

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

=====

IN THE MATTER of Proceedings for
Liquidation or Composition with
Creditors instituted by ALBERT ELWELL
of Nicholl's Rivulet in Tasmania
Farmer.

DISCLAIMER OF REAL ESTATE.

Logged 10/7/28
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CLERK WALKER STOPS & STEPHENS.

116 Collins Street, Hobart.

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

IN THE MATTER of Proceedings for
Liquidation or Composition with
Creditors instituted by ALBERT
ELWELL of Nicholl's Rivulet in
Tasmania Farmer.

P U R S U A N T T O N O T I C E dated the 9th day
of July One thousand nine hundred and twenty eight

I WILLIAM JOSHUA TILLEY STOPS of Hobart in Tasmania Solicitor
the Trustee of the property of the above named Albert Elwell
hereby disclaim ALL THAT piece or parcel of land containing
One hundred and forty acres two roods twenty four perches
situate in the Parish of Coningham County of Buckingham in
Tasmania and which is more particularly comprised and - -
described in Certificate of Title registered Volume 331
Folio 20 of which lands Albert Elwell is Registered Proprietor
which said land is mortgaged to Arthur George Stump of Hobart
in Tasmania Investor to secure payment of the sum of Three
hundred pounds and interest as therein mentioned.
NOTICE of this Disclaimer has been given to Arthur George
Stump of Hobart in Tasmania Investor

D A T E D this 9th day of July One thousand
nine hundred and twenty eight.

W. J. Tilley Stops
Trustee

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

=====

IN THE MATTER of Proceedings for
Liquidation or Composition with
Creditors instituted by ALBERT ELWELL
of Nicholl's Rivulet in Tasmania Farmer.

copy
NOTICE OF DISCLAIMER.

=====

CLERK WALKER STOPS & STEPHENS.

116 Collins Street, Hobart.

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

IN THE MATTER of Proceedings for
Liquidation or Composition with
Creditors instituted by ALBERT
ELWELL of Nicholl's Rivulet in
Tasmania Farmer.

T A K E N O T I C E that I intend to disclaim ALL THAT
piece or parcel of land containing One hundred and forty acres
two roods twenty four perches situate in the Parish of - -
Coningham County of Buckingham in Tasmania and which is more
particularly comprised and described in Certificate of Title
registered Volume 331 Folio 20 of which lands Albert Elwell
is Registered Proprietor which said land is mortgaged to
Arthur George Stump of Hobart in Tasmania Investor to secure
payment of the sum of Three hundred pounds and interest as
therein mentioned.

D A T E D this 9th day of July One
thousand nine hundred and twenty eight.

(sgd) *W. F. T. Stoper*
Trustee

To

ARTHUR GEORGE STUMP of Jordan Hill Road, Hobart.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of proceedings for or towards the
liquidation by arrangement or composition
with creditors instituted by

Albert Elwell
of Nicholls Rivulet
in Tasmania

Resolution at Second General Meeting.

Registered 29th Nov. 1927
R. B. P. R. S.

60

Clerk Walter. Staps. Stephens

In the Supreme Court
of Tasmania.



In Bankruptcy.

IN THE MATTER of proceedings for or towards the liquidation by
arrangement or composition with creditors instituted by

Albert Elwell

of Nicholls Rivulet
in Tasmania.

WE, the undersigned, being the statutory majority of creditors assembled at
the second meeting in the above matter, duly held at 116 Collins St Hobart
this twenty ninth day of November 1927
in accordance with the provisions of the said Act, do hereby confirm the
resolution passed by the statutory majority of the creditors of the said
Albert Elwell
assembled at the first
meeting.

W. J. S. S. S.
proxy for W. J. S. S. S.
coop Ltd

Frank Poley
Eric Poley
Wm. Poley } by their
proxy
W. J. S. S. S.

W. J. S. S. S.
Chairman.

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

IN THE MATTER of Proceedings for
liquidation by arrangement or
composition with Creditors instituted
by ALBERT ELWELL of Nicholls Rivulet
in Tasmania Farmer

AFFIDAVIT IN PROOF OF DEBT

Admitted

W. S. Stops

Chamman

CLERK WALKER STOPS & STEPHENS

IN THE SUPREME COURT OF TASMANIA
In Bankruptcy

IN THE MATTER of Proceedings for liquidation
by arrangement or composition with
Creditors instituted by ALBERT ELWELL
of Nicholls Rivulet in Tasmania Farmer

I ROY LINDEN CLENNETT of Garden Island Creek in Tasmania
Sawmiller make oath and say as follows:-

That I am a Director of Clennett & Company Limited and duly
authorised by the Articles of Association of the said Company
to make Proofs of Debt on its account

The said Albert Elwell was at the date of the institution
of the said proceedings and still is justly and truly indebted
to Clennett & Company Limited in the sum of Three pounds
sixteen shillings
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
the use of Clennett & Company Limited had or received any
manner of satisfaction or security whatsoever

SWORN at Hobart in Tasmania this }
16th day of November }
1927.

R. L. Clennett

Before me

W. Oldham

A Justice of the Peace

I appoint WILLIAM JOSHUA TILLEY STOPS of 116 Collins Street, Hobart
in Tasmania my proxy in the above matter.

R. L. Clennett

In the Supreme Court of Tasmania

In Bankruptcy

And the matter of the estate of
the deceased, in a cause
instigated by
ALBERT EMMETT, of NICHOLAS AVENUE, TAS.

JOHN VERNON CHRISTIAN ROBERT NICHOLAS

and others, as follows:

That I am duly authorized under the seal of the said

Official Receiver to make and do all that shall be

the said ALBERT EMMETT, of NICHOLAS AVENUE, IN TASMANIA

was at the date of the institution of the said

proceedings and still is duly indebted to the said JOYCE in the

sum of SEVENTEEN POUNDS, NINETEEN SHILLINGS AND THREE PENCE (17/19/3d)

for timber supplied

of the said JOYCE for which said sum or any part thereof I am

not the owner and have not received any person by or through

any of the said JOYCE and have not received any

of it or of its proceeds, whatsoever.

ALBERT EMMETT

JOHN VERNON CHRISTIAN ROBERT NICHOLAS

day of November

one thousand nine hundred and twenty-seven

Reliance

Justice of the Peace.

CRISP AND JOHN COCHRAN, DEBTS TO BE PAID BY

of ROBERT NICHOLAS, then known to this court.

In witness whereof the Court Seal of the said Court is hereunto

affixed this 1st day of November, one thousand nine

hundred and twenty-seven.

The Court Seal of

was hereunto affixed in presence of

[Handwritten signature]

In the Supreme Court of Tasmania

In Bankruptcy

In the matter of proceedings f
for liquidation or composition
instituted by

ALBERT ELWELL, of NICHOLLS RIVULET, TAS.

I, F. VERNON CRISP of HOBART MERCHANT

Make Oath and say as follows:-

That I am duly authorised under the seal of CRISP AND GUNN CO-
OPERATIVE LIMITED to make this proof of debt on its behalf that
the said ALBERT ELWELL, OF NICHOLLS RIVULET IN TASMANIA

was at the date of the institution of the said
proceedings and still is justly indebted to the said COMPANY in the
sum of SEVENTEEN POUNDS, NINETEEN SHILLINGS AND THREE PENCE (£17/19/3d)

for Timber supplied

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 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 Fourth

~~Two~~ day of November

One Thousand Nine Hundred and Twenty-seven

Before me

F. Vernon Crisp

W. H. Ham

Justice of the Peace.

CRISP AND GUNN CO-OPERATIVE LIMITED do hereby appoint
of HOBART in TASMANIA their proxy in this matter.

B. A. Davis

In Witness whereof the Common Seal of the said Company is hereunto
affixed this *Twenty-seventh* day of *November* One Thousand Nine
Hundred and *Twenty-seven*

The Common Seal of

was hereunto affixed in the presence of

A. G. Thorne
Secretary

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of Proceedings for
Liquidation by arrangement or
composition with Creditors
instituted by Albert Elwell
of Nicholls Rivulet in Tasmania
Farmer

AFFIDAVIT IN PROOF OF DEBT.

admitted
W. S. S. S. S. S.
18/11/27

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by ALBERT ELWELL of Nicholls Rivulet
-of in Tasmania Farmer

I, ERIC POLLEY

of Gardners Bay in Tasmania Farmer
make oath and say as follows :

The said Albert Elwell was at the date of
the institution of the said proceedings and still is justly and truly indebted to me in
the sum of Eleven Pounds

*JP. money lent paid by me for the use of the said
Albert Elwell at his request.*
for money lent 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 *Cygnet* in)
Tasmania this *14th*)
day of November 1927)

Before me
[Signature]
A Justice of the Peace

E. Polley
Eric Polley

I appoint William Joshua Tilley Stops
of 116 Collins Street Hobart my proxy in the above matter

E. Polley
Eric Polley

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of Proceedings for
Liquidation by arrangement or
Composition with Creditors instituted
by ALBERT ELWELL of Nicholls Rivulet
in Tasmania Farmer

AFFIDAVIT IN PROOF OF DEBT.

admitted
W. J. S. S. S.
16/11/27

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by ALBERT ELWELL of Nicholls Rivulet
of in Tasmania Farmer

I, FRANK POLLEY
of Gardners Bay in Tasmania Farmer
make oath and say as follows:

The said Albert Elwell was at the date of
the institution of the said proceedings and still is justly and truly indebted to me in
the sum of Thirty three pounds eleven shillings and six pence
for money lent

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 in Tasmania this)

3rd day of November 1927)

F. Polley

Before me

William Wetherill

A Justice of the Peace.

I appoint

of

my proxy in the above matter

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of ALBERT ELWELL
of Nicholls Rivulet in Tasmania Farmer

Statement of Debtor's Affairs

In the Supreme Court of Tasmania,

In Bankruptcy.

In the matter of ALBERT ELWELL of Nicholls Rivulet in Tasmania Farmer

STATEMENT of the affairs of the above

ALBERT ELWELL

on the Sixteenth day of November 1927

	£	s.	d.		£	s.	d.
Unsecured Creditors as per list (A)	92	19	7	Stock-in-trade at			
							NIL
Creditors fully secured as per list (B).....	308	19	6	Estimated at			NIL
Less estimated value of securities.....	300						
Surplus to contra.....	8.	19	6	Book debts about £			NIL
							, estimated to produce.....
Creditors partly secured as per list (C).....				Cash in hand			NIL
Estimated value of securities.....							
							NIL
Other liabilities, as per list (D).....				Bills of Exchange or other similar securities, estimated to produce...			
							NIL
Creditors for rent and wages, as per list (E).....				Furniture, fixtures, and fittings at			NIL
Liabilities on bills discounted, as per list (F) £.....				estimated to produce.....			NIL
Of which it is expected will rank against the Estate for Dividend..				Property, as per list (G).....	300	.	.
				Surplus from securities in the hands of Creditors fully secured,			
				see contra.....			NIL
Total debts.....	401	19	1	Total assets.....	300	.	.

a. Elwell.

A

LIST OF CREDITORS.

Name.	Address.	Amount of Debt.		
		£	s.	d.
CLENNETT & Co.	Garden Island Creek	3	16	.
Crisp & Gurn Ltd.	Melville Street, Hobart	17	19	3
J. Mundy	Cygnets	6	8	.
C.W. Flood	Cygnets	4	5	.
J. A. Fisher	Cygnets	3	5	.
Frank Polley	Gardners Bay	32	10	.
Eric Polley	Gardners Bay	11	.	.
F. Wass	Nicholls Rivulet	1	2	.
W. Underwood	Oyster Cove	2	14	4
Thomas Smith	Nicholls Rivulet	10	.	.
A. Elwell.		£ 92	19	7

"G"

~~B~~

LIST OF CREDITORS FULLY SECURED.

Name of Creditor.	Address.	Estimated Value of Security.			Amount of Debt.		
		£	s.	d.	£	s.	d.
Arthur George Stump	Hobart	300	.	.	308	19	6
Total estimated value of securities.....		£ 300	.	.			
Total amount of Debts of creditors holding security.....					£ 308	19	6

a. Elwell.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by ALBERT ELWELL of Nicholls
Rivulet in Tasmania Farmer

Affidavit to be used upon Registration of a
Special or Extraordinary Resolution.

Filed 17th Nov. 1927
Rao
p. 118

In the Supreme Court
of Tasmania.



In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or
composition with creditors instituted by ALBERT ELWELL

of Nicholls Rivulet in Tasmania

Farmer

I, HARRY AUBIN PITMAN
of Hobart in Tasmania Law Clerk

make oath and say

as follows :—

1. That I verily believe that the resolutions, statement of affairs,
proofs, and proxies filed in this matter are the whole of the resolutions,
statement, proofs, and proxies come to and produced at the general meeting
held in this matter on the Sixteenth day of
November, 1927.

2. That I verily believe that the gross amount of composition
payable to his creditors
does not exceed £12

Sworn at Hobart in Tasmania,
this Seventeenth day of November one
thousand nine hundred and twenty seven.
Before me,

Harry Aubin Pitman

[Signature]
Justice of the Peace

In the Supreme Court of Tasmania

In Bankruptcy

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

ALBERT ELWELL of Nicholls
Rivulet in Tasmania Farmer

*List of Creditors assembled to be used at
every General Meeting.*

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of Proceedings for Liquidation by arrangement or composition with creditors instituted by ALBERT ELWELL of Nicholls Rivulet in Tasmania Farmer
General Meeting held at 116 Collins Street Hobart this Sixteenth day of November 1927

No. of Assents of Creditors whose debts exceed £10.	Number.	Names of Creditors assembled.	Amount of Assent.			Amount of Proof.		
1	1	Frank Polley, Gardners Bay	33	11	6	33	11	6
2	2	Eric Polley Gardners Bay	11	.	.	11	.	.
3	3	Crisp & Gunn Co-operative Ltd. Hobart	17	19	3	17	19	3
4	4	Clennett & Company Limited, Garden Island Creek	3	16	.	3	16	.
	4	Total number of Creditors assembled.						
	Total number of Assents.							
	4	Totals.....£	£66	6	9	£66	6	9

W. J. Saps
Chairman

In the Supreme Court of Tasmania.

In Bankruptcy.

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by ALBERT ELWELL of
Nicholls Rivulet in Tasmania Farmer*

Extraordinary Resolution.

*Registered 17th Nov. 1927
R.B.
p. Reg.*

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by
ALBERT ELWELL of Nicholls Rivulet in Tasmania Farmer

WE, the undersigned, being the statutory majority of Creditors assembled at the General Meeting in the above matter duly held at the Offices
of Messieurs Clerk Walker Stops & Stephens 116 Collins Street, Hobart
this Sixteenth day of November 1927 -489- , in accordance with the provisions of the said Act, do hereby resolve as follows :-

- (1). That a composition of Two shillings and six pence in the pound shall be accepted in satisfaction of the debts due to the Creditors from the said
- (2). That such composition be payable as follows :— On the Thirtieth day of November 1928
- (3). That the security of be accepted for the said composition
or that the said composition be secured to the satisfaction of
- (4). That William Joshua Tilley Stops be appointed Trustee in the matter.
- (5) THAT the presence of Albert Elwell be dispensed with at the Second Meeting.

Chairman.

W.S.S. Stops

Frank Polley

Eric Pongy Pongy
by his attorney

W.S.S. Stops

CRISP & GUNN CO-OP. LTD.

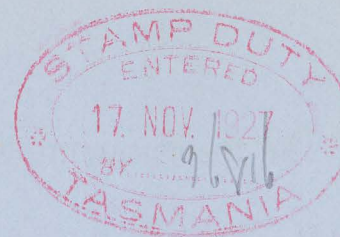
by their proxy

C.A. Davis

Blumenfeld Rozet

by their proxy

W.S.S. Stops



No. 101

In the Supreme Court of Tasmania

In Bankruptcy

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by ALBERT ELWELL of
Nicholls Rivulet in Tasmania Farmer*

Request with List of Creditors

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by ALBERT ELWELL of Nicholls Rivulet
in Tasmania Farmer

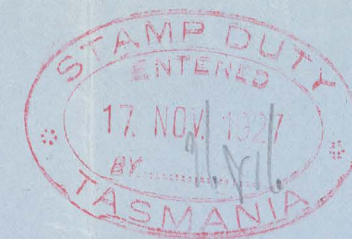
To the Registrar.

W. S. W. ^{Second} REQUEST that the notices of the General Meeting on the Twenty ninth day of November, 1927, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this Seventeenth day of November 1927

Clark Walker Steps & Stephens
Attorneys for the said Debtor

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
1	Clennett & Co	Garden Island Creek	3	16	.
2	Crisp & Gunn Ltd.	Melville Street, Hobart	17	19	3
3	J. Mundy	Cygnat	6	8	.
4	C.W.Flood	Cygnat	4	5	.
5	J.A.Fisher	Cygnat	3	5	.
6	Frank Polley	Gardners Bay	32	10	.
7	Eric Polley	Gardners Bay	11	.	.
8	F.Wass	Nicholls Rivulet	1	2	.
9	W. Underwood	Oyster Cove	2	14	4
10	Thomas Smith	Nicholls Rivulet	10	.	.



In the Supreme Court of Tasmania.

In Bankruptcy.

1927

In the matter of the Petition of

ALBERT BELL of Nicholls
Rivulet in Tasmania Farmer

Petitions under Sections 112, 113.

Filed 1st Nov. 1927 at noon
AB

2/6
In the Supreme Court }
of Tasmania. }

In Bankruptcy.

This is the Petition referred to
in the annexed affidavit of
Albert Elwell sworn before me
the 31st day of October 1927
R. J. Smith
Justice of the Peace

The humble petition of ALBERT ELWELL

of Nicholls Rivulet 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.

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.

A. Elwell.

Signed by the Petitioner ALBERT ELWELL

on the

Thirty first

day of

October

1927

in the presence of

A Justice of the Peace

In the Supreme Court of Tasmania

In Bankruptcy

In the matter of the petition of

ALBERT ELWELL of Nicholls Rivulet
in Tasmania Farmer

Affidavit in support of petition

Filed 1st Nov 1927
Rd
Ad.

1/6

In the Supreme Court }
of Tasmania }

In Bankruptcy.



I, ALBERT ELWELL

of Nicholls Rivulet 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 Messieurs Clerk, Walker, Stops & Stephens, Solicitors 116 Collins Street Hobart

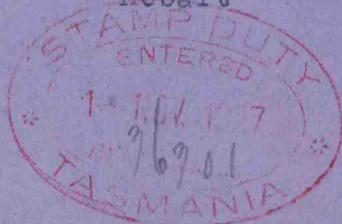
Sworn at Hobart in Tasmania this)
thirty first day of October One)
thousand nine hundred and - -)
twenty seven

A. Elwell.

Before me

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 Messieurs Clerk, Walker, Stops & Stephens 116 Collins Street Hobart



Clerk Walker Stops & Stephens

Attorney in the matter of the petition

In the Supreme Court of Tasmania

In Bankruptcy

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by ALBERT ELWELL of Nicholls
Rivulet in Tasmania Farmer*

Request with List of Creditors

*Notices sealed & posted
1st Nov. 1927. A. B. J. Reg*

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by ALBERT ELWELL of Nicholls Rivulet
in Tasmania Farmer

To the Registrar.

I REQUEST that the notices of the General Meeting on the Sixteenth day of November, 1927, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this *Thirtieth* day of *November* 1927
Albert Elwell
by his Solicitor Agents Messrs. Baker & Stephenson

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
1	Clennett & Co.	Garden Island Creek	3	16	.
2	Crisp & Gunn Ltd.	Melville Street, Hobart	17	19	3
3	J. Mundy	Cygnet	6	8	.
4	C.W. Flood	Cygnet	4	5	.
5	J. A. Fisher	Cygnet	3	5	.
6	Frank Polley	Gardners Bay	32	10	.
7	Eric Polley	Gardners Bay	11	.	.
8	F. Wass	Nicholls Rivulet	1	2	.
9	W. Underwood	Oyster Cove	2	14	4
10	Thomas Smith	Nicholls Rivulet	10	.	.
			£92	19	7