

on the hearing of an application of *C.D.* of who claims to be a creditor of the said *A.B.* [or to be entitled to recover damages against the said *A.B.* or to be interested in the property hereinafter referred to belonging to or held or managed for or on behalf of the said *A.B.*] that the under-mentioned real or personal property or rights in or arising out of real or personal property may vest in the said custodian and that there may be conferred on him such powers of selling managing and otherwise dealing with the property as may seem proper.

The following constitutes the real or personal property or rights to which this summons refers, namely [*here give short description*].

NOTE.—It will not be necessary for you to enter an appearance in the Central Office, but if you do not attend either in person or by your solicitor at the time and place above mentioned [or named in the endorsement hereon], such order will be made and proceedings taken as the Judge may think just and expedient.

TRADING WITH THE ENEMY ACT, 1914.

RULES.

THE TRADING WITH THE ENEMY (SUSPECTED COUPONS) RULES, 1915, MADE UNDER SECTION 7 OF THE TRADING WITH THE ENEMY (AMENDMENT) ACT, 1914.

1. In these Rules—

The expression "the Act" means the Trading with the Enemy (Amendment) Act, 1914.

The expression "enemy" has a meaning corresponding with that given by the Act to the expression "enemies."

The expression "suspecting presentee" means any company, municipal authority, or other body or person to whom during the continuance of the present war a coupon or other security transferable by delivery is presented for payment, and who has reason to suspect that it is so presented on behalf of the benefit of an enemy, or that since the commencement of the present war it has been held by or for the benefit of an enemy.

The expression "suspected coupons" means any coupon or coupons or other security or securities transferable by delivery, or batch of such coupons or securities that may during the currency of the present war be presented for payment to a suspecting presentee.

The expression "suspected enemy" means the enemy on whose behalf or for whose benefit the suspected coupons are suspected of being presented or, as the case may be, by whom or for the benefit of whom they are suspected of having been held since the commencement of the present war.

2. Where a suspecting presentee desires under Section 7 of the Act to make a payment into Court of money due in respect of suspected coupons, he shall make and file in the Chancery Division of the High Court an affidavit intitled in the matter of the suspected coupons (described so as to be distinguishable so far as may be) and in the matter of the Act, and setting forth or indicating

either in the affidavit itself or in one or more exhibits thereto:—

(a) Short particulars of the suspected coupons with names, numbers, dates, and amounts for the purpose of the identification thereof, so far as reasonably practicable.

(b) The name, so far as known, of the party actually presenting the suspected coupons, and his place of residence to the best of the suspecting presentee's knowledge and belief.

(c) The circumstances producing suspicion in the mind of the suspecting presentee, and the name of the suspected enemy and his place of residence to the best of the suspecting presentee's knowledge and belief.

(d) The submission of the suspecting presentee to answer all such inquiries relating to the application of the money paid into Court as the Court or a Judge may make or direct.

(e) The place where the suspecting presentee is to be served with any petition, summons, or order or notice of any proceeding relating to the money paid in.

3. On making any payment into Court as aforesaid, the suspecting presentee shall forthwith proceed to give, so far as may be, notice thereof by prepaid letter through the post to the party actually presenting the suspecting coupons and to the suspected enemy or to some person thought likely to be in communication with the suspected enemy.

4.—(1) No petition or summons relating to the money paid in shall be answered or issued unless the petitioner or applicant has named therein a place where he may be served with any petition or notice of any proceeding or order relating to the money paid in or any income thereof.

(2) Service shall be made or such other notice or intimation given as the Court or a Judge shall direct on or to such persons (if any) as the Court or a Judge shall direct of any application in respect of the money paid in or any income thereof: Provided that (by way of extension of the powers and practice of the Court) the Court or a Judge may, if thought fit, proceed in the absence of any such service, notice, or intimation on or to any enemy (including the suspected enemy) or other person who may be or appear to be abroad, or whose whereabouts may not be known.

(3) Applications to deal with money paid into Court under the Act shall be intitled in the same manner as the affidavit on which the money was paid in.

5. Money paid in under Section 7 of the Act and these rules may, on the request of the suspecting presentee when paying in or on any subsequent application, be placed on deposit or invested in any securities available for the investment of cash under the control of the Court.

6. The proceedings and practice with reference to moneys paid into Court under Section 7 of the Act and the dealings therewith shall, so far as not otherwise provided for by these Rules, be in accordance with the ordinary practice of the Chancery Division with reference to moneys paid into Court on affidavit under Section 42 of the Trustee Relief Act, 1893.

7. These rules may be cited as "The Trading with the Enemy (Suspected Coupons) Rules, 1915," and shall come into force forthwith.