

In the Supreme Court of British Columbia

In Bankruptcy

In the matter of the estate of Ernest Muller
a Bankrupt.

I Robert Bishop of Victoria Vancouver Island Solicitor
to the Petitioning Creditors in the matter of the above
Bankruptcy make oath and say

1. That the above Bankrupt Ernest Muller was duly
adjudicated a Bankrupt by this Honorable Court on a
Petition filed herein on the sixth day of April instant
on the petition of the said ^{John Murray} Petitioning Creditors
C.P.
- 2 That due notice was given of such adjudication in the Government
Gazette of the 9th day of April instant and also since
in the Colonist Newspaper published in Victoria aforesaid
- 3 That one Julius Seitz of Victoria aforesaid by his Agent or
Attorney in fact Henry Frederick Steinhorn claimed
the property and effects of the said Bankrupt under an alleged
Bill of Sale referred to in the Advertisement contained in the
C.P. Colonist Newspaper of the ~~17th~~ Seventeenth day of April
instant
- 4 That ~~and~~ this deponent being advised and believing that
the said alleged security was invalid some advice both to the
Attorney in fact of the said Julius Seitz and also to his
Auctioneer Joshua Jones kept the said Auction ~~and~~ that
it was intended to disturb the validity of such alleged
C.P. Bill of Sale or Mortgage and ~~that~~ that I this deponent
attended on the morning of the said Sale namely on the Eighteenth
C.P. ~~Seventeenth~~ day of April instant at the Auction Room when
I presented a copy of the Government Gazette of the Sixteenth
day of April instant and required the Auctioneer and his Agent

the said Mr Scheitman and also the principal Mr
Leitz requiring production of the security of the alleged
Mortgage but which was refused - ✓ VLP

That the property of the said Bankrupt was sold at 5
a great sacrifice and I have been informed and believe,
that the Tannery and all other the Effects referred to in
the said Advertisement (except some loose Leather and Hides)
was sold for the sum of Thirteen hundred dollars only and
that the purchase was made by Collusion as I have
also been informed and verily believe by the said alleged
Mortgagee with one J. otherwise Patrick Gallegan who
lately compromised with his Creditors for a very small
amount and I am also informed and verily believe
that the said Joshua Davis the Auctioneer is perfectly
aware of the nature of the contract so ~~voluntarily~~ entered ✓ C.P.P.
into between the said Julius Leitz and J. Gallegan
and I further say that it is highly desirable for the
benefit of the Estate of the said Bankrupt that the said
Joshua Davis and J. Gallegan should appear before
this Honorable Court and give their evidence in respect
of the nature and transactions connected with the said
Sale -

Sworn at the Court house James
Bay Victoria this Twentieth
day of April A.D. 1870 }
Before me . . . }
Thas. R. Pooley
Acting Registrar
S.C.

Robert G. Bishop

Mr. B. Keptey

Re Müller

affdt R. Bishop

filed

20 April 1870

Chas. W. Pooley,
County Registrar
S. C.