

1923
IN THE SUPREME COURT

OF TASMANIA

IN BANKRUPTCY.

4/10
IN THE MATTER of proceedings for
liquidation by arrangement or - -
composition with Creditors instituted
by CLAUD HARRY FOSTER of Hobart
in Tasmania Master Butcher.

C O S T S

of proceedings for Taxation.

MURDOCH JONES & CUTHBERT

Stone Buildings,

135 Macquarie Street, Hobart, in

Tasmania.

IN THE SUPREME COURT

OF TASMANIA

IN BANKRUPTCY.

W. Clark to see how

IN THE MATTER of proceedings for
liquidation by arrangement or composition
with Creditors instituted by CLAUD HARRY
FOSTER of Hobart in Tasmania Master -
Butcher.

COSTS OF PROCEEDINGS FOR TAXATION.

| | £. | s. | d. |
|--|-----|-----|----|
| <u>1923.</u> Instructions for Petition | 1. | - | - |
| Drawing and engrossing Petition | 10. | - | - |
| Drawing and engrossing Affidavit in support | 3. | 4 | |
| Attending obtaining signature to Petition | 6. | 8 | |
| Attending Mr. Foster when he signed Affidavit and with him before a Justice of the Peace when same sworn | 6. | 8 | |
| Attending filing Petition and Affidavit in support | 6. | 8 | |
| Instructions to apply for Appointment of Receiver | 6. | 8 | |
| Drawing and engrossing Application for Appointment by Mr. Crawford, Affidavit in support of - Application and as to fitness | 5. | - | |
| Attending Mr. Crawford when he signed same | 6. | 8 | |
| Attending with Deponent before Justice of the Peace when same sworn | 6. | 8 | |
| Preparing Consent to act | 5. | - | |
| Attending Mr. O.R. Tinning when he signed same | 6. | 8 | |
| Attending making Application when Order granted | 6. | 8 | |
| Drawing and engrossing Order | 2. | 8 | |
| Attending for signature and seal | 6. | 8 | |
| Attending Receiver with Order and instructions | 6. | 8 | |
| Attending Petitioner as to the nature of their liabilities and as to the addresses of Creditors and preparing Notices as to time and place of Meeting | 6. | 8 | |
| <u>Forward</u> | £5. | 19. | 4 |

1923

Forward

£5. 19. 4

| | | |
|--|-----|----|
| Drawing Request and List of Creditors | 5. | - |
| Engrossing same | 1. | 8 |
| Drawing and engrossing 13 Notices to Creditors | 13. | - |
| Attending filing Request and Sealing Notices | 6. | 8 |
| Attending posting Notices | 3. | 4 |
| Drawing and engrossing Notice of Meeting | 5. | - |
| Copy for insertion in "Gazette" | 3. | 4 |
| Attending for copy "Gazette" searching examining and marking | 6. | 8 |
| Instructions for Statement of Affairs | 6. | 8 |
| Drawing and engrossing Statement of Debtor's Affairs in duplicate | 1. | - |
| Attending Mr. Foster when he signed same | 6. | 8 |
| Attending Meeting of Creditors with Clerk (engaged from 3 to 5 p.m.) | 2. | 5. |
| Drawing and engrossing List of Creditors present | 5. | - |
| Drawing and engrossing Special Resolution | 5. | - |
| Drawing and engrossing Affidavit verifying Special Resolution | 6. | 8 |
| Attending deposing to same | 6. | 8 |
| Attending filing Resolutions and papers | 6. | 8 |
| Drawing costs for taxation | 5. | - |
| Copy for Registrar | 2. | 6 |
| Attending for appointment to tax | 6. | 8 |
| Attending taxing | 6. | 8 |
| Copy Certificate of Taxation | 3. | 4 |
| Attending Registrar with Certificate for signature | 6. | 8 |
| Attending Trustee with same | 6. | 8 |

£15. 9. 10

PAYMENTS

| | | | | |
|--|---|----|----|---|
| Filing Petition and Affidavit in support |) | £- | 4. | - |
| Filing Application for - - Appointment of Receiver |) | | 2. | 6 |
| Affidavit in support | | | 1. | 6 |

Forward

£- 8. -

£15. 9. 10

Forward £- 8. - £15. 9. 10

1923 PAYMENTS (Contd.)

Filing Request for First Meeting 2. 6
 Posting Notices for First Meeting 2. 2
 Insertion of Notice in "Gazette" 8. -
 Filing Resolutions proxies &c., 4. -

1. 4. 8 1. 4. 8
 £16. 14. 6

Taxed off

1. 4. 2
 15. 10. 4

Taxed at

15. 10. 4
 4. 11. 5

Add 30%

1. 4. 8

O-O-P

£ 215. 6. 8

~~15. 4. 10
3
 4. 5. 14. 6
20
 11. 4
12
 5.~~

15. 9. 10
1. 4. 2
 14. 5. 8
3
 4. 2. 17. 0
20
 5. 7
12
 8. 4

Profit costs 15. 9. 10
 Dated off 1. 4. 2
 14. 5. 8
 307. - 4. 5. 8
 Out pocket 1. 4. 8
 Dated at 19. 16. 0

Samuel
 Act. Rec.
 15/9/23.

No. 97.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of CLAUDE
HARRY FOSTER

Petitions under Sections 112, 113.

Filed 6th August 1923

at 3.45 Pm.

ALB & Reg.

40

MURDOCH JONES & CUTHBERT

MURDOCH

*This is the Petition referred to in the
affidavit of Claude Harry Foster
sworn before me this day 7
August 1923*

In the Supreme Court }
of Tasmania.

*J. A. Gullthorpe J.P.
a Justice of the Peace*

In Bankruptcy.



The humble petition of CLAUDE HARRY FOSTER

of Hobart in Tasmania Master Butcher

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 the debts owing by him to his Creditors at £2370

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.

Claude H. Foster

Signed by the Petitioner Claude Harry Foster

on the *sixth* day of *August* 19*23*

in the presence of

Am. Clarke
Solicitor
Hobart

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of

CLAUDE HARRY FOSTER

Affidavit in support of Petition.

In the Supreme Court
of Tasmania.

In Bankruptcy.



I, CLAUD. HARRY FOSTER
of Hobart in Tasmania Master Butcher

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 Messrs. Murdoch Jones & Cuthbert,
Stone Buildings, 135 Macquarie Street, Hobart *apousaid*

Sworn at Hobart in
Tasmania this *sixth* day
of *August* one thousand
nine hundred and 23 Before me

Claud. H. Foster

J. A. Cuthbert on J.P.

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 above
Offices

A. M. Clarke

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 *Clara Harry Foster*

Special resolution.

Registered 11/9/23
R. B. Jones

Amundson Jones & Co.

In the Supreme Court of Tasmania.

In Bankruptcy.

2/6
IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by *Claud Harry Foster*
of Hobart in Tasmania Master Butcher



WE, the undersigned, being the statutory majority of creditors, assembled at the general meeting in the above matter duly held at *the office of Messrs*
Murdoch Jones & Co Solicitors 135 Macquarie Street Hobart
this *thirtieth* day of *August* 1923, in accordance with the provisions of the said Act, do hereby resolve as follows:—

(1.) That the affairs of the said *Claud Harry Foster* shall be liquidated by arrangement and not in bankruptcy.

(2.) That *Owen Richard Dinning* be and he is hereby appointed trustee in Bankruptcy

(3.) That *Messrs Crawford, Hawey, and Abbott*
be and they are hereby appointed a committee of inspection.

(4.) That *Messrs Murdoch Jones & Co* be entrusted with the registration of this special resolution.

(5) That the affairs of the said *Claud Harry Foster* be wound up in Bankruptcy and not in liquidation by arrangement

(6)

Chairman.

Owen R. Dinning

Trustees Estate of James
Warriss
D. A. O'Brien
Director

A. G. Webster & Sons Ltd
per Robt Crawford

Secy

G. H. Hawey
Prox for Fergus Hawey Shum

Banking Company had or received any manner of satisfaction or
security whatsoever for the said sum of five hundred and forty
eight pounds four shillings and pence, from the said Clerk
of the said Court.

Witness my hand and seal of office
this 10th day of August
1871

Henry

Before me

*Admitted
Overseer
Chairman
30/8/23.*

IN THE SUPREME COURT)
OF TASMANIA.)

IN BANKRUPTCY.

IN THE MATTER OF PROCEEDINGS for
Liquidation by Arrangement or Composition
with creditors instituted by CLAUD HARRY
FOSTER of Hobart in Tasmania Master Butcher.

I, JOSEPH EWING of Hobart in Tasmania Manager of The English ----
Scottish and Australian Bank Limited make oath and say as follows:-

1. That I am duly authorised under a Power of Attorney of the said
The English Scottish and Australian Bank Limited to make this proof
of debt on its behalf.

2. That the said Claud Harry Foster was at the date of the -----
institution of the said proceedings and still is justly and truly
indebted to the said Banking Company in the sum of Six hundred and
forty eight pounds four shillings and tenpence (£648. 4.10) being
for money lent and advanced to the said Claud Harry Foster by the
said Banking Company by way of overdraft Six hundred and forty three
pounds seven shillings and one penny (£643. 7. 1) and interest ---
thereon at seven per centum from 1st July 1923 to 8th August 1923
Four pounds seventeen shillings and ninepence (£4.17. 9) making a
total of Six hundred and forty eight pounds four shillings and ---
tenpence as above mentioned.

3. That I am a person in the employ of the said Banking Company -
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.

4. That I have not nor hath the said Banking Company nor hath any
person by my order or by the order of the said Banking Company or
to my knowledge or belief for my use or for the use of the said --

Banking Company had or received any manner of satisfaction or security whatsoever for the said sum of Six hundred and forty eight pounds four shillings and tenpence, from the said Claud

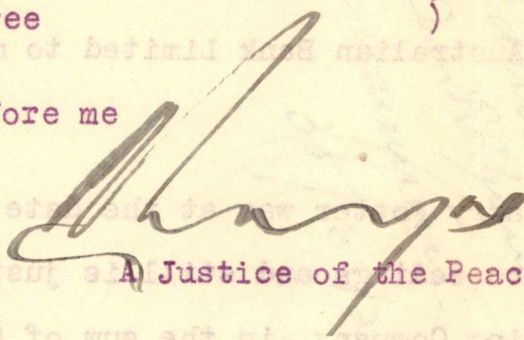
Harry Foster

SWORN at Hobart aforesaid this

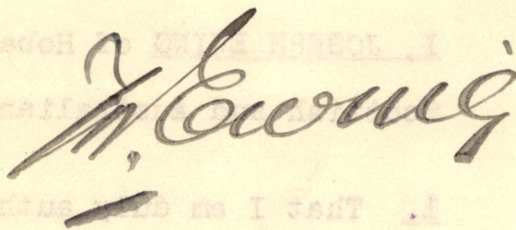
seventeenth day of August

One thousand nine hundred and
twenty three

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*

Affidavit in Proof of Debt.

By

For £ : :

*whose claim disputed by Debtor
Duenn
Chairman Liquidating*

O.WEN R. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

Halstury Chambers,

158 COLLINS 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 Claud Henry Foster
of Hobart in Tasmania
Butcher

a. Name in full of person making declaration

I, Albert Arthur Kaye of

b. His occupation

Hobart in Tasmania, Butcher

c. If you are in partnership, state who with, and how trading if manager, director, or secretary of a company, say so, and you are authorised to prove debt

make oath and say as follows:—

That I am

d. Debtor's name in full

That the said^d Claud Henry Foster was at the date of the

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

e. Amount in words

in the sum of^e One hundred and fifty one pounds

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

for^f Balance of wages.

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 own 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^h Hobart inⁱ Tasmania

this 21st day of August One

j. Creditor signs

Thousand Nine Hundred and Twenty three

A. A. Kaye

Before me,

k. Magistrate's signature

k

W. W. W. W.

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

o

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 instituted by
Claude Harry Foster of Hobart
in Tasmania Master Butcher.*

List of Creditors assembled to
be used at every Meeting.

Amadoch Jones & Co. Solicitors

In the Supreme Court of Tasmania.

In Bankruptcy.

in the matter of *Proceedings for liquidation by arrangement or composition with creditors instituted by Clara Mary Foster*

MEETING held at *135 Macquarie Street* this *30th* day of *August*, 189*9* 19*23*

| No. of Assents of Creditors. | Number. | Names of Creditors present or assembled. | Amount of Assent. | | | Amount of Proof. | | |
|---------------------------------|---------|---|-------------------|--|--|------------------|-----------|-----------|
| | | | | | | | | |
| | | <i>The English Scottish & Australian Bank</i> | | | | <i>648</i> | <i>4</i> | <i>10</i> |
| | | <i>A. G. Webster & Sons Ltd</i> | | | | <i>200</i> | <i>10</i> | <i>6</i> |
| | | <i>E. Abbott</i> | | | | <i>149</i> | <i>8</i> | <i>10</i> |
| | | <i>James Davidson Estate</i> | | | | <i>211</i> | <i>14</i> | <i>6</i> |
| | | <i>Mrs M. E. Foster.</i> | | | | <i>103</i> | <i>5</i> | <i>6</i> |
| | | <i>F. H. Stump by his proxy Mr G. Harvey</i> | | | | <i>233</i> | <i>0</i> | <i>5</i> |
| | | <i>W. Bowtell by his Proxy O R Tunney</i> | | | | <i>14</i> | <i>3</i> | <i>6</i> |
| | | <i>Barnett Bros Pty Ltd</i> | | | | <i>60</i> | <i>19</i> | <i>3</i> |
| | | <i>C. E. Chatterman by proxy Mr O R Tunney</i> | | | | <i>4</i> | <i>0</i> | <i>0</i> |
| | | <i>J. J. Paterson</i> | | | | <i>77</i> | <i>17</i> | <i>4</i> |
| | | <i>Widdock Jones & Co</i> | | | | <i>12</i> | <i>14</i> | <i>8</i> |
| | | <i>Albert Arthur Kaye</i> | | | | <i>151</i> | <i>0</i> | <i>0</i> |
| | | Total number of Creditors present or assembled. | | | | | | |
| | | Total Number of Assents. | | | | | | |
| | | Totals.....£ | | | | | | |

In the Supreme Court of Tasmania.

In Bankruptcy.

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by CLAUD HARRY FOSTER of
Hobart in Tasmania Master Butcher*

Request with List of Creditors.

*Notices sealed & posted to the
Creditors within named.*

*P. B.
J. Rogers.*

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by CLAUD HARRY FOSTER of
Hobart in Tasmania Master Butcher

To the Registrar.

I REQUEST that the notices of the general meeting on the Thirtieth day of August 1923, herewith delivered to you, duly addressed and stamped for post, may be sent to the under scheduled creditors.

Dated this *fourteenth* day of August 1923

| No. | Names of Creditors or Firms of Creditors. | Addresses. | Estimated amount of Debt. | | |
|------|---|---|---------------------------|-----------|-----------|
| | | | | | |
| 1. | E. S. & A. Bank <i>ld.</i> | Macquarie Street, Hobart | 645 | - | - |
| 2. | E. Abbott. | Argyle Street, Hobart | 149 | - | - |
| 3. | A.G.Webster & Sons Ltd., | Liverpool Street, Hobart | 209 | - | - |
| 4. | Barnett Bros <i>ld.</i> | Clyde Street, Hobart | 61 | 6 | 6 |
| 5. | F. H. Stump | Dealer, Derwent Park, Tas. | 162. | - | - |
| 6. | Robt. Nettlefold <i>ld.</i> | Macquarie Street, Hobart | 30. | 16 | 8 |
| 7. | Mr. Potter | C/o Gordon & Co., Spencer St., Melbourne | 42 | 6 | 8 |
| 8. | Mr. W. Bowtell | Elizabeth Street, Hobart | 14 | 5 | - |
| 9. | Chesterman & Co <i>ld.</i> | Argyle Street, Hobart | 4 | - | - |
| 10. | W. T. Thorpe Pty Ltd., | Liverpool Street, Hobart | 4 | 4 | - |
| 11. | Ferguson & Co., | 10 Murray Street, Hobart | 3 | 1 | - |
| 112. | Examiner Office | Collins Street, Hobart | 3 | - | - |
| 113. | Late James Davison's Estate | C/o Messrs. Okines & Ogilvie, Solicitors, Collins Street, Hobart | 150 | - | - |
| | | | <u>£1,477</u> | <u>19</u> | <u>10</u> |



In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for
liquidation by arrangement or com-
position with Creditors instituted by
Clara Harry Foster
of *Hobart*
in Tasmania.

AFFIDAVIT VERIFYING RESOLUTIONS.

Filed 1/9/23
Phet

Mundock Jones & Culbertson

In the Supreme Court of
Tasmania.

IN BANKRUPTCY.



116.
In *THE MATTER* of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by *Claud Harry Foster*
of *Hobart*
in Tasmania. *Master Butcher*

I, *Robert Matthew Clarke*
of *Hobart* in Tasmania *Solicitor*
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 of
Affairs Proofs and Proxies come to and produced at the General Meeting
held in this matter on the *30th* day of *August 1923*

~~2. That I verily believe that the gross amount of composition payable to the~~
~~Creditors of the said~~
~~does not exceed~~ pounds.

Sworn at *Hobart* in Tasmania *R M Clarke*
this *first* day of *September*
One thousand nine hundred and *23*.

Before me,

A large, stylized signature in dark ink, likely belonging to the Justice of the Peace.

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 CLAUD HARRY FOSTER
of Hobart in Tasmania Master Butcher

Statement of Debtor's Affairs.

In the Supreme Court of Tasmania,

In Bankruptcy.

In the matter of proceedings for liquidation by arrangement or composition with Creditors instituted
by CLAUD HARRY FOSTER of Hobart in Tasmania Master Butcher

STATEMENT of the affairs of the above Claud Harry Foster

on the 30th day of August 1923

| | £ | s. | d. | | £ | s. | d. |
|--|------|----|----|--|------|----|----|
| Unsecured Creditors as per list (A)..... | 1664 | 13 | 8 | Stock-in-trade at Shop Liverpool Street, Hobart | | | |
| | | | | Estimated at | 432 | 2 | - |
| Creditors fully secured as per list (B)..... | | | | | | | |
| Less estimated value of securities..... | | | | Book debts about £824.0.0, estimated to produce..... | 800 | - | - |
| Surplus to contra.....£ | | | | | | | |
| | | | | Cash in hand | | | |
| Creditors partly secured as per list (C)..... | | | | | | | |
| 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 | | | |
| | | | | estimated to produce..... | | | |
| Creditors for rent and wages, as per list (E)..... | 860 | - | - | | | | |
| | | | | Property, as per list (G) | | | |
| Liabilities on bills discounted, as per list (F) £..... | | | | | | | |
| | | | | Surplus from securities in the hands of Creditors fully secured, | | | |
| Of which it is expected will rank against the Estate for Dividend... | | | | see contra..... | | | |
| | | | | | | | |
| Total debts.....£ | 2524 | 13 | 8 | Total assets.....£ | 1232 | 2 | - |

Claud H. Foster

A

LIST OF CREDITORS.

| Name. | Address. | Amount of Debt. | | |
|--|---|-----------------|----|----|
| | | £ | s. | d. |
| English Scottish & Australian Bank Ltd., | Hobart | 645 | - | - |
| A.G. Webster & Sons Ltd., | Liverpool Street, Hobart | 200 | 10 | 6 |
| Murdoch Jones & Cuthbert | Solicitors, Hobart | 12 | 14 | 8 |
| E. Abbott | Argyle Street, Hobart | 149 | - | - |
| F. H. Stump | Derwent Park | 162 | - | - |
| Barnett Bros Ltd., | Clyde Street, Hobart | 61 | 6 | 6 |
| R. Nettlefold & Co Ltd., | Macquarie Street, Hobart | 30 | 16 | 8 |
| Potter | C/o Gordon & Co., Spencer Street, Melbourne | 42 | 6 | 8 |
| W. Bowtell | Elizabeth Street Hobart | 14 | 5 | - |
| Chesterman & Co Ltd., | Wharf, Hobart | 4 | - | - |
| W. T. Thorpe Pty Ltd., | Liverpool Street, Hobart | 4 | 4 | - |
| Ferguson & Co., | Murray Street, Hobart | 3 | 1 | - |
| Examiner Office | Collins Street, Hobart | 3 | - | - |
| Late Jas. Davidson's Estate | C/o Messrs. Okines & Ogilvie Solicitors, Hobart | 150 | - | - |
| Mrs. M.E. Foster | Liverpool Street, Hobart | 177 | 5 | 6 |
| Hobart City Council | Hobart | 5 | 3 | 2 |
| | | 1664 | 13 | 8 |

£

Claude H. Foster

CREDITORS PARTLY SECURED.

Clarend. H. Foster

D.
LIABILITIES.

| | Amount of Creditor's Claim. | | |
|----------------------------------|--------------------------------|----|----|
| | £ | s. | d. |
| N I L | | | |
| | | | |
| Total Amount of Liabilities..... | £ | | |
| | | | |

Claud. H. Foster

E.

CREDITORS FOR RENT AND WAGES.

| Creditor's Name. | Address. | Nature of Claim. | Amount of Debt. | | |
|-------------------|------------------|---|-----------------|----|----|
| | | | £ | s. | d. |
| Foster Mary Ellen | Liverpool Street | Rent for premises Liverpool Street from the 9th May 1920 to date at £5 per week | 860 | - | - |
| Total..... | | | £ 860 | - | - |

Claud. H. Foster

G.
PROPERTY.

| Full Statement of Nature of property. | Estimated to Produce. | | |
|---------------------------------------|-----------------------|----|----|
| | £ | s. | d. |
| NIL | NIL | | |
| Total..... | £ | | |

Clara. H. Foster



IN THE SUPREME COURT

IN THE SUPREME COURT
OF TASMANIA

IN BANKRUPTCY.

IN BANKRUPTCY.

IN THE MATTER of proceedings for

IN THE MATTER of proceedings for

liquidation by arrangement or -

composition with Creditors -

instituted by CLAUDE HARRY FOSTER

of Hobart in Tasmania Master Butcher

APPLICATION

for Appointment of Receiver with

AFFIDAVIT in support annexed.

Filed 9/8/23
ALB Reg.

IN THE SUPREME COURT
OF TASMANIA

IN BANKRUPTCY.



IN THE MATTER of proceedings for
liquidation by arrangement or composition
with Creditors instituted by CLAUD
HARRY FOSTER of Hobart in Tasmania
Master Butcher.

I ROBERT CRAWFORD of Hobart in Tasmania Company Secretary
hereby make oath and say:-

1. THAT I am the Secretary of A. G. Webster & Sons Limited.

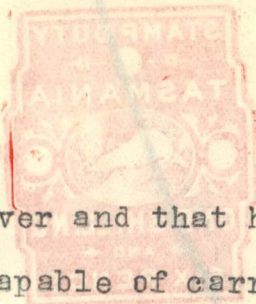
2. THAT I reside at Hobart aforesaid and am a Company -
Secretary as above set forth and am the Applicant named in the
annexed Application.

3. THAT the above-named Claud Harry Foster was at the time of
the institution of the above proceedings and still is indebted to
A.G.Webster & Sons Limited in the sum of Two hundred pounds ten
shillings and six pence for which amount the said Company is
unsecured.

4. THAT in my opinion it is essential for the protection of the
Creditors that they should have immediate possession of the assets
of the said Claud Harry Foster as the same are likely to be wasted
and lost to the Creditors.

5. THAT for that purpose it is expedient that a Receiver of the
property of the said Claud Harry Foster should be appointed and in
default of such Appointment I verily believe that the Creditors
run the risk of incurring loss.

6. THAT I believe OWEN RICHMOND TINNING of Hobart aforesaid
Official Assignee to be a person well fitted for the office of



Receiver and that he would be a reliable person for that purpose and capable of carrying out the duties devolving upon him as such.

SWORN at Hobart in Tasmania this
Eighth day of August
One thousand nine hundred and -
twenty three

Robert Crawford

Before me

[Signature]

A Justice of the Peace.

1. THAT I am the Secretary of A. G. Webster & Sons Limited.

2. THAT I reside at Hobart aforesaid and am a Company

Secretary as above set forth and am the Applicant named in the

U. O. I. Petition Application.

3. THAT the above-named Glend Harry Foster was at the time of

the institution of the above proceedings and still is indebted to

A. G. Webster & Sons Limited in the sum of Two hundred pounds ten

shillings and six pence for which amount the said Company is

unsecured.

4. THAT in my opinion it is essential for the protection of the

Creditors that they should have immediate possession of the assets

of the said Glend Harry Foster as the same are likely to be wasted

and lost to the Creditors.

5. THAT for that purpose it is expedient that a Receiver of the

property of the said Glend Harry Foster should be appointed and in

default of such Appointment I verily believe that the Creditors

run the risk of incurring loss.

6. THAT I believe OWEN RICHMOND TUNNING of Hobart aforesaid

Official Assignee to be a person well fitted for the office of

RECEIVER & MANAGER

IN THE SUPREME COURT
OF TASMANIA

IN BANKRUPTCY.



IN THE MATTER of proceedings for
liquidation by arrangement or composition
with Creditors instituted by CLAUD HARRY
FOSTER of Hobart in Tasmania Master -
Butcher.

I the under-signed ROBERT CRAWFORD of Hobart aforesaid Company
Secretary do on the grounds set forth in the annexed Affidavit
apply to the Court for the Appointment of a Receiver of the -
property of the said Claud Harry Foster and that such Receiver
be directed to take immediate possession thereof.

DATED this eighth day of August One thousand nine
hundred and twenty three.

Robert Crawford

1. *Supp. 1894*
That it is essential for the protection of the
Creditors they should have immediate possession of the assets
of the said Claud Harry Foster as the same are likely to be wasted
and lost to the Creditors.

2. THAT for that purpose it is expedient that a Receiver of the
property of the said Claud Harry Foster should be appointed and in
default of such Appointment I verily believe that the Creditors
run the risk of incurring loss.

3. THAT I believe ONE RICHMOND FINNING of Hobart aforesaid

Official Assignee to be a person well fitted for the office of

THOMAS & SONS

IN THE SUPREME COURT
OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of proceedings for
liquidation by arrangement or -
composition with Creditors instituted
by CLAUDE HARRY FOSTER of Hobart
in Tasmania Master Butcher.

C O N S E N T

IN THE SUPREME COURT
OF TASMANIA

IN BANKRUPTCY.

IN THE MATTER of proceedings for
liquidation by arrangement or -
composition with Creditors -
instituted by CLAUDE HARRY FOSTER
of Hobart in Tasmania Master -
Butcher.

I OWEN RICHMOND TINNING of Hobart in Tasmania Official -
Assignee do hereby consent to be appointed as the Receiver
of the property of the above-named Claude Harry Foster.

DATED this *eight* day of August One thousand nine
hundred and twenty three.

Owen R. Tinning

IN THE SUPREME COURT

OF TASMANIA

IN BANKRUPTCY.

IN THE MATTER of proceedings for
liquidation by arrangement or -
composition with Creditors instituted
by CLAUDE HARRY FOSTER of Hobart
in Tasmania Master Butcher.

O R D E R

appointing Receiver.

MURDOCH JONES & CUTHBERT

IN THE SUPREME COURT
OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of proceedings for
liquidation by arrangement or composition
with Creditors instituted by CLAUDE
HARRY FOSTER of Hobart in Tasmania
Master Butcher.

UPON READING the Application of ROBERT CRAWFORD of Hobart
aforesaid Secretary one of the Creditors of the above-named
Claude Harry Foster and the Affidavit therein referred to IT
IS ORDERED that Owen Richmond Tinning of Hobart aforesaid
Official Assignee be appointed to collect get in and receive
the property of the above-named Claude Harry Foster AND it
is ordered that the said Owen Richmond Tinning do take -
immediate possession of such property that he do pass his
accounts at such time as may be directed by the Registrar of
this Court.

DATED this *9th* day of August One thousand nine -
hundred and twenty three.

By the Court

L. Dammah
Acting Registrar.

In the Supreme Court of Tasmania.
IN BANKRUPTCY.

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

AFFIDAVIT IN PROOF OF DEBT DUE
admitted by subject. Section
OR *Yumier* by Creditors
Chairman + Trustees
30/8/23. *OR*

MURDOCH JONES & CUTHBERT
Stone Buildings Hobart

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by CLAUDE HARRY FOSTER
of Hobart in Tasmania Master Butcher

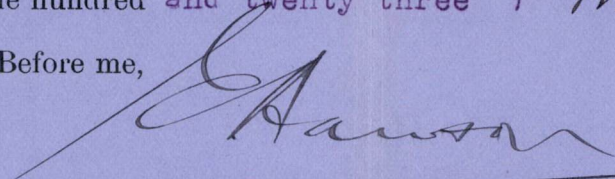
I MARY ELLEN FOSTER of Hobart in Tasmania Married Woman
of-

make oath and say as follows :

The said Claud Harry Foster was at the date of
the institution of the said Proceedings and still is justly and truly indebted
to me in the sum of One thousand and thirty seven pounds five shillings
and six pence
for rent of premises in Liverpool Street Hobart and 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.

Sworn at Hobart aforesaid this 30th
day August One thousand
nine hundred and twenty three

Before me,


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 Proceedings for Liquidation
by Arrangement or Composition with
Creditors Instituted by*

Affidavit in Proof of Debt.

By

For £ : :

*admitted.
O R Tinning
Manager
30/8/23.*

OWEN R. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

Bank 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*

Affidavit in Proof of Debt.

By

For £ : :

*admitted
Owen R. Tinning
Chairman
30/8/23.*

OWEN R. TINNING,

OFFICIAL ASSIGNEE,

Manager—Tasmanian Trade Protective Institute,

Halsbury Chambers,

158 COLLINS 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 Claude Foster

of Hobart in Tasmania

Butcher.

a. Name in full of person making declaration

I, Charles Edward Chesterman of

b. His occupation

Hobart in Tasmania, Timber Merchant

c. If you are in partnership, state who with, and how trading if manager, director, or secretary of a company, say so, and you are authorised to prove debt

make oath and say as follows:—

That I am a Director of the Firm of Chesterman & Co. Pty. Ltd.

d. Debtor's name in full

That the said Claude Foster was at the date of the institution of the said proceedings and still is justly and truly indebted to my Company

e. Amount in words

in the sum of Four Pounds (£4).

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

for goods 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 Company's 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. |
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h. Town

i. State

Sworn at Hobart in Tasmania

this Ninth day of August One

j. Creditor signs

Thousand Nine Hundred and Twenty-Three.

k. Magistrate signs

Before me,

k

Justice of the Peace.

l. Name of proxy

m. His residence

I appoint of

n. His occupation

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 **CLAUDE HARRY FOSTER** *of Hobart in Tasmania Master Butcher*

Affidavit in Proof of Debt

By **Trustees of the Estate of James Davison late of Hobart aforesaid retired Hairdresser.**

For £211 : 14 : 6

admitted to £150. by Debtor
Quend Tinning
Chairman
30/8/23.

OKINES & OGILVIE
Collins House, Collins 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 CLAUDE HARRY
FOSTER of Hobart in Tasmania Butcher

(a) Name of Declarant in full. I, (a) THOMAS ARTHUR OKINES
(b) His address of (b) Hobart in Tasmania, (c) Solicitor
(c) His occupation
make oath and say as follows:—
(e) Debtor's name in full That the said (e) Claude Harry Foster
was, at the date of the institution of the said proceedings, and still is, justly and truly
(f) Creditor's name in full indebted to (f) The Trustees of the Estate of the James Davison late of
Hobart aforesaid retired Hairdresser deceased
(g) Amount in words in the sum of (g) Two hundred and eleven pounds fourteen shillings and sixpence
(h) State consideration thus: For work done, or goods sold and delivered, or money lent, etc. for (h) money lent and interest thereon
(i) Creditor's name for which said sum, or any part thereof, I say that the said Trustees of the Estate of
the James Davison deceased have not nor has any person by their order or to my
knowledge or belief for their use had or received any manner of satisfaction or security
whatsoever, (k) save and except the following

| DATE. | DRAWN. | ACCEPTOR. | AMOUNT. | | | DATE WHEN DUE. |
|-------|--------|-----------|---------|----|----|----------------|
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(l) Creditor's name That I am a ~~person in the employ of~~ (l) Trustee of the Will of the said
James Davison and am duly authorised by my co-trustee Norman Ellis
to make this Affidavit; and that it is within my own
knowledge that the above 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.

(m) Town Sworn at (m) Hobart
(n) State in (n) Tasmania this Thirtieth
(o) Declarant signs day of August 1923
Before me, (p) William A Guesdon
(p) Magistrate signs A Justice of the Peace.
(q) Name of proxy I appoint (q)
(r) His occupation (r) of (s)
(s) His address
(t) Creditor signs my proxy in the above matter. (t)

IN THE SUPREME COURT
OF TASMANIA
IN BANKRUPTCY.

IN THE MATTER of Proceedings for
Liquidation by Arrangement or
Composition with Creditors
instituted by CLAUD HARRY FOSTER
of Hobart in Tasmania, Master
Butcher.

A F F I D A V I T.

In Proof of Debt due A. G. WEBSTER
& SONS LTD. £200. 10. 6.

Admitted
Quend & Quining
Chairman
30/8/23.

IN THE SUPREME COURT
OF TASMANIA
IN BANKRUPTCY.

In the matter of proceedings
for Liquidation by Arrangement or
Composition with Creditors
instituted by CLAUD HARRY FOSTER
of Hobart in Tasmania Master ~~Butcher~~.

I ROBERT CRAWFORD Secretary to A. G. Webster & Sons Ltd., a
Company carrying on business at Hobart and elsewhere in Tasmania
make oath and say as follows:-

1. THAT the said Claud Harry Foster was at the date of the
institution of the said proceedings and still is justly and truly
indebted to A. G. Webster & Sons Limited in the sum of Two Hundred
Pounds Ten Shillings and Sixpence for goods sold and delivered
for which said sum or any part thereof I say that A. G. Webster
and Sons Ltd. have not nor hath any person by the said Company's
order or to my knowledge or belief for the said Company's use had
or received any manner of satisfaction or security whatsoever.
2. THAT I am the Secretary of A. G. Webster & Sons Limited and
duly authorised by the said Company 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 *29th* day of *Aug* 1923.)

Before me

Robert Crawford
M. W.
Justice of Peace.

A. G. Webster & Sons Limited appoint _____ of
in Tasmania to be their proxy in the above matter.

In the Supreme Court of Tasmania.
IN BANKRUPTCY.

*IN THE MATTER of proceedings for
liquidation by arrangement or com-
position with Creditors instituted
by CLAUD HARRY FOSTER of
Hobart in Tasmania Master -
Butcher*

AFFIDAVIT IN PROOF OF DEBT DUE.

*admitted
Quint Vining
Chairman
30/8/23*

In the Supreme Court
of Tasmania.

In Bankruptcy.

In THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by CLAUD HARRY FOSTER
of Hobart in Tasmania Master Butcher

I CHARLES D'ARCY CUTHBERT of Hobart aforesaid Solicitor
-of-

make oath and say as follows:

I. THAT I am a Member of the Firm of "Murdoch Jones & Cuthbert"
2. The said Claud Harry Foster - - - was at the date of

the institution of the said Proceedings and still is justly and truly indebted
to me in the sum of to my said Firm in the sum of Twelve pounds fourteen
sillings and eight pence
for professional services rendered
for which said sum or any part thereof I say that ^{my Firm} I have not nor hath any
person by ^{our} ~~my~~ order or to ^{my} ~~my~~ knowledge or belief for ^{my} ~~my~~ use had or received
any manner of satisfaction or security whatsoever.

Sworn at Hobart in Tasmania this

day August One thousand
nine hundred and twenty three

Before me,

Charles D'Arcy Cuthbert
[Signature]

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 Claud Harry Foster of Hobart
in Tasmania Master Butcher

~~a Bankrupt~~

AFFIDAVIT FOR PROOF OF DEBT.

admitted to ^{20/6/23}
Quend Thurney
Chairman
30/8/23

In the Supreme Court
of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement
or composition of creditors instituted by Claud
& Harry Foster of Hobart in Tasmania Master Butler

I Fergus Henry Munn ^{a Bankrupt}
of Hobart in Tasmania Dealer
make oath and say as follows:-

1. That the said Claud Harry Foster was at the date of
the ^{institution of the said proceedings} ~~order of adjudication~~ and still is justly and truly indebted to me in the sum of
two hundred and thirty three pounds and five 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 my use had or received any manner
of satisfaction or security whatsoever save and except the following:—

| Date. | Drawn. | Acceptor. | Amount. | Date when due. |
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Sworn at Hobart in Tasmania this } J. H. Stump
twenty ninth day of August one
thousand nine hundred and twenty three.

Before me
J. H. Stump
A Justice of the Peace

I appoint George Percy Harvey
of Hobart Solicitor proxy in the above matter

J. H. Stump

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
Owen R. Tinning
Chairman
30/8/23*

OWEN R. TINNING,
OFFICIAL ASSIGNEE,
Manager—Tasmanian Trade Protective Institute,
Halstury Chambers,
158 COLLINS 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

Claude Henry Foster
Hobart in Tasmania
Butcher

a. Name in full of person making declaration

I, *Joshua J. Patmore*

of

b. His occupation

Hobart in *Tasmania*, *Butcher*

c. If you are in partnership, state who with, and how trading if manager, director, or secretary of a company, say so, and you are authorised to prove debt

make oath and say as follows:—

That I am

d. Debtor's name in full

That the said *Claude Henry Foster* was at the date of the

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

e. Amount in words

in the sum of *Seven & Seven pounds 17/4*

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 *own* use, had or received any manner or satisfaction or security whatsoever save and except the following :

| DATE. | DRAWN. | ACCEPTOR. | AMOUNT. | DUE DATE. |
|-------|--------|-----------|---------|-----------|
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g. If you hold bill, promissory note or cheque, fill in the particulars here

h. Town

i. State

Sworn at *Hobart* in *Tasmania*

this *27* day of *August* One

j. Creditor signs

Thousand Nine Hundred and *Twentythree*

j

J. J. Patmore

Before me,

k. Magistrate signs

k

J. A. Culbertson J.P.

Justice of the Peace.

l. Name of proxy

m. His residence

I appoint¹

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 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 £ : :

*examined
O R Tinning
Chairman
30/8/23.*

OWEN R. TINNING,
OFFICIAL ASSIGNEE,
Manager—Tasmanian Trade Protective Institute,
Halstury Chambers,
158 COLLINS 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

Claud Henry Foster
of Hobart in Tasmania
Butcher

a. Name in full of person making declaration

I, *William Bowtell* of

b. His occupation

Hobart in *Tasmania*, *Fishwager*

c. If you are in partnership, state who with, and how trading if manager, director, or secretary of a company, say so, and you are authorised to prove debt

make oath and say as follows:—

That I am

d. Debtor's name in full

That the said *Claud Henry Foster* was at the date of the

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

e. Amount in words

in the sum of *Fourteen pounds 2/6*

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

for *goods sold*

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 *own* 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. |
|-------|--------|-----------|---------|-----------|
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h. Town

i. State

Sworn at *Hobart* in *Tasmania*

this *23rd* day of *August* One

j. Creditor signs

Thousand Nine Hundred and Twentythree

W. Bowtell

Before me,

k. Magistrate's gns

k

Thos. Lyons

Justice of the Peace.

l. Name of proxy

m. His residence

I appoint *O. R. Trimming* of *Hobart*

n. His occupation

Assignee my Proxy in the above matter.

o. Signature of Creditor

W. Bowtell

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.

Gladys Foster of Hobart

Argyle Street, Hobart,

Sydney Ernest Abbott

Gladys Foster

£149-8-10 (one hundred forty nine pounds eight shillings and ten pence)

Goods supplied.

admitted
Owen R. Leving
Chairman
30/8/23

Hobart.

to

I appoint

my proxy in the above matter.

1037-5-6

Mary Ellen Foster

Claude Foster of Hobart

Sydney Ernest Abbott

Argyle Street, Hobart,

Claude Foster

£149-8-10 (one hundred & forty nine pounds eight shillings and ten pence)

Goods supplied.

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| | | | | | |
| | | Nil. | | | |

Hobart.

This note is for the sum of £149-8-10
L. Helling JP
Schoon

I appoint _____ of
my proxy in the above matter.