

Royal Court

9th April, 1987

Representation of J.A. Clyde-Smith

Before the Bailiff assisted by Jurats Hamon and Orchard.

This matter comes before us by way of an 'ex parte' application by Advocate Julian Anthony Clyde-Smith, who has been served with a summons requiring him to attend the High Court on Monday (what is called a Section 25 summons) under the Banker's Act (1914) there are a number of matters which I need not mention namely, that there is already before this Court an application by the Trustee and Bankruptcy for an Order in Aid under Section 122 of that Act, which is due to come for the first time before the Court to-morrow, when I understand that the action will be placed on the Pending List and the application which is being made today, is to in fact postpone Advocate Clyde-Smith attendance before the High Court. He comes before us to ask that we should make an Order that he should not comply with the summons. Without going into the details which would require a good deal more argument than has been possible to hear tonight, the Court is satisfied that we should maintain the status-quo until the matter has been fully argued in this jurisdiction, and accordingly we order that Advocate Clyde-Smith shall not comply with the summons until the matter has been fully argued before this Court, or until further order of the Court. We also order that the Trustees be served with the representation and the matter will come up on Friday the 24th April.

Costs in the cause.

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