

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Friday, the 6th day of July, 1883.

NOTICES RELATING TO ORDERS OF THE DAY.

MUNICIPAL CORPORATIONS BILL.

1. Mr. SWANSON, in Committee, to move the following new clause:—

In respect of any particular trade or trades, for enforcing the closing of all retail establishments in such trade or trades at a certain hour in the evening of each or any working day, whereby the employés in such establishments respectively shall be released from work at an hour not later than the Council shall prescribe.

SCHOOL COMMITTEES ELECTION BILL.

2. Mr. STEWARD, in Committee, to move the addition of the following new clauses. To follow clause 15 as printed:—

16. Sections *three to six* of this Act shall not apply to a first election of a Committee for a new school district established in pursuance of sections sixty and sixty-one of the said Act, nor to an annual election held in a district in and for which a Commissioner or Commissioners shall have been appointed, in pursuance of sections *fourteen and fifteen* of this Act; but in either of such cases the number of members of Committee to be elected shall be *seven*, and the sending in of nominations prior to the date of election shall not be required: Provided always that, if in either of such cases more candidates than seven be proposed, the election shall be conducted by ballot, and that no householder shall be entitled to poll more than one vote for any one candidate.

17. Retiring members of Committee shall continue to hold office until the appointment of their successors, or until the appointment of a Commissioner or Commissioners, as the case may be.

BANKRUPTCY BILL.

- Mr. PEACOCK, in Committee, to move the following amendments:—

Section 28. To strike out subsection (e), and give the following forms under Fifth Schedule:—

FIFTH SCHEDULE.

FORM A.

In the Court of Bankruptcy, _____
IN the matter of _____ Bankrupts.

BALANCE-SHEET.

DR.	From		to		CR.
Folio.		£ s. d.	Folio.		£ s. d.
B/S 2	To Creditors unsecured ...		B/S 6	By Debtors—Good ...	
" 3	" Creditors holding security ...		" 6	" " Doubtful ...	
" 4	" Creditors to be paid in full ...		" 6	" " Bad } £	
" 5	" Liabilities ...		" 6	" Carried to Losses } £	
" 9	" Profits ...		" 7	" Property ...	
" 13	" Surplus on ...		" 5	" Liabilities per contra ...	
			" 8	" Trade expenses ...	
			" 10	" Losses ...	
			" 12	" Domestic and personal ex- penses ...	
			" 13	" Deficiency on ...	

FORM B.

Creditors.

	Surname.	Christian Name.	Address.	£ s. d.	£ s. d.

FORM C.

Creditors holding Security.

	Surname.	Christian Name.	Address.	£ s. d.	£ s. d.

FORM D.

Creditors to be paid in Full.

	Surname.	Christian Name.	Address.	£ s. d.	£ s. d.

FORM E.

Liabilities.

	Surname.	Christian Name.	Address.	£ s. d.	£ s. d.

FORM F.

Debtors.

	Name.	Address.	Good.	Doubtful.	Bad.
				£ s. d.	£ s. d.

FORM G.

Property.

		£ s. d.	£ s. d.
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FORM H.

Trade Expenses.

		£ s. d.	£ s. d.
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FORM I.

Profits.

		£ s. d.	£ s. d.
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FORM J.

Losses.

		£ s. d.	£ s. d.
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FORM K.

Trading Account.

Dr.

Cr.

		£ s. d.				£ s. d.
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FORM L.

Domestic and Personal Expenses.

		Un- vouched.	Vouched.
		£ s. d.	£ s. d.

FORM M.

DR.

Statement of Affairs on the _____

CR.

B/S 14		£	s.	d.	B/S 15		£	s.	d.
To Creditors				By Debtors, since paid...				
„ Bills payable				„ „ Good ...				
„ Surplus				„ „ Bad, £				
					„ Bills receivable ...				
					„ Cash at bank ...				
					„ Cash in hand ...				
					„ Stock-in-trade, per inventory ...				
					„ Deficiency ...				

FORM N.

Creditors.

				£	s.	d.	£	s.	d.

FORM O.

Debtors.

	Name.	Address.	Since Paid.	Unpaid, but Good.	Bad.
			£ s. d.	£ s. d.	£ s. d.

Section 35, subsection (4). Line 37, to omit the word "creditors" and substitute "supervisors." To omit all the words after "the," line 39, and add "supervisors."

To begin section 37 with the following subsections:—

- (1.) Immediately on taking possession to send to his office all the bankrupt's books, papers, and documents relating to the bankrupt's business :
- (2.) If the creditors or the supervisors require the bankrupt to file an account of his trading the Assignee shall, without delay, examine the bankrupt respecting the manner in which he kept his books, the date of his last stock-taking and of those preceding, and respecting any matter which may enable the Assignee to judge of a fitting time for the bankrupt to commence his accounts, so that as well as may be the objects the creditors or supervisors have in view may be attained :
- (3.) The Assignee shall check the accounts filed by the bankrupt, and report to the Court thereon, as also as to whether the books kept by the bankrupt were kept in a manner suitable to the nature of his business, whether they were well or ill kept, and as to whether the bankrupt had done all in his power to elucidate his transactions and accounts :
- (4.) Shall dispose of any perishable goods without delay, and take prompt action in any matter necessary to protect the estate from loss before supervisors can be appointed.

Subsection (b). To add the words "and supervisors."

Subsection (d). After the word "creditors," to add "or supervisors."

Subsection (6). To add, after the word "creditors," "or supervisors."

Section 38. After the word "bankrupt," line 4, to add the words "and as to the manner in which he has kept his books of accounts."

Section 41. To strike out the whole, and substitute the following:—

The supervisors shall, subject to the approval of the Court, appoint an auditor to audit the Official Assignee's account of their bankrupt's estate. In the exercise of this power the supervisors shall, as far as may be practicable, avail themselves of the services of a public accountant, or of a person who is an auditor of accounts of the Government of the colony, or of any municipal body or trading corporate body.

Section 60. Line 3, strike out all after the word "as," and insert in lieu thereof:—

The Assignee may ask for, and such bankrupt shall, when the supervisors direct it to be done, file in the Court, in duplicate, one for the Court and one for the Official Assignee, ten clear days before the day appointed by the Court for the public examination of the bankrupt, a profit and loss account, commencing at such date as the Official Assignee may direct, and a balance-sheet at the end of his trading; also, should the Official Assignee require it, a cash account commencing and ending on such dates as the Official Assignee may direct; also, should the Official Assignee require it, a goods account commencing and ending on such dates as the Official Assignee may direct, the said accounts to be in the forms set forth in the Fifth Schedule of this Act.

Section 61. Omit subsection (2).

Subsection (3). Strike out the words after "person," line 19, to "bankrupt" inclusive, line 20.

Subsection (4). Add after the word "statement," line 24, "and, when required, the accounts."

Section 62. Line 28, strike out the word "Court" and substitute "supervisors." After the word "Assignee," line 32, add "and supervisors."

Section 63, subsection (3). Line 16, add "or Justice of the Peace."

Section 66. Line 9, substitute "the" for "a." Strike out the words "in the prescribed form," and insert "required in clause 61."

Section 68, subsection (1). Substitute the following:—

At the first general meeting of creditors the creditors shall by resolution appoint three of their number to be supervisors, who shall instruct the Official Assignee in the management of the estate.

Same section, subsection (2):

If one supervisor shall object to a proposal of the other two, he shall deliver his objections in writing to the Official Assignee, who shall, if he consider the proposal of the dissentient supervisor to be beneficial for the estate, apply to the Court for its direction.

Section 70, subsection (1). Line 5, after the word "thereon" add, "But, when the supervisors have required the bankrupt to file a balance-sheet and other accounts mentioned in section fifty-nine, the bankrupt shall be examined thereon in either case, or in both cases.

Section 78. Line 18, strike out the words "before, and in consideration of marriage, or made." Line 24, after the word "Assignee," insert, "and any settlement of property made before the said term of three years, and within the further term of seven years, shall be void as against the Assignee."

Section 80. Line 43, strike out the words after "shall" to the word "provided," in the following line. Add to the clause, "But this section shall not affect the rights of a purchaser, payee, or incumbrancer in good faith and for valuable consideration."

After section 90, to insert the following section:—

Where the bankrupt has any reversionary or contingent interest, in or towards the realization of which it should be necessary or advantageous in the interest of the estate that an insurance should be effected on the life of the bankrupt, the bankrupt shall submit to medical examination, give information, and do or allow such other things as may be necessary to facilitate such insurance.

Section 139, subsection (5.) Line 24, substitute "three" for "six." Line 25, substitute "fifty" for "one hundred." Line 29, substitute "one" for "two."

Section 141. Line 52, after the word "may," to interpolate "on reviewal of such resolution or." To add to the section, "and when a bankrupt has been directed by the supervisors to prepare a balance-sheet and other accounts, under section 59 of the Act, the Court may, on the application of the Official Assignee, or of the supervisors, or of the bankrupt, make such allowance out of the bankrupt's estate for the preparation of such balance-sheet and accounts, and to such person as the Court shall think fit, in any case in which it shall be made to appear to the satisfaction of the Court, from the nature of the accounts or other good cause, that the bankrupt required assistance in that behalf."

Section 149, strike out from "which," in line 14, to "petition" inclusive, in line 15.

Section 161. That the order of discharge conform as nearly as may be to Schedule Z of the English "Bankruptcy Law Consolidation Act, 1849," but that the latter part of the said Schedule read thus:— "And I further certify that his bankruptcy has arisen from unavoidable losses and misfortunes; that he has kept books of account suitable to his business, and that the said books have been well kept; and that he is entitled to, and I do award him, this certificate as of the first class (*or* that his bankruptcy has arisen from unavoidable losses and misfortunes, but, his books of account not having been well kept, he is entitled to, and I do award him, this certificate as of the second class; *or* that his bankruptcy has not wholly arisen from unavoidable losses and misfortunes, yet, as he has kept books of account suitable to his business, and as those books have been well kept, he is entitled to, and I do award him, this certificate as of the third class; *or* that his bankruptcy has not wholly arisen from unavoidable losses and misfortunes, and as he has not kept his books well, he is only entitled to, and I do only award him, this certificate as of the fourth class)."

Section 162. Substitute "a" for "the," in line 46, and after the word "bankrupt" interpolate the words "who has not been a trader."

Sections 168 and 169. Strike out the words "unless the jury is satisfied that he had no intent to defraud" in each instance in these sections.

Section 172, Line 37. Strike out all the words after "prosecution."

Second Schedule. Fees chargeable by the Assignee "not to include sums used to pay off mortgages or other incumbrances." Supervisors' costs not to exceed $2\frac{1}{2}$ per cent. in all."