

No. 98.

1915
1926

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of Frank
George Fehlberg.

Affidavit in support of petition.

Filed 19th Sep 1926
R. S. M.

T. C. SIMPSON & HOWARD.

In the Supreme Court
of Tasmania.

In Bankruptcy.



I, Frank George Fehlberg
of Glenorchy in Tasmania Farmer

make oath and say, as follows:—

I am the petitioner named in the petition hereunto annexed.

I verily believe that it will be most convenient to the creditors whose debts exceed ten pounds that the general meeting should be held at the Offices of T.C.Simpson & Howard, Solicitors, Commercial Bank of Australia Chambers, Elizabeth Street, Hobart.

Sworn at Hobart in Tasmania
this 19th day of
February 1926

} *F. G. Fehlberg*

Before me

A. D. Cooper

A Justice of the Peace.

I certify my belief that it will be most convenient to the creditors of the petitioner that the general meeting should be held at the Offices of T.C.Simpson & Howard, Solicitors, Commercial Bank of Australia Chambers, Elizabeth Street, Hobart.

T.C. Simpson & Howard

Attorneys in the matter of the petition.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of

FRANK GEORGE FEHLBERG.

Petitions under Sections 112, 113.

Filed 19th Feb 1926 at
3.35 pm.
R. B. [Signature]
J. H. [Signature]

2/6



In the Supreme Court
of Tasmania.

In Bankruptcy.

The humble petition of Frank George Fehlberg

of Glenorchy in Tasmania Farmer

SHEWETH—

That your Petitioner alleges that he is unable to pay his debts, and is desirous of instituting proceedings for liquidation of his affairs by arrangement or composition with his creditors, and hereby submits to the jurisdiction of this Court in the matter of such proceedings, and that your Petitioner estimates the amount of debts owing by him to his creditors at One hundred and two pounds eighteen shillings and eleven pence.

Your Petitioner therefore prays that notices convening such general meeting or meetings of his creditors as may be necessary to be given by him during the course of such proceedings may be sent in the prescribed manner and that such resolution or resolutions as his creditors may lawfully pass in the course of such proceedings, and as may require registration, may be duly registered by the Registrar of the Court.

And your Petitioner shall ever pray, etc.

Signed by the Petitioner Frank
George Fehlberg

on the

19th
February 1926

day of

in the presence of

A. D. Cooper.

Justice of the Peace.

W. H. Howard.

Solicitor Jobart
Attorney for the said F. G. Fehlberg

F. G. Fehlberg

This is the Petition answered to and referred to in the Affidavit of Frank George Fehlberg sworn before me this 19th day of February 1926
A. D. Cooper J.P.

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

In the Matter of proceedings for
liquidation by arrangement or composition
with creditors instituted by Frank
George Fehlberg of Glenorchy in Tasmania
Farmer

CERTIFICATE

as to appointment of Trustee.

T.C.SIMPSON & HOWARD.

Attorneys for the Debtor.

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

In the Matter of a Special Resolution for
Liquidation by arrangement (or composition
with creditors) of the affairs of Frank George
Ehlberg of Glenorchy in Tasmania Farmer.

THIS IS TO CERTIFY that *Thomas Cornelius Simpson of Hobart in Tasmania*
Solicitor _____
has been appointed and is hereby declared to be Trustee under this
liquidation by arrangement.

Dated this *Twelfth* day of *March* One thousand
nine hundred and twenty six.



J. C. Howard Acting Registrar

Attorneys, for the Debtor.

In the Supreme Court of Tasmania.

In Bankruptcy

IN THE MATTER of proceedings for
liquidation by arrangement or com-
position with Creditors instituted by
Frank George Fehlberg

SPECIAL RESOLUTION.

Registered 12th March 1926
[Signature]

T.C. SIMPSON & HOWARD,
Commercial Bank of Australia Chambers,
Elizabeth Street, Hobart
Attorneys for the Debtor.

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by Frank George Fehlberg

WE, the undersigned, being the statutory majority of creditors, assembled at the general meeting in the above matter duly held at the Office of Messieurs T.C. Simpson & Howard, Commercial Bank of Australia Chambers Elizabeth Street Hobart.

this tenth day of March 1926 , in accordance with the provisions of the said Act, do hereby resolve as follows:—

- (1.) That the affairs of the said Frank George Fehlberg shall be liquidated by arrangement and not in bankruptcy.
- (2.) That Thomas Cornelian Simpson of Hobart in Tasmania Solicitor be and he is hereby appointed trustee.
- (3.) That That the Debtor be granted twelve months time to pay weekly instalments of at least one pound to the Trustee.
- (4.) ~~That on the Trustee being satisfied that the Debtor has conformed to the above the Trustee be empowered, if he deemed fit, to grant the Debtor his discharge~~ ~~be and they are hereby appointed a committee of inspection.~~
- (5.) That Messrs. T.C. Simpson & Howard be entrusted with the registration of this special resolution.

J. C. Simpson
Chairman.

Fergusson, P. H. R. K. Saurson
Edward James Fison
by his Proxy
W. F. Dennis Butter

W. Cripps by his Proxy Edward
CRISP & GUNN CO-OP. LTD. *by their proxy*
W. Jackson

2/6



71-0-0



In the Supreme Court of Tasmania.

IN BANKRUPTCY.

In the matter of Proceedings for Liquidation by
Arrangement or Composition with Creditors instituted
by Frank George Fehlberg
of Glenorchy

..... in Tasmania

Farmer

REQUEST

WITH LIST OF CREDITORS.

*Notice sealed & posted to the
creditors within time & 23/2/26*

ALBERT K. KIRK

T.C. SIMPSON & HOWARD,
~~ALBERT K. KIRK~~

Commercial Bank of Aus. Chambers,
Elizabeth Street, Hobart.
Attorneys for the Debtor.

In the Supreme Court of Tasmania.

In Bankruptcy.



IN THE MATTER of PROCEEDINGS for Liquidation

by Arrangement or Composition with Creditors

instituted by Frank George Fehlberg

of Glenorchy

in Tasmania. Farmer

TO THE REGISTRAR.

I Request that the notices of the General Meeting on the Tenth day of March 1926 ~~xxx~~ herewith delivered to you, duly addressed and stamped for post may be sent to the under-scheduled creditors.

Dated this *twenty third* day of February 1926 ~~18x~~

J. B. Simpson & Howard
Attorneys for the Debtor.

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
1	W.T. Thorpe Ltd.	Liverpool Street, Hobart	20	8	9
2	E. J. Ison	Mangalore	43	6	8
3	Crisp & Gunn Ltd.	Melville Street, Hobart	11	10	0
4	Ferguson & Co. Pty Ltd.	Murray Street, Hobart	8	0	0
5	Tasmanian Orchardists Co-operative Association	Murray Street, Hobart	6	0	0
6	Coastal Farmers Co-operative Society	Salamanca Place Hobart	7	10	0
7	Clements & Marshall	Macquarie Street, Hobart	3	3	6
8	W. Cripps	Elizabeth Street, Hobart	3	0	0

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

In the matter of proceedings for
Liquidation by arrangement or composition
with creditors instituted by Frank
George Fehlberg.

15
4/6.

List of Creditors

assembled to be used at every
General Meeting.

T.C.SIMPSON & HOWARD

Attorneys for the Debtor.

IN THE SUPREME COURT OF TASMANIA
In Bankruptcy.

IN THE MATTER of a special resolution
for liquidation by arrangement of the
affairs of F.G.Felhberg of Glenorchy
in Tasmania Farmer.

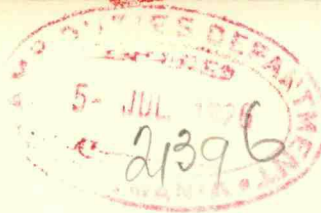
15

DEBTORS DISCHARGE

Filed 6th July 1926
ALB
MR

T.C.SIMPSON & HOWARD.
Attorneys for the Debtor.

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY



IN THE MATTER of a special resolution for liquidation by arrangement of the affairs of Frank George Felhberg of Glenorchy in Tasmania Farmer
WHEREAS the trustee under the said liquidation has certified and reported to me that under and by virtue of the power given to him by a special resolution passed by a majority of the creditors of the Debtor assembled at a general meeting of the said creditors duly held on the tenth day of March one thousand nine hundred and twenty six in accordance with the provisions of the Bankruptcy Act 1870 the discharge of the debtor had been granted by him as from the *Thirtieth* day of *June* one thousand nine hundred and twenty six I do, therefore, hereby certify such discharge in pursuance of the law in that behalf

Dated this *6th* day of *July* one thousand nine hundred and twenty


Acting Registrar.

IN THE SUPREME COURT OF TASMANIA
In Bankruptcy

IN THE MATTER of a special resolution
for liquidation by arrangement of the
affairs of F.G.Felhberg of Glenorchy
in Tasmania Farmer

REPORT OF TRUSTEE
as to Debtors Discharge

Filed 6th July 1926
AB
AB

T.C.SIMPSON & HOWARD
Attorneys for the Debtor.

In the Supreme Court of Tasmania

In Bankruptcy

IN THE MATTER of a special resolution for liquidation by arrangement of the affairs of Frank George Felhberg of Glenorchy in Tasmania Farmer

WHEREAS by a special resolution passed by a statutory majority of the creditors of the said F.G. Felhberg assembled at a general meeting of the said creditors duly held on the tenth day of March one thousand nine hundred and twenty six in accordance with the provisions of the Bankruptcy Act 1870 it was resolved (inter alia) that the Debtor be granted twelve months time to pay weekly instalments of at least one pound to the Trustee and that on the Trustee being satisfied that the Debtor had conformed thereto the Trustee be empowered, if he deemed fit, to grant the Debtor his discharge

AND WHEREAS the Debtor has paid sums to the Trustee exceeding the mean amount required to be paid by him under the said special resolution and has applied to the Trustee for his discharge which the Trustee has agreed to grant

I, THOMAS CORNELIAN SIMPSON of Hobart in Tasmania Solicitor, being the Trustee under the above liquidation, do, therefore, hereby certify and report that under and by virtue of the power given to me by the said special resolution the discharge of the debtor has been granted by me

as from the *Thirtieth* day of *June* one thousand nine hundred and twenty six

Dated this *First* day of *July* one thousand nine hundred and twenty six

To the Registrar

Thomas C Simpson

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of

AFFIDAVIT IN PROOF OF DEBT.

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by Frederick George Fehlborg
of Glenorchy in Tasmania Farmer

I, Edward James Ison
of Mangalore in Tasmania
make oath and say as follows:

The said Frederick George Fehlborg was at the date of
the institution of the said proceedings and still is justly and truly indebted
to me in the sum of Forty seven pounds thirteen shillings and four pence
for rent due by him to me
for which said sum or any part thereof I say that I have not nor hath any
person by my order or to my knowledge or belief for my use had or received
any manner of satisfaction or security whatsoever save and except the
following:—

Date.	Drawn.	Acceptor.	Amount.	Due Date.
		Nil		

Sworn at Hobart in Tasmania
this tenth day of March
one thousand nine hundred
and twenty six.

Before me

W. H. M. J. P.

A Justice of the Peace

I appoint William Frederick Dennis Butler
of Hobart

my proxy in the above matter

In the Supreme Court of Tasmania

In Bankruptcy

In the matter of proceedings for
liquidation by arrangement or
composition instituted by FRANK
GEORGE FEHIBERG of GLENORCHY FARMER

I, F.VERNON CRISP, of HOBART MERCHANT

Make oath and say as follows:-

That I am duly authorised under the seal of CRISP & GUNN CO-OPERATIVE LIMITED
to make this proof of debt on its behalf that the said FRANK GEORGE
FEHIBERG ----- was at the date of the institution of the said
proceedings and still is justly indebted to the said COMPANY in the
sum of Ten Pounds Sixteen Shillings -----
for Material supplied -----
by the said Company for which said sum or any part thereof, I say that the
said Company hath not, not hath any person by my order or my knowledge or
belief for the use of the said Company had or received any manner of
satisfaction or security whatsoever.

Sworn at HOBART in TASMANIA this TENTH

----- day of MARCH

One Thousand nine hundred and TWENTYSIX

Before me

W. Williams

Justice of the Peace.

CRISP & GUNN CO-OPERATIVE LIMITED do hereby appoint
of Hobart in Tasmania their proxy in this matter.

Thomas Jackson

In Witness whereof the Common Seal of the said Company is hereunto affixed
this tenth day of March One Thousand
Nine Hundred and twenty six

The Common Seal of

was hereunto affixed in the presence of

Thomas Jackson

F. Vernon Crisp
W. G. Thompson Actg Secy

Admitted and acknowledged as correct.

Johnston

Chairman 10 March 1926

**In the Supreme Court
of Tasmania**

In Bankruptcy

In the Matter of

AFFIDAVIT IN PROOF OF DEBT

In the Supreme Court
of Tasmania

In Bankruptcy

In THE MATTER of Proceedings for Liquidation by
arrangement or composition with Creditors instituted
by Frank George Fehlberg,
of Tolosa St. Genorchy.

George Cripps
acting for
W. CRIPPS

I,

of Hobart.

make oath and say as follows :

The said Frank Geo. Fehlberg. was at the date of
the institution of the said proceedings and still is justly and truly indebted to me
in the sum of Three Pounds One shilling and eightpence
for Goods sold and delivered.
for which said sum or any part thereof I say that I have not nor hath any person
by my order or to my knowledge or belief for my use had or received any manner
of satisfaction or security whatsoever save and except the following :—

Date	Drawn	Acceptor	Amount	Due Date

Sworn at Hobart this 2nd
day of March 1926.

Before me.

Alfred W. Pratt
a Justice of the Peace

for pm

W. CRIPPS

x *Geo. Cripps*

I appoint Tasmanian Collection Service or its nominee
of Hobart. my proxy in the above matter

x *Geo. Cripps*

*Accumulated & acknowledged year as correct
H. Simpson*

Chairman 10 March 1926

*Simpson + Howard
10/3/26 3pm*

IN THE SUPREME COURT
OF TASMANIA.

IN BANKRUPTCY.

In the matter of proceedings for liquidation by arrangement or Composition with creditors instituted by Frank George Fehlberg of Glenorchy in Tasmania Farmer.

I Edward William Kildey of Devonport in Tasmania, Attorney of The Coastal Farmers Co-operative Society Limited for Tasmania make oath and say as follows:-

The said Frank George Fehlberg was at the date of the institution of the same proceedings and still is justly and truly indebted to the said Society in the sum of Seven Pounds Fifteen Shillings and Seven pence for which said sum or any part thereof I say that the said Society has not nor hath any person by its order or to my knowledge or belief for its use had or received any manner of satisfaction or security whatsoever and it is within my own knowledge that the aforesaid debt was incurred and for the consideration above stated and that such debt to the best of my knowledge and belief still remains unpaid and unsatisfied. That I am duly authorised under the Seal of the Coastal Farmers Co-operative Society Limited to make proof of debt on its behalf and to appoint a proxy and attend meetings of creditors and to vote thereon.

Sworn at Devonport in Tasmania

This Twenty Fourth Day of February 1926

Before me

R. Ingledew

A Justice of the Peace

E.W. Kildey

In the Supreme Court of Tasmania

In Bankruptcy

*In the matter of proceedings for liquidation
by arrangement or composition
with Creditors instituted by*

Affidavit in Proof of Debt

By

For £ : :



In the Supreme Court
of Tasmania }

IN BANKRUPTCY.

IN THE MATTER OF *proceedings for*
liquidation by arrangement or composition
with Creditors instituted by Frank George
Fehlberg of Glenorchy in Tasmania Farmer

I, *Leslie Kurt Sansom* of *Hobart*.

in Tasmania make oath and say as follows:—

That I am duly authorised under the seal of *Ferguson & Co Pty Ltd*
to make the proof of debt on its behalf that the said *Frank G. Fehlberg*
was at the date of the Order of Adjudication and still is justly and truly indebted to
the said Company in the sum of *Eight pounds, fifteen*
shillings & threepence for *Goods sold & delivered*
by the said Company, for which said sum, or any part thereof, I say that the said
Company hath not, nor hath any person by my order or my knowledge or belief, for
the use of the said Company, had or received any manner of satisfaction or security
whatsoever.

SWORN at *Hobart*
in *Tasmania*.
this *Tenth* day of
March One thousand
nine hundred and *twenty six*

L. K. Sansom

Before me,

John A. Res

Justice of the Peace.

Ferguson & Co Pty Ltd

doth hereby appoint

L. K. Sansom

of Hobart, in Tasmania, as its proxy in this matter.

IN WITNESS WHEREOF the Common Seal of the said Company is hereunto affixed
this *Twelfth* day of *March* One thousand nine
hundred and *Twenty six*.

THE COMMON SEAL of

was hereunto

affixed in the presence of

W. A. Sansom Director
Joan L. Sansom Secretary



In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of proceedings for
Liquidation by arrangement or composition
with creditors instituted by Frank
George Fehlberg of Glenorchy in
Tasmania Farmer

Statement of Debtor's Affairs.

T.C.SIMPSON & HOWARD.

Attorneys for the Debtor.

In the Supreme Court of Tasmania,

In Bankruptcy.

In the matter of proceedings for Liquidation by Arrangement or Composition with Creditors instituted
by Frank George Fehlberg of Glenorchy in Tasmania Farmer

STATEMENT of the affairs of the above named Frank George Fehlberg

on the 15th day of March 1926

	£	s.	d.		£	s.	d.
Unsecured Creditors as per list (A)	60	0	9	Stock-in-trade at			
				Estimated at .....	.....	Nil	.....
Creditors fully secured as per list (B)	700	0	0				
Less estimated value of securities	900	0	0	Book debts about £ .....	.....	nil	.....
Surplus to contra	£ 200	0	0				
				Cash in hand .....	.....	20	0 0
Creditors partly secured as per list (C)							
Estimated value of securities				Bills of Exchange or other similar securities, estimated to produce...	.....	nil	.....
Other liabilities, as per list (D)	16	0	0	Furniture, fixtures, and fittings at			
				estimated to produce	60	0	0
Creditors for rent and wages, as per list (E)	47	13	4				
				Property, as per list (G)	117	0	0
Liabilities on bills discounted, as per list (F) £	Nil						
				Surplus from securities in the hands of Creditors fully secured,			
Of which it is expected will rank against the Estate for Dividend...				see contra	200	0	0
Total debts	£ 123	14	1	Total assets	£ 397	0	0

Wm. J. Brown
Chairman
15th March 1926

F. G. Fehlberg

A

LIST OF CREDITORS.

Name.	Address.	Amount of Debt.		
		£	s.	d.
W.T. Thorpe & Co.	Liverpool Street Hobart	20	8	9
Crisp & Gunn	Melville Street Hobart	10	16	0
Ferguson & Co Pty Ltd.	Murray Street Hobart	8	15	3
Tasmanian Orchardists Co-) Operative Association)	Murray Street Hobart	6	0	0
Coastal Farmers Co-Operative) Society)	Salamanca Place Hobart	7	15	7
Clements & Marshall	Macquarie Street Hobart	3	3	6
W. Cripps	Elizabeth Street Hobart.	3	1	8
		£	60	0
				9

J. G. Thompson
Chairman
10d March 1911

J. G. Thompson

B.

LIST OF CREDITORS FULLY SECURED.

Name of Creditor.	Address.	Estimated Value of Security.			Amount of Debt.		
		£	s.	d.	£	s.	d.
Percy R. Henry as Mortgagee	Bellerive	900	0	0	700	0	0
Total estimated value of securities.....£		900	0	0			
Total amount of Debts of creditors holding security.....£					700	0	0

*J C Simpson
Chairman
10th March 1928*

F G Fehlbeg

D.
LIABILITIES.

	Amount of Creditors' Claim.		
	£	s.	d.
Glenorchy Council Rates	16	0	0
<p><i>John Peter Chairman 10th March 1926</i></p>			
Total Amount of Liabilities	£ 16	0	0

J G Fehlbey

E

Creditors for Rent and Wages

Creditor's Name	Address	Nature of Claim	Amount of Debt		
			£	s.	d
E. J. Ison	Mangalore	Rent	47	13	4
Total			47	13	4

Wm Ison
Chairman
10th March 1926

F G Fehling

F.

LIABILITY ON BILLS DISCOUNTED BY BANKRUPT.

Acceptor's Name and Address.	Due Date.	Amount.			Holder's Name and Address.
		£	s.	d.	
Nil	Nil		Nil		Nil
<div>Wm per Chairman 10d March 1926</div> <div>F G Fehllberg</div>					

Property

Full Statement of Nature of Property

Estimated to
Produce

	£	s.	d.
Live Stock	47	0	0
Farm implements	70	0	0
Total	£ 117	0	0

Note :- The full particulars of every description of property as defined by Section 3 of the Bankruptcy Act 1870, not otherwise scheduled in the Statement of affairs are to be set forth in this list

*Submitted for
Chancery on
10th March 1926*

J. G. Fehlbey

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

IN THE MATTER of proceedings for
liquidation by arrangement or
composition with creditors instituted
by Frank George Fehlberg of Glenorchy
in Tasmania Farmer

AFFIDAVIT

upon Registration of Special
Resolution.

Filed 12/3/26
Att. G.

T.C. SIMPSON & HOWARD.

Attorneys for the Debtor.



IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

In the matter of Proceedings for Liquidation
by arrangement or Composition with creditors
instituted by Frank George Fehlberg of Glenorchy
in Tasmania Farmer.

I Thomas Cornelian Simpson — of Hobart in Tasmania Solicitor
make oath and say as follows:-

1. That I verily believe that the resolutions statements of affairs
proofs and proxies filed in this matter are the whole of the
resolutions statements proofs and proxies come to and produced at the
general meeting held in this matter on the *tenth* — day of
March — One thousand nine hundred and twenty six.

SWORN at Hobart in Tasmania
this ^{*12th*} *12* day of *March*
One thousand nine hundred and
twenty six

Thomas Cornelian Simpson

Before me

W. H. H. H. H.

A Justice of the Peace.

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

In the Matter of proceedings for liquidation by arrangement or composition with creditors instituted by Frank George Fehlberg of Glenorchy in Tasmania Farmer.

AFFIDAVIT

as to amount of assets.

Filed 12/3/26
W. H. [Signature]

T.C.SIMPSON & HOWARD

Attorneys for the Debtor.



IN THE SUPREME COURT OF TASMANIA
In Bankruptcy

In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by Frank George Fehlberg of
Glenorchy in Tasmania Farmer

I Thomas Cornelius Simpson of Hobart in Tasmania Solicitor
make oath and say as follows:-

That I verily believe after enquiry made by me and to the best
of my knowledge information and belief that the amount of assets
in this matter does not exceed *three hundred and ninety seven pounds*

SWORN at Hobart in Tasmania
this *12th* day of *March*
One thousand nine hundred and
twenty six

Thomas C Simpson

Before me

W. H. H. H. H.

Justice of the Peace.