also state—

- (1) The amount of the estimated assets and liabilities at the date of the commencement of the winding up
- (2) The general description and estimated value of outstanding assets (if any)
- (3) The causes which delay the termination of the winding up
- (4) The period within which the winding up may probably be completed

Assets £
Liabilities, £

COMPANIES ACT 1896 (No. 1482).

FIFTH SCHEDULE.

STATUTORY DECLARATION VERIFYING LIQUIDATOR'S STATEMENT PURSUANT TO SECTION 139 (1) OF ACT.

In the matter of

in liquidation.

I, _____ of _____ the liquidator of the above-named company, do solemnly and sincerely declare—

1. That the account hereunto annexed, marked "A," contains a full and true account of my receipts and payments in the winding up of the above-named company from the _____ day of _____ to the _____ day of _____ inclusive, and that I have not nor has any other person by my order, or for my use during such period received or paid any moneys on account of the said company other than and except the items mentioned and specified in the said account.

2. That the said account, marked "A," truly and correctly sets forth the proceedings in and position of the liquidation of the above-mentioned company.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at _____ this _____ day of _____ 1899
before me— _____

COMPANIES ACT 1896 (No. 1482, SEC. 141)

SIXTH SCHEDULE.

In the matter of

in liquidation

SUMMARY OF COMPANY'S STATEMENT OF AFFAIRS, ETC.

Assets as per Statement.				Realized.	Estimated Value outstanding.	Remarks.
Property, as per list "H," viz.:-						
(a) Cash at Bankers			
(b) Cash in hand			
(c) Stock in trade			
(d) Machinery, &c.			
(e) Trade fixtures, &c.			
(f) Investments in shares, &c.			
(g) Loans on mortgage			
(h) Other property, viz.:-			
Book debts—good			
" doubtful and bad			
Bills of Exchange			
Surplus from securities			
Unpaid calls, as per list "K"			
Capital not called up			
Totals			

Date of winding-up order
First meeting
Liquidator's certificate
Balance now at credit of the liquidation, £

DIVIDENDS.

When Declared.	What Declared, per £1	If not Declared, state Reason.	State when Declaration will probably be effected.

SOLICITOR'S COSTS.

Date of Authority.	Amount.	Nature of Work done.

September 26, 1899.

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SIXTH SCHEDULE—continued.

If any actions or other proceedings are delaying the closing of the liquidation, state shortly the nature and probable duration thereof

If application for release not yet made, state reason, and when liquidator expects to be in a position to apply for same

State shortly any other circumstances tending to delay the winding up of the company, or affecting the realized value of the property, or the cost of its realization

Dated the ... day of

Liquidator.

To the Registrar-General.

COMPANIES ACT 1896 (No. 1482).

SEVENTH SCHEDULE.

STATUTORY DECLARATION OF AUDITOR VERIFYING LIQUIDATOR'S ACCOUNT OF RECEIPTS AND PAYMENTS.

In the matter of ... in liquidation.

I, the auditor appointed by the Supreme Court to audit the accounts of the liquidator of the above company, do solemnly and sincerely declare—

1. That I have audited the accounts of ... the liquidator of the above company, and believe that the account of his receipts and payments produced and shown to me at the time of my making this declaration, and marked with the letter "A," is true and correct in every particular.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at ... this ... day of before me—

COMPANIES ACT 1896 (No. 1482).

EIGHTH SCHEDULE.

STATUTORY DECLARATION OF NON-RECEIPT AND NON-PAYMENT BY LIQUIDATOR.

In the matter of ... in liquidation.

I, the liquidator of the above-named company, do solemnly and sincerely declare—

1. That from the ... day of ... to the ... day of ... inclusive, I have not nor has any other person by my order or for my use during such period received or paid any moneys on account of the said company.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at ... this ... day of before me—

NINTH SCHEDULE.

FORM OF CASH-BOOK.

Receipts.

Table with columns: Date, Particulars, Total, Drawn from Bank, Debts Collected, Property Realized, Receipts from Securities held by Creditors, Calls, Other Receipts.

NINTH SCHEDULE—*continued.**Payments.*

Date.	Particulars.	Voucher Numbers.	Total.	Paid into Bank.	Costs of Realization.										Dividends Paid.	Repayment to Contributories.	Other Payments.
					Court Fees.	Law Costs of Petition.	Law Costs after Winding-up Order.	Remuneration of Manager and Liquidator.	Charges of Auctioneer, Accountant, &c., as taxed.	Notices in Gazette and Papers, &c.	Incidental Expenses, including Possession.	Preferential Creditors and Rent.	Payment to redeem Securities.				

TENTH SCHEDULE.

REGISTER OF WINDING-UP ORDERS TO BE KEPT BY PROTHONOTARY.

Number of Winding-up Order.	Name of Company.	Number of Petition.	Date of Petition.	Date of Winding-up Order.	Date of Public Examination (if any).	Liquidator.

REGISTER OF PETITIONS TO BE KEPT BY PROTHONOTARY.

Number of Petition.	Name of Company.	Address of Registered Office.	Description of Company.	Date of Petition.	Petitioner.	Date of Winding-up Order.

September 26, 1899.

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ELEVENTH SCHEDULE.

RETURN BY PROTHONOTARY OF BUSINESS OF COURT.

To the Honorable the Attorney-General.

A return of the business of the Supreme Court during the year commencing the first day of January and ending the thirty-first day of December in connexion with the winding up of companies.

- (a) The number of petitions presented for the winding up of companies during the year was }
- (b) The number of orders made during the year for compulsory winding up was }
- (c) The number of orders directing winding up to be continued under supervision of the Court was ... }
- (d) The number of companies the winding up of which has been concluded during the year was }
- (e) The number of petitions presented for the winding up of companies pending on the 31st day of December last was }

Dated this

day of

Prothonotary.

JOHN MADDEN, C. J.
HARTLEY WILLIAMS.
E. D. HOLROYD.
THOS. A'BECKETT.
HENRY HODGES.
J. H. HOOD.

Dated this second day of August, 1899.

By the Court,

J. W. O'HALLORAN,

Prothonotary

L.S.