

tion has been served, the Defendant shall then be at liberty to apply to the Judge for an appointment to be signed by him of a time and place when and where the said Judge will attend for the purpose of hearing the parties, and at such time and place the Defendant or his Attorney shall attend with the bond, duly prepared together with the affidavit of sufficiency of the sureties; and the Plaintiff or his Attorney shall be at liberty to oppose the sureties, or either of them, upon affidavit, on the ground of any defect appearing on the face of the proceedings.

XXXIX. The bond shall be taken in a penal sum, to be the amount of double the sum demanded, and shall be executed by the Defendant and both sureties to the Plaintiff, and the form of the condition shall be as follows, that is to say :—

Whereas the said ——— (Plaintiff,) and one C. D., by their affidavit sworn and filed with ——— Esquire, one of the Circuit Judges for the District of Montreal on the ——— day of ——— 184— according to an Act passed in the seventh year of the Reign of Queen Victoria, intituled 'An Act to repeal an Ordinance of Lower Canada, intituled 'An Ordinance concerning Bankrupts, and the administration and distribution of their Estate and Effects,' and to make provision for the same object throughout the Province of Canada,' amended and continued by the Act passed in the ninth year of the Reign of Queen Victoria, intituled 'An Act to continue and amend the Bankrupts laws now in force in this Province,' severally deposed as follows, that is to say: the deponent, (Plaintiff,) for himself, said, (*here set forth the affidavit for summons*). And whereas the said Judge did, upon the filing of such affidavit, issue a Summons according to the said Act which was duly served on the said (Defendant,) on the ——— day of ——— in the year 184—. And whereas the said (Defendant,) upon