

## CHANCERY ORDERS OF DECEMBER 20, 1865.

charge of the order, as a defendant so served has to answer a bill of complaint; but an application may be made for shortening the time, as in the case of answers to bills in like cases.

38. Where the Court authorizes publication instead of service, the Court is at the same time to appoint such time for applying to discharge the Order to Revive as seems proper.

## CORRESPONDENCE.

39. Necessary letters in the course of a cause or matter, between the solicitor and his Toronto agent, are, on taxation between party and party, to be allowed as attendances.

## INTERPRETATION.

40. The General Interpretation Order of 3rd June, 1853, is to extend to these Orders, and to all Orders heretofore passed, or to be passed hereafter.

41. The word "Master" in these Orders and in all future General Orders shall be deemed to include "Accountant" and "local Master," unless there is something in subject or context repugnant to such construction.

42. These Orders are to go into operation on the 1st day of January, 1866, as to all suits then pending or thereafter brought.

## SCHEDULE.

## FORMS.

No. 1.—*Advertisement for Creditors.*

[G. O. 22.]

Pursuant to a decree [or an order] of the Court of Chancery, made in [the matter of the estate of A. B., and in] a cause, S. against P. [short title], the creditors of A. B., late of —, in the county of —, who died in or about the month of —, 18—, are, on or before the — day of —, 18—, to send, by post, prepaid, to E. F., of —, the solicitor of the defendant C. D., the executor [or, administrator] of the deceased [or as may be directed], their Christian and sur-names, addresses and descriptions, the full particulars of their claims, a statement of their accounts, and the nature of the securities (if any) held by them; or, in default thereof, they will be peremptorily excluded from the said decree [or, order]. Every creditor holding any security is to produce the same before me, at my chambers, at, &c., on the — day of —, 18—, at — o'clock in the — noon, being the time appointed for adjudicating on the claims.

Dated this — day of —, 18—.

G. H., Master (or as the case may be).

No. 2.—*Notice to Creditor to produce documents,*

[G. O. 24.]

(Short Title.)

You are hereby required to produce, in support of the claim sent in by you, against

the estate of A. B., deceased [describe any document required], before me at my chambers, at, &c., on the — day of —, 18—, at — o'clock in the — noon.

Dated this — day of —, 18—.

G. R., of, &c., solicitor for the plaintiff [or, defendant, or as may be].

To Mr. S. T.

No. 3.—*Affidavit of Executor or Administrator as to Claims.*

[G. O. 26.]

In Chancery.

(Title)

We, C. D., of, &c., the above-named plaintiff [or defendant, or as may be], the executors [or administrators], of A. B., late of —, in the county of —, deceased, and E. F., of, &c., solicitor, severally make oath, and say as follows:—

I, the said E. F., [solicitor] for myself, say as follows:—

1. I have, in the paper writing now produced and shewn to me, and marked A., set forth a list of all the claims the particulars of which have been sent in to me by persons claiming to be creditors of the said A. B., deceased, pursuant to the advertisement issued in that behalf, dated the — day of —, 18—.

And I, the said C. D., for myself, say as follows:—

2. I have examined the particulars of the several claims mentioned in the paper writing now produced and shewn to me, and marked A., and I have compared the same with the books, accounts, and documents of the said A. B. [or as may be, and state any other inquiries or investigations made], in order to ascertain, as far as I am able, to which of such claims the estate of the said A. B. is justly liable.

3. From such examination [and state any other reasons], I am of opinion, and verily believe, that the estate of the said A. B. is justly liable to the amounts set forth in the sixth column of the first part of the said paper writing marked A.; and to the best of my knowledge and belief, such several amounts are justly due from the estate of the said A. B., and proper to be allowed to the respective claimants named in the said schedule.

4. I am of opinion that the estate of the said A. B. is not justly liable to the claims set forth in the second part of the said paper writing marked A., and that the same ought not to be allowed without proof by the respective claimants, [or, I am not able to state whether the estate of the said A. B. is justly liable to the claims set forth in the second part of the said paper writing marked A., or whether such claims, or any parts thereof, are proper to be allowed without further evidence.]