

In the Supreme Court
of Tasmania

In Bankruptcy

In the matter of showing
in liquidation by
David Curran

Affidavit

by

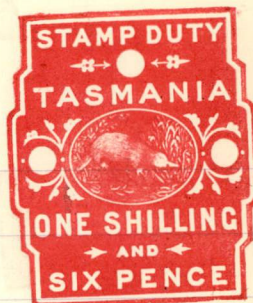
M & J P. Duen



J P Duen

In the Supreme Court
of Tasmania

In Bankruptcy



In the matter of Proceedings for
Liquidation by an arrangement or composition
with creditors instituted by David
Burns of Brighton in Tasmania
licensed Victualler.

I Edward John Howarth O'Brien of Hobart
in Tasmania legal practitioner hereby
make oath and say.

That I verily believe that the resolutions
Statement of affairs proofs and proceedings
in this matter are the whole of the resolutions
Statement proofs and affairs come to and
produced at the meetings held in this matter
on the twenty eighth day of January (the
meeting being adjourned till and held on
the fourth day of February then next) and
the eighteenth day of February in the
year one thousand nine hundred and nine.

2 That I verily believe that the gross amount
of composition to the creditors of the said
David Burns does not exceed one hundred
and eight pounds.

Sworn before me at Hobart in
Tasmania this 22nd day
of February 1909.

J. O'Brien

Stafford Bird

A Justice of the Peace.

In the Supreme Court of Tasmania.
In Bankruptcy.

In the matter of proceedings for liquid-
ation by arrangement or composition
with creditors instituted by *David*
Burns



AFFIDAVIT IN PROOF OF DEBT
DUE TO

ROBERTS AND COMPANY, LIMITED.

£7. 16. 3

*Admitted
Profratton
Charnier
28/1/09.*

In the Supreme Court of Tasmania.
In Bankruptcy.

IN THE MATTER of Proceedings for Liquidation by
arrangement, or composition with creditors instituted
by David Burns of Brighton in Tasmania
Licenced Victualler

I, *Charles William Colclough* of Hobart, in Tasmania, *acting Secretary* of ROBERTS AND COMPANY, LIMITED, a Company carrying on business at Hobart, aforesaid, as Auctioneers and Stock and Station Agents, make oath and say as follows:—

1. That I am duly authorised, under the Seal of ROBERTS AND COMPANY, LIMITED aforesaid, to make the proof of debt on its behalf.

2. The said David Burns

was at the date of the institution of the said proceedings and still is justly and truly indebted to the said Company in the sum of *Seven hundred and sixty*

indebted to the said Company in the sum of *Seven pounds sixteen*
shilling three pence for *goods sold & delivered*

for which said _____ sum, or any part thereof, I say that I have not, nor to my knowledge or belief hath the said Company, nor hath any person by my order, or to my knowledge or belief by the order or for the use of the said Company, had or received any manner of satisfaction or security whatsoever, ~~save and except the following :-~~

Date.	Drawer.	Acceptor.	Amount.	Due Date.

3. 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.

SWORN at Hobart aforesaid this *twenty*
ninth day of *January*. one thousand
nine hundred and *nine*

Ch. Collatz

Before me,

S. S. Macdon

A Justice of the Peace for Tasmania.

I, the above-named, *Charles William Pollack* appoint
J. P. Bradford of *Hobart* in Tasmania, proxy for
the said Company in the above matter, I being duly authorised on behalf of the
said Company to make such appointment.

CW Collatz -

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 £ : :

admitted
Chamieau
28/1/09

ERNEST T. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

A.M.P. CHAMBERS,

ELIZABETH STREET, HOBART.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the Matter of Proceedings for Liquidation by Arrangement or Composition
with Creditors Instituted by David Burns of Brighton in
Tasmania, Licensed Victualler.

a. Name in full of person making declaration.

I, Crawford John Maxwell of

b. His occupation

Hobart in Tasmania aforesaid Banker

make oath and say as follows:—

c. State here if you are in partnership, who with, or if manager of off Company, and are authorised to make this proof.

That I am Trustee of the Assigned Estate of Watchorn Bros. Wine & Spirit Merchants, Hobart and authorised to make this proof of debt

d. Debtor's name in full.

That the said David Burns was at the date of the

Me or my said firm.

institution of the said proceedings and still is justly and truly indebted to me my said Estate

e. Amount in words.

in the sum of One hundred and thirteen pounds, nine shillings and one penny

f. For work done, goods sold, or for money lent, etc.

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 Estate's use, had or received any manner or satisfaction or security whatsoever save and except the following :

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.	DUE DATE.

g. If you hold bill, promissory note or cheque, fill in the particulars here.

h. Town.
i. State.

Sworn at Hobart in Tasmania
this 28th. day of January One

j. Creditor signs

Thousand Nine Hundred and nine

k. Magistrate signs

l. Name of proxy.
m. His residence.

I appoint Robert L. Tinning of Hobart

n. His occupation

Trade Assignee my Proxy in the above matter.

o. Signature of Creditor.

NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial every alteration, but any alteration in the date of swearing declaration will render the document useless.

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 £

*Admitted
for proof
Chambers
28/1/09*

ERNEST T. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

A.M.P. CHAMBERS,

ELIZABETH STREET, HOBART.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the Matter of Proceedings for Liquidation by Arrangement or Composition

with Creditors Instituted by David Burns of Brighton in

Tasmania, Licensed Victualler

a. Name in full of person making declaration.

I, ^a Clyde Hamilton of

b. His occupation

Hobart in Tasmania aforesaid^b Merchant

make oath and say as follows:—

c. State here if you are in partnership, who with, or if manager of off Company, and are authorised to make this proof.

That I am a partner in the firm of John Hamilton & Co.

d. Debtor's name in full.

That the said^d David Burns was at the date of the

Me or my said firm.

institution of the said proceedings and still is justly and truly indebted to my said firm

e. Amount in words.

in the sum of^e Seventeen pounds 16s.

f. For work done, goods sold, or for money lent, etc.

for^f 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 firms use, had or received any manner or satisfaction or security whatsoever save and except the following:

g. If you hold bill, promissory note or cheque, fill in the particulars here.

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.	DUE DATE.
	<u>Nil</u>	<u>-</u>	<u>-</u>	<u>-</u>

h. Town.

i. State.

Sworn at^h Hobart inⁱ Tasmania

this 28th. day of January One

j. Creditor signs

Thousand Nine Hundred and nine

Before me,

k. Magistrate signs

k

Justice of the Peace.

l. Name of proxy.

m. His residence.

I appoint^l Ernest T. Tinning

of^m Hobart

n. His occupation

Trade Assignee

my Proxy in the above matter.

o. Signature of Creditor.

NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial every alteration, but any alteration in the date of swearing declaration will render the document useless.

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 £

not admitted
Mr. Proalchorn
Chairman
28/1/09
objected to
your not admitted

ERNEST T. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

1, A.M.P CHAMBERS,

ELIZABETH STREET, HOBART.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the Matter of Proceedings for Liquidation by Arrangement or Composition

with Creditors Instituted by Wania Burns of
Brighton in Tasmania
Hotel keeper

a. Name in full of person making declaration.

I, Patrick Augustus O'Byrne of

b. His occupation.

Lamington in Tasmania aforesaid Wine & Spirit Merchant

make oath and say as follows:—

c. State here if you are in partnership, who with, or if manager of off Company, and are authorised to make this proof.

d. Debtor's name in full.

That the said Wania Burns was at the date of the

Me or my said firm.

institution of the said proceedings and still is justly and truly indebted to me

e. Amount in words.

in the sum of Eleven Pounds, Seven Shillings & Sixpence

f. For work done, goods sold, or for money lent, etc.

for Goods sold & 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 or satisfaction or security whatsoever save and except the following:

g. If you hold bill, promissory note or cheque, fill in the particulars here.

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.	DUE DATE.

h. Town.
i. State.

Sworn at Lamington in Tasmania

j. Creditor signs

this 27th day of January One }
Thousand Nine Hundred and Nine

k. Magistrate sign

Before me,

P. A. O'Byrne
W. Wilson
Justice of the Peace.

l. Name of proxy.
m. His residence.

I appoint James W. Wilson of Hobart

n. His occupation

agent

my Proxy in the above matter.

P. A. O'Byrne

o. Signature of Creditor.

NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial every alteration, but any alteration in the date of swearing declaration will render the document useless

In the Supreme Court of
Tasmania.

In Bankruptcy.

In the matter of Proceedings for
Liquidation by Arrangement or Com-
position with Creditors instituted by

David Burns of
Brighton in Tasmania
Licensed Victualler

AFFIDAVIT

IN PROOF OF DEBT

DUE TO

BROWNELL BROS LIMITED

£10-6-7

*Admitted
Mr. Graham
Chairman*

28/1/09



In the Supreme Court
of Tasmania.

In Bankruptcy.

IN THE MATTER OF PROCEEDINGS for Liquidation

by Arrangement or Composition with Creditors instituted

by *David Burns*
of *Brighton in Tasmania*
Licensed Victualler

I, *Alfred William Courtney Pratt* of Hobart in Tasmania Secretary to
BROWNELL BROS LIMITED make oath and say:

(1) That I am duly authorised under the seal of Brownell Bros Limited to make
proofs of debt on its behalf.

(2) That the said *David Burns* was at the date
of institution of the said proceedings and still is justly and truly
indebted to Brownell Bros Limited in the sum of *Five*
pounds *six* — shillings and *seven* pence
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 Brownell Bros Limited had or
received any manner of satisfaction or security whatsoever save and
except the following:

Date.	Drawn.	Acceptor.	Amount.			Date when Due.
			£	s.	d.	

Sworn at Hobart in Tasmania this

28th day of *January* 190*9*

A. Courtney Pratt

Before me

W. M. Williams

A Justice of the Peace.

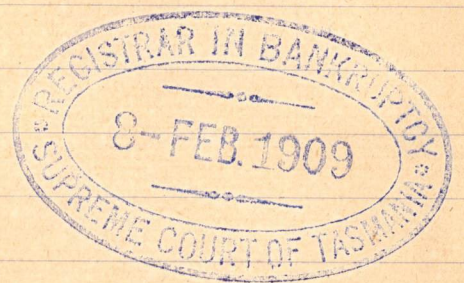
I hereby appoint *Ernest Faerman* of Hobart
in Tasmania, my proxy in the above *A. Courtney Pratt*

IN THE SUPREME COURT

-OF TASMANIA-

IN BANKRUPTCY.

IN THE MATTER OF DAVID BURNS OF
BRIGHTON IN TASMANIA HOTELKEEPER
A BANKRUPT.



-AFFIDAVIT-

IN PROOF OF DEBT DUE Messrs MCGREGOR
BROS.-

£19: 6: 7.

*Admitted
Mr. J. M. L. Brown
Chairman
28/1/09*

IN THE SUPREME COURT

-OF TASMANIA-

IN BANKRUPTCY.

In the matter of David Burns of Brighton
in Tasmania Hotelkeeper.

I ALBERT ERNEST LIVINGSTON MCGREGOR of Hobart in Tasmania
Merchant carrying on business at Hobart aforesaid in
partnership with ALEXANDER MCGREGOR of Hobart aforesaid
merchant under the style or firm of MCGREGOR BROS make oath
and say.

THAT the said David Burns was at the date of the institution
of the said proceedings and still is justly and truly
indebted to me and my said copartner in the sum of Nineteen
Pounds Six Shillings and Seven Pence for goods sold and
delivered by me and my said co-partner to the said DAVID BURNS
at his request 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 nor to my knowledge or belief
hath the said ALEXANDER MCGREGOR or any person by his order or
for his use nor to my knowledge or belief hath any person by
the order or for the use of the said partnership firm had or
received any manner of satisfaction or security whatsoever.

Sworn at Hobart this Fifteenth)
day of January One Thousand Nine)
Hundred and Nine.)

ALM Cyp

Before me

Hook

A Justice of the Peace for Hobart.

We appoint *W. B. Smith* of Hobart our Proxy in
the above matter.

W. B. Smith

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of



AFFIDAVIT IN PROOF OF DEBT.

Admitted
M. J. Watson
Chambers
28/1/09

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by David Burns

of Brighton in Tasmania
Licensed Victualler

I, Thomas Whitesides, representing Whitesides & Son, Importers,
of Hobart in Tasmania

make oath and say as follows:

The said David Burns was at the date of
the institution of the said proceedings and still is justly and truly indebted to me in
the sum of Four Pounds and three 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 my use had or received any manner
of satisfaction or security whatsoever save and except the following:—

ml.
ind.

Date.	Drawn.	Acceptor.	Amount.	Due Date.

Sworn at Hobart this
21st day of January 1909

Before me.

W. J. P. d. I. J. Whitesides & Son

I appoint

of

my proxy in the above matter

TELEPHONE 153.

BY APPOINTMENT

To His Royal Highness ~~King~~ the Duke of Edinburgh.

Cabinet, Upholstery, and Furnishing Warehouse.
Carpets, Roompapers, Linoleums, etc.

42 & 44 LIVERPOOL STREET

Hobart, Jan'y 12th 1909

Mrs D. Burn

Dr. to J. WHITESIDES & SON.

1908
Dec 31.

To Mc Bond

£ 4 . 3 . 0

In the Supreme Court
of Tasmania
In Bankruptcy.



In the matter of
Proceedings for Liquidation
by Arrangement or Composition
with Creditors instituted by
David Burns of Brighton in the
State of Tasmania Licensed
Victualler.

*Admitted
Mr. Prothon
Chambers
28/1/09*

IN THE SUPREME COURT OF

TASMANIA

IN BANKRUPTCY

In the matter of proceedings for
liquidation by Arrangement or Composition
with Creditors instituted by David Burns
of Brighton in the State of Tasmania
Licensed Vicualler.

I William Henry Burgess of Hobart in Tasmania Merchant
carrying on business there in co-partnership with Edward James
Burgess and William Henry Burgess the Younger as Merchants make
oath and say as follows:-

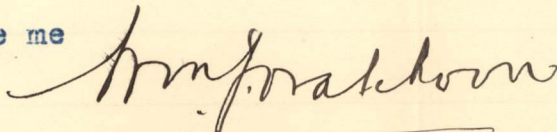
The said David Burns was at the date of the institution of the said
Proceedings and still is justly and truly indebted to me and my said
Co-partners in the sum of Fifty three pounds sixteen shillings for
goods sold and delivered by me and my said co-partners to the said
David Burns for which said sum 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 nor to my knowledge or belief hath the said Edward James
Burgess or William Henry Burgess the Younger or any person by their
order or for their own use nor to my knowledge or belief hath any
person by the order or for the use of the said partnership firm had
or received any manner of satisfaction or security whatsoever.

Sworn at Hobart aforesaid

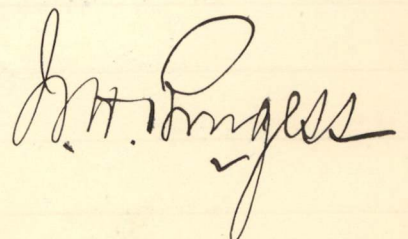
this twentieth eighth day of January

One thousand nine hundred and
nine

Before me



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 David -- Burns of Pontville in Tasmania Licensed Victualler.



A F F I D A V I T

in proof of debt.

*Admitted
Mr. J. G. Brown
Chairman
28/1/09.*

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by David Burns of Pontville in Tasmania Licensed Victualler.

I DORCAS BURNS of Pontville in Tasmania Married Woman make oath and say as follows:-

THE said David Burns was at the date of the institution of the said proceedings *namely £100* - in the sum of one hundred and twenty pounds — and still is justly and truly indebted to me for rent owing to me previously to the thirty first day of December One thousand nine hundred and seven 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	Drawer	Acceptor	Amount	Due Date
<i>Nil</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>

Dorcas B. Burns

SWORN at Hobart in Tasmania)
this *twenty eighth* day of)
January One thousand nine)
hundred and nine

Before me

W. M. Williams

A Justice of the Peace.

I appoint William Frederick Dennis Butler of Hobart in Tasmania my proxy in the above matter.

Dorcas B. Burns

In the Supreme Court
of Tasmania
In Bankruptcy

In the matter of proceedings for
Liquidation by arrangement or
composition with creditors
instituted by David Burns of
Brighton in Tasmania Licensed
Vintner.

Resolution

E. J. O'Brien

In the Supreme Court of Tasmania

In Bankruptcy



In the matter of proceedings for Liquidation
by arrangement or composition with creditors
instituted by David Burns of Brighton
in Tasmania Licensed Victualler.

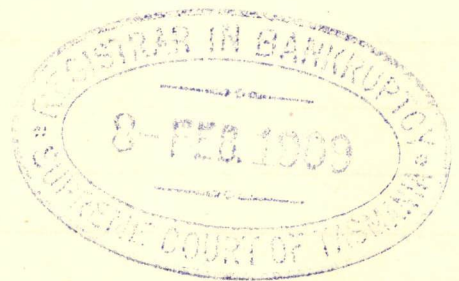
We the undersigned being the statutory majority of creditors
assembled at the General meeting held at the office of Mr
E. J. O'Brien this 28th day of January 1909 in accordance
with the provisions of the said act do hereby resolve as
follows.

That this meeting stand adjourned till Thursday
the 4th day of February 1909. at Three o'clock in
the afternoon.

Witness my hand:
In presence of
Geo Hamilton
Brownell Bros & Co
The Cascade Brewery Co
Witcham Bros.
Wm. P. Hatcham
Chairman

By the said
David Burns
St Nicholas St

2 jobs



*Admitted
M. J. M. M. M.
Chairman
28/1/09*

In the Supreme Court
of Tasmania
In Bankruptcy.

In the matter of Proceedings for liquida-
-tion by arrangement or composition with
Creditors instituted by David Burns of
Pontville in Tasmania, Licensed Victualler.

I Henry Nickolls of Hobart in Tasmania Manager of the Cascade
Brewery Company Limited make oath and say as follows:-

1. That I am the Manager of the said The Cascade Brewery Company
Limited and authorised to make proof of debt on its behalf.

2. That at the date of the institution of the said proceedings
the said David Burns was and still is justly and truly indebted
to the said Company in the sum of Eighty three pounds thirteen
shillings and sixpence for goods sold and delivered by the said
Company to the said David Burns 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 or on behalf of or for the use
of the said Company had or received any manner of satisfaction
or security whatsoever.

Sworn at Hobart in Tasmania

this *nineteenth* day of *January*.

One thousand nine hundred and nine

Before me

Hawson
A Justice of the Peace for Tasmania.

In the Supreme Court
of Tasmania.

In Bankruptcy

In the matter of proceedings
for Liquidation or composition
with creditors instituted by
David Burns of Brighton in
Tasmania Licensed Victualler

list of Creditors
assembled
— " —



E. J. O'Brien

In the Supreme Court of Tasmania
In Bankruptcy

In the matter of proceedings for liquidation by arrangement or composition with
creditors instituted by David Burns of Brighton in Tasmania Licensed Victualler.

General Meeting held at the office of Mr. E. J. O'Brien this 28th day of January 1909, and adjourned till 4th Feb 1909.

Number of assents	Number	Names of creditors assembled	Amount of Assent			Amount of proof.		
1	1	Hatchorn & Co. by proxy to Hatchorn	113	9	1	113	9	1
1	2	Cascade Brewery	83	13	6	83	13	6
1	3	Dorcas Burns by proxy & Butler	120	-	-	120	-	-
1	4	McGregor Bros	19	16	7	19	6	7
1	5	Hamilton & Co.	17	16	=	17	16	.
	6	Burgess Brothers	53	16	=	53	16	-
1	7	Byrnnell Brothers	10	6	7	10	6	7
	8	Roberts & Co.	7	16	3	7	16	3
	9	Whitesides & Son	4	3	.	4	3	.
			£368	14	9	430	7	0

The Supreme Court
of Tasmania
In Bankruptcy

In the matter of *Brumby*
for liquidation by
David Brown

Resolutions

Registered this 22nd day of
February 1909

Heathcote
Regr.



David Brown

Supreme Court
of Tasmania }



In Bankruptcy

The matter of Proceeding for liquidation
by arrangement or composition with creditors
instituted by David Dunn of Dighton
in Tasmania licensed Victualler

The undersigned being the Statutory majority
of creditors assembled at the second general meeting
in the above matter duly held at the office of J. J.
O'Brien Solicitor Hobart this 18th day of
February 1909. in accordance with the provisions
of the said act do hereby confirm the resolutions
passed by the Statutory majority of the creditors
of the abovesaid David Dunn assembled at
the first meeting

W. Whitfield Esq.
for Intervenor's Vind.

J. W. Rice Esq.
for Cascade Brewery Co. Ltd.
J. W. Whitfield Esq.
Chairman

In the Supreme Court
of Tasmania.

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

J. Burns



AFFIDAVIT IN PROOF OF DEBT.

By

P. O. Byrne

For £ 6 : 10 :

*admitted
J. J. Quinn
H. J. 1910*

CRUIKSHANK & CREASEY
(LATE)

ROLPH, YOUNG & CRUIKSHANK,
Accountants and Trade Assignees, etc.,
Mutual Provident Chambers,
66 CAMERON STREET, LAUNCESTON.

Printed at "The Examiner" Office, Launceston.

IN BANKRUPTCY.

composition with Creditors instituted by

position with Creditors Instituted by
David Burns
Kotylkeper, Pontreile

I, Patrick Augustus O'Shea, ^{Mayor}
Launceston in Tasmania, aforesaid

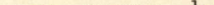
make oath and say as follows:

1. That I carry on business at _____
in co-partnership with _____

as Wine & Spirit Merchants under the style or firm of

2. That the said *David Burns*

for *Ten Shillings*
Goods.

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, or for the use of my said firm, had or received any manner of satisfaction or security whatsoever ~~save and except the following:~~ 

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.			DUE DATE.
			£	S.	D.	
<div style="position: absolute; bottom: 10px; left: 10px;"> <p><i>SA</i></p> </div>						

Sworn at Guineston in Norman

this 14th day of June 1902

Before me,

Justice of the Peace.

I appoint

of

Proxy in the above matter for self and co-partner.

NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial *every* alteration. Any alteration or interlineation in the Jurat will render the document useless.

Williamson Bros.

In the Supreme Court of Tasmania,
In Bankruptcy.

In the Matter of Proceedings for Liquidation by
Arrangement or Composition with Creditors
Instituted by

W. R. Burns



Affidavit in Proof of Debt.

By

Williamson Bros

For £ 2 : 17 : 6

*admitted
E. T. Tinning
27.11.09*

ERNEST T. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

A.M.P. CHAMBERS,

ELIZABETH STREET, HOBART.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the Matter of Proceedings for Liquidation by Arrangement or Composition
with Creditors Instituted by David Burns of Brighton in
Tasmania, Hotelkeeper.

a. Name in full of
person making
declaration.

I, ^aErnest Alfred Williams of

b. His occupation

Hobart

in Tasmania

aforsaid^b

Furniture warehouseman

make oath and say as follows:—

c. State here if you
are in partner-
ship, who with,
or if manager of
off Company,
and are author-
ised to make
this proof.

That I am in partnership with George Herbert
Williams in the firm of Williams Brothers

d. Debtor's name
in full.

That the said^d David Burns was at the date of the

Me or my said firm.

institution of the said proceedings and still is justly and truly indebted to my said firm

e. Amount in
words.

in the sum of^e Two pounds seventeen shillings and six pence

f. For work done,
goods sold, or
for money lent,
etc.

for^f Goods sold & 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 or
satisfaction or security whatsoever save and except the following:

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.	DUE DATE.

g. If you hold bill,
promissory note
or cheque, fill in
the particulars
here.

h. Town.

Sworn at^h Hobart inⁱ Tasmania

i. State.

this Twenty seventh day of November One

j. Creditor signs

Thousand Nine Hundred and Nine

^j E. A. Williams

Before me,

^k J. A. Guish

Justice of the Peace.

k. Magistrate signs

l. Name of proxy.
m. His residence.

I appoint^l

of^m

n. His occupation

ⁿ

my Proxy in the above matter.

o. Signature of
Creditor.

^o

NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial every alter-
ation, but any alteration in the date of swearing declaration will render the document useless.

In the Supreme Court of
Tasmania.

IN BANKRUPTCY.



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

D. Burns,
Brighton.
Licensed Victualler

Affidavit for proof of Debt due to CHARLES

DAVIS, £ *6:14:7*

W. A. Thorne
W. A. Thorne
7.12.09

In the Supreme Court of Tasmania.

IN BANKRUPTCY.

IN THE MATTER of proceedings for Liquidation by arrangement or composition with Creditors instituted by *David Burus of Brighton in Tasmania Licensed Victualler*

I *Robert Thomas White* of *Hobart in Tasmania Accountant*, make oath and say :—

1 That the said *David Burus* was at the date of the institution of the said proceedings and still is justly and truly indebted to CHARLES DAVIS, of Hobart in Tasmania, Ironmonger, in the sum of *Six pound fourteen shillings and seven pence (£6-14-7)* for *goods sold and delivered to him at his request*

for which said sum, or any part thereof, I say that the said CHARLES DAVIS has not nor hath any person by his order or to my knowledge or belief, for his use, had or received any manner of satisfaction or security whatsoever save and except the following :—

Date.	Drawer.	Acceptor-	Amount.			Due Date-
			£	s.	d.	

2 That I am a person in the employ of the said CHARLES DAVIS, and that I am duly authorised by him to make this affidavit, and that 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.

Sworn at *Hobart* in
Tasmania this *seventh*
day of *December* One
thousand *nine* hundred and *nine*.

R. T. White

Before me,
Thos. Whitesides J. P.

I appoint

of

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 with Creditors
Instituted by

H. P. Burns



Affidavit in Proof of Debt.

By *E. Blakely*

For £11 : 11 : 0

admitted
E. Blakely
9/5/10

Ernest T. Tinning *9/5/10*

ERNEST T. TINNING,
OFFICIAL ASSIGNEE,
Manager—Tasmanian Trade Protective Institute,
A.M.P. CHAMBERS,
ELIZABETH STREET, HOBART.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the Matter of Proceedings for Liquidation by Arrangement or Composition

with Creditors Instituted by David Burns of Brighton in
Tasmania, Hotelkeeper.

a. Name in full of
person making
declaration.

I, ^a Edwin Blake of

b. His occupation

Hobart

in Tasmania

aforsaid^b

Brewer

make oath and say as follows:—

c. State here if you
are in partner-
ship, who with,
or if manager of
off Company,
and are author-
ised to make
this proof.

d. Debtor's name
in full.

That the said^d David Burns was at the date of the

Me or my said firm.

institution of the said proceedings and still is justly and truly indebted to me

e. Amount in
words.

in the sum of^e Eleven pounds Eleven shillings stirring.

f. For work done,
goods sold, or
for money lent,
etc.

for^f 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 or
satisfaction or security whatsoever save and except the following :

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.	DUE DATE.

g. If you hold bill,
promissory note
or cheque, fill in
the particulars
here.

h. Town.
i. State.

Sworn at^h Hobart inⁱ Tasmania

this First day of November One

j. Creditor signs

Thousand Nine Hundred and Nine

Edwin Blake

k. Magistrate signs

Before me,

John Alexander J.P.
Justice of the Peace.

l. Name of proxy.
m. His residence.

I appoint^l of^m

n. His occupation

n my Proxy in the above matter.

o. Signature of
Creditor.

Edwin Blake

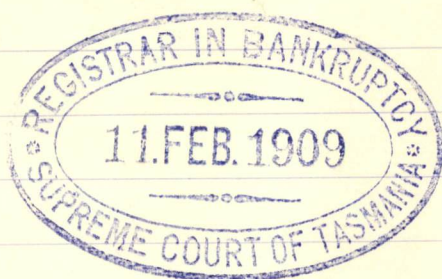
NOTE.—This affidavit may be sworn before a Justice of the Peace, who must initial every alter-
ation, but any alteration in the date of swearing declaration will render the document useless.

In the Supreme Court
of Tasmania.

In Bankruptcy.

In the matter of proceedings
for liquidation of the said David
Dunn of Dighton

Request with list
of Creditors.



I certify that I have this
day caused notice duly stamped
& sealed to be posted to the
respective creditors herein
named

J. Bratchman
Pro Registrar
11/2/09
J. O'Brien

In the Supreme Court
of Tasmania
In Bankruptcy



In the matter of Proceedings for
liquidation by arrangement or
composition with creditors instituted
by David Burns of Brighton in
Tasmania licensed Victualler
To the Registrar.

I request that the notices of the general
meeting on the 18th day of February 1909
herewith delivered to you duly addressed and
damped for post may be sent to the under
scheduled creditors.

Dated this 11th day of February 1909.

D. O.'Brien

Attorney for David Burns

no	creditor		address	Estimated amount of Debt
1	Waltham Bros.	✓	Hobart	113. 0. 0
2	Cassade Coy	✓	"	83. 0. 0
3	Burns Bros.	✓	Brighton	120. 0. 0
4	Burgess Bros	✓	Hobart	53. 0. 0
5	Hamilton & Co	✓	"	19 0 0
6	McGough Bros	✓	"	19 0 0
7	Gordonell Bros	✓	"	10 0 0
8	Roberts & Co	✓	"	7 0 0
9	Williams Bros.	✓	"	4 0 0
10	Davis C	✓	"	4 0 0
11	Whithead & Son	✓	"	4. 0. 0

In the Supreme Court
of Tasmania
In Bankruptcy

In the matter of proceedings
in liquidation of the
David Burns

List of Creditors
Assembled at 2nd meeting



David Burns

In the Supreme Court of
Tasmania

In Bankruptcy.

In the matter of Proceedings for liquidation
by arrangement or composition with
Creditors instituted by David Burns
of Brighton in Tasmania licensed
Veduallet.

Second general meeting held at the office of Mr
J. V. Brien this 18th day of February 1909.

No of Assents	Number	Name of creditor	Amount of Claim	Amount of Proof
1	1	Cascade Brewery Co	£83.16.0	£83.16.0
	2	Robt's H. & Co. proxy	7.16.0	7.16.0
	3	J. P. B. & Co. proxy	4.0.0	4.0.0
		J. Whitmore & Son	4.0.0	4.0.0
	3	Total number of Creditors		

1 Total number of Assents.

Totals £87.16.0 of £95.12.0

1909
Ch. 2.

No. 107.

F. 243

In the Supreme Court of Tasmania.

In Bankruptcy.

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by David Burns of
Brighton in Tasmania licensed
Victualler.*

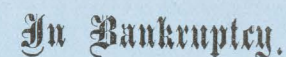
Extraordinary Resolution.



*Registered this 8th day of
February 1909*

H. C. ROSS
Regr.

E. J. Diern



WE, the undersigned, being the statutory majority of Creditors, assembled at the General Meeting in the above matter duly held at *the Office of Mr. E. J. O'Brien*
fourth day of *February* 190*9*, in accordance with the provisions of the said Act, do hereby resolve as follows:—

- (1.) That a composition of *Five Shillings* in the pound shall be accepted in satisfaction of the debts due to the Creditors from the said *David Burns* *farther* at the sum of *ten pounds* per month till such sum of *Five Shillings* in the pound shall be paid.
- (2.) That such composition be payable as follows:— *when the Discharge shall be granted from the date of the final payment. The first payment to be made on 1st day March 1909*
- (3.) That the security of _____ be accepted for the said composition or that the said composition be secured to the satisfaction of _____

(4.) That

Mr S. F. Tamm
Mr. Malchow Chairman.

be appointed Trustee in the matter.

Wachon Bros. by their proxy
 Jno Hamilton & Co } By their proxy
 Infugot Bros }
 Knorr & Bros } One of them
 Able Remond & Co }

Dorcas Burns by her Proxy W. F. Dennis Buttr.
 Fr. The Cascade Brewery Co L. Nichols & Co

In the Supreme Court
of Tasmania
In Bankruptcy.

In the matter of a composition
made by David Burns of
Brighton in Tasmania

Affidavit of service
of Duplicate Notice of motion
and copy Affidavit



Turning & Propsting

In the Supreme Court of Tasmania
In Bankruptcy



In the matter of a composition made
by David Burns of Brighton in
Tasmania.

J. William McKinlay of Portville in Tasmania

Police Trooper do hereby make oath and say :-

1. That I did on the ^{fourth} ~~fifth~~ ^{W.M.⁴²} day of August
instant duly serve the above named David Burns personally
by delivering to him a duplicate of the notice of motion
herewith annexed marked "A" and a copy of the affidavit
of Henry Nichols herewith annexed marked "B", the
said service being effected at Portville in Tasmania

Sworn at Portville in Tasmania
this Fifth day of August
one thousand nine hundred and
nine

W. M. McKinlay
Trooper 324

Thos J. Eddington
Justice of the Peace

JP will please also
fill in clauses on the
exhibits

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of a Composition made
by David Burns of Brighton in Tasmania

A F F I D A V I T
in support of application for
enforcement of provisions of
Composition.





IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of a Composition made by
David Burns of Brighton in Tasmania.

I, HENRY NICHOLLS of Hobart in Tasmania General Manager of the
Cascade Brewery Company Limited make oath and say:-

1. That the Cascade Brewery Company Limited is interested
in the said Composition having proved its debt as a Creditor of
the said David Burns.
2. That one of the provisions of the said Composition
which was registered on the eighth day of February last was that
a Composition of five shillings in the pound be accepted payable
at the sum of ten pounds per month till such sum of five shillings
in the pound shall be paid when the debtors discharge shall be
granted from date of final payment first payment to be made on
first March one thousand nine hundred and nine.
3. That the said David Burns has failed to comply with
the said provisions.

SWORN at Hobart in Tasmania this)

nineteen day of)
July one thousand nine hundred)
and nine.)

H. Nicholls

Before me

J. H. Evans

A Justice of the Peace.

*This is the affidavit of Henry Nicholls marked "B" referred to in the annexed
affidavit of William McIlroy sworn at Portville in Tasmania
this 19th day of August one thousand nine hundred and nine.*

Before me *Thos. J. Eddington*
A Justice of the Peace

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY

IN THE MATTER of a Composition made
by David Burns of Brighton in
Tasmania.

NOTICE OF MOTION



A

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY

IN THE MATTER of a Composition made by
David Burns of Brighton in Tasmania

TO David Burns of Brighton aforesaid Licensed Victualler.

TAKE NOTICE that Henry Nicholls of Hobart in Tasmania ----
General Manager of the Cascade Brewery Company Limited will on
the *Tenth* _____ day of August ^{*instant*} ~~proximo~~ at *twelve*
o'clock ~~noon~~ ^{*five*} noon by Counsel move the Court in a ----
summary manner for an order for the enforcement of the provisions
of a Composition made by you with your Creditors at a meeting
held at the Office of Mr E J O'Brien Solicitor -
Hobart aforesaid on the fourth day of February last and -----
registered on the eighth day of the same month AND THAT an ----
Affidavit by the said Henry Nicholls filed ^{*with the application hereto*} ~~herewith~~ will be ----
used on the hearing of the said motion.

Dated this *third* day of *August* one
thousand nine hundred and nine.

Timing & Proposing

Solicitors for the Applicant.

*This is the notice of motion marked "A" referred to in the annexed
affidavit of William McIntay sworn at Rentville in Tasmania
this Fifth day of August one thousand nine hundred and nine*

Before me

Thos. J. Eddington

A Justice of the Peace

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of a Composition made
by David Burns of Brighton in Tasmania

For hearing Tuesday 10 August at noon

A P P L I C A T I O N
for Enforcement of provisions in
Composition.





IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of a Composition made
by David Burns of Brighton in Tasmania

I, HENRY NICHOLLS of Hobart in Tasmania General Manager of the
Cascade Brewery Company Limited do apply to the Court for an
order for enforcement of the provisions of the said Composition
against the said David Burns on the grounds set forth in the
annexed Affidavit.

Dated this *twenty eighth* day of July 1909.

St Nicholls

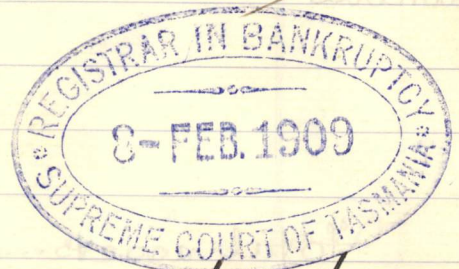
In the Supreme Court
of Tasmania

In Bankruptcy

In the matter of proceedings for
liquidation by arrangement etc
David Burns.

Statement of Debtors Affairs.

Passed & allowed
Mr. J. W. G. G. G.
G. G. G.



Registered this 8th day of
February 1909
Rector Ross
Rex,

E. J. O'Brien

In the Supreme Court of Tasmania

In Bankruptcy

In the matter of proceedings for liquidation by arrangement or composition with creditors
instituted by David Burns of Brighton in Tasmania Licensed Victualler.

Statement of the affairs of the above David Burns.

on the

day of 11th day of January 1909

Unsecured creditors as per list (A)	£	s	d	Stock in trade at	15	£	s	d
creditors fully secured as per list (B)	£	s	d	Estimated at	12	15		
Less estimated value of securities surplus to contra.				Book debts about £ 20 - 0 - Estimated to produce	12			
creditors partly secured as per list (C)	£	s	d	Cash in hand				
Estimated value of securities				Bills of exchange or other similar securities estimated to produce				
Other liabilities as per list (D)				Furniture fixtures and fittings at 40 -				
creditors for rent and wages as per list (E)	80			estimated to produce	25			
Liabilities on bills discounted as per list (F) £				Property as per list (G)	4			
Of which it is expected will rank against the Estate for Dividend				Surplus from securities in the hands of creditors fully secured see contra				
Total debts	£ 350	-	-	Total assets	£ 53	=	=	

David Burns

A

List of creditors

Name	Address	Amount of Debt		
		£	s	d
Watkinson Bros	Elizabeth St Hobart	100	0	0
Cascade Brewery Co	Hollins St "	83	0	0
Burgess Bros	Wharf Hobart	30	0	0
J. Hamilton	Elizabeth St Hobart	16	0	0
McGregor Bros	" "	16	0	0
Brownell Bros	Liverpool St "	8	0	0
Roberts & Co	Hollins St "	6	0	0
Williams Bros	Elizabeth St "	4	0	0
Davis Co	" " "	4	0	0
Whiskies & Son	Liverpool " "	3	0	0
		£ 240	0	0
David Burns				

B

List of creditors fully secured

Name of creditor	Address	Estimated value of security			Amount of Debt		
		£	S	d	£	S	d
Finlay & Warkhouse	Hobart	90	.	.	90	.	.
Total estimated value of securities		£90	0	0	£90		
Total amount of Debts of creditors holding security					£90		

David Pons

D

Liabilities

Amount of
Creditors Claim

£ s d

nil

Total amount of Liabilities £

David Burns

E

creditors for rent and wages

Creditor Name	Address	Nature of claim	Amount of Debt		
			£	s	d
Mr. Burns	Brighton	Rent	80	0	0
Total			80	0	0

David Burns

G

Property

Full statement of nature of Property

Estimated to produce.

£

s

d

One bow

4

.

.

Total

4

.

.

David Burns

IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY.

IN THE MATTER of a Composition made by
David Burns of Brighton in Tasmania

C O S T S

re order for enforcement of Composition



TINNING & PROPSTING.

Forward	£: 10: 0:	£4: 6: 4:
Attending filing Affidavit of Service)		£: 3: 4:
Paid	£: 1: 6:	
Drawing Costs and Copy for Registration)		2: 0:
Attending for appointment to tax)		3: 4:
Attending taxing)		6: 8:
Preparing Certificate of taxation)		2: 6:
Writing D ^y Burns therewith)		3: 6:
Paid registration)	£: 3:	
	£: 11: 9:	£5: 7: 8:

3/5 Costs	£3: 4: 7:
Outpockets	<u>11: 9:</u>
	£3: 16: 4:

Timing & Proposing
by
21. Aug 1909

taxed off *3/5 of* *4. 8*

Taxed at *£3-13-3*

J.R.

Regr.

21.8.09

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

IN THE MATTER of a Composition made by

David Burns of Brighton in Tasmania

Costs of and incidental to order to enforce
payment of Composition.

Lower Rate.

1909.

Aug	Instructions to apply for enforcement of)		
	Composition	)	£: 6: 8:
	Preparing application	)	5: 0:
	Preparing Affidavit in support	)	7: 6:
	Copy Affidavit to serve	)	2: 6:
	Preparing Notice of Motion	)	5: 0:
	Duplicate to serve	)	2: 6:
	Attending Creditor when he signed)	
	application and deposed to Affidavit	)	3: 4:
	Attending for appointment for hearing of)		
	application	)	3: 4:
	Attending filing application and)	
	Affidavit and notice of Motion	)	3: 4:
	Paid Affidavit	)	£: 1: 6:
	Paid application	)	2: 6:
	Letter to Bailiff with copy Affidavit)	
	and duplicate Notice of Motion to serve	)	3: 6:
	Preparing Affidavit of Service	)	5: 0:
	Paid Service Fee	)	3: 0:
	Attending in Chambers when order made	)	1:1: 0:
	Preparing order	)	5: 0:
	Sealed Copy to serve	)	2: 6:
	Attending to pass order	)	6: 8:
	Letter to Bailiff with sealed Copy Order to)	
	to serve	)	3: 6:
	Preparing Affidavit of Service)	
	Paid service Fee	)	3: 0:

Forward

£: 10: 0:

£4: 6: 4:

4/8

10-0

4-6-4

The Supreme Court
of Tasmania
In Bankruptcy

In the matter of Proceedings
for Liquidation by
Arrangement &c. by David
Combs of Brighton

Request with list of Creditors

I certify that I have this
day caused notices duly stamped
and sealed to be posted to the
respective creditors herein
named:

H. Brashars
Per Registrar
12th January 1909

J. J. Hines
Attorney for Debitors

In the Supreme Court
of Tasmania
In Bankruptcy

COMMISSIONER-STAMP
12-JAN-1909
TASMANIA



In the matter of proceedings for liquidation by arrangement
or composition with creditors instituted by David Burns
of Auckland Dighton in Tasmania licensed Valuer.

To the Registrar.

I request that the notices of the general meeting on the twenty
eighth day of January 1909 herewith delivered to you duly addressed and
amped for post may be sent to the under scheduled creditors.

Made this 12th day of January 1909

J. O'Brien
Attorney for David Burns

No	Names of Creditors	Address			
1	Waltham Brothers	Elizabeth St Hobart	✓ 100.	0.	0
2	Cascade Druggery Co	Collins " "	✓ 83.	0	0
3	Burns Bros	Dighton	✓ 80	0.	0
4	Burgess Bros	Wharf Hobart	✓ 30	0.	0
5	Hamilton J.	Elizabeth St " "	✓ 16	0	0
6	McHugh Bros	" " "	✓ 16	0	0
7	Brownell Bros	Liverpool " "	✓ 8	0	0
8	Roberts & Co	Collins " "	✓ 6	0	0
9	Williams Bros	Elizabeth " "	✓ 4	0	0
10	Davis C	" " "	✓ 4	0	0
11	Whitesides & Son	Liverpool " "	✓ 3.	0	0

1909
No. 2. Vol. 253.

No. 97.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of *David
Burns of Brighton in
Tasmania.*

Petitions under Sections 112, 113.



C. W. Dwyer
Attorney for D. Burns

In the Supreme Court
of Tasmania.

In Bankruptcy.

This is the petition referred to in the
annexed affidavit of David Dunn
and is presented this eighth day of
January 1909
W. M. Williams
Attorney of the Court

The humble petition of

of

SHEWITH—

That your Petitioner alleges that he is unable to pay his debts, and is desirous
of instituting proceedings for liquidations 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 estimates his liabilities
at about £370.

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, &c.

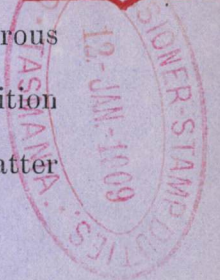
Signed by the Petitioner

on the

day of

in the presence of

D. V. Dunn
David Dunn
January 1909
J. P. Dunn
Solicitor
Hobart



No. 98.

In the Supreme Court of Tasmania.

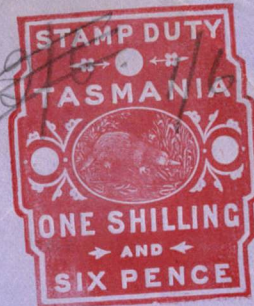
In Bankruptcy.

In the matter of the petition of

Affidavit in support of petition

In the Supreme Court
of Tasmania

In Bankruptcy.



I, *David Burns*
of *Brighton in Tasmania licensed Victualler*

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 office of Mr Edward John Howthorn Esq of Stone Buildings Macquarie Street Hobart*

Sworn at *Hobart in Tasmania*
This eighth day of January
one thousand nine hundred
and nine. *D. Burns*

W. M. Williams
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

J. O'Brien

Attorney in the matter of the petition.