

No 32

No. 97.

1924

In the Supreme Court of Tasmania

In Bankruptcy.

In the matter of the Petition of Charles
James Gallagher of Neika, Huon Road
in Tasmania, Farmer.

Petitions under Sections 112, 113.

Filed 12th April 1924
at 11-30 am
R. O. P. P.

W. F. STEPHENS SMITH & IFE
146 Collins Street, Hobart.
Solicitors for the Petitioner.

This is the Petition referred to in the annexed Affidavit of Charles James Gallagher Sworn before me this 10th day of April One thousand nine hundred and twenty four.

In the Supreme Court
of Tasmania.

In Bankruptcy.

A Justice of the Peace.



The humble petition of CHARLES JAMES GALLAGHER -----

of Neika Huon Road in Tasmania Farmer -----

SHEWETH—

That your Petitioner alleges that he is unable to pay his debts, and is desirous of instituting proceedings for liquidation of his affairs by arrangement or composition with his creditors, and hereby submits to the jurisdiction of this Court in the matter of such proceedings.

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

And your Petitioner shall ever pray, etc.

C. J. Gallagher

Signed by the Petitioner CHARLES JAMES GALLAGHER -----

on the

day of

192 4

in the presence of

No. 98.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of CHARLES
JAMES GALLAGHER of Neika, Huon Road
Tasmania Farmer.

Affidavit in support of petition.

Filed 12/4/34
W. F. Stephens

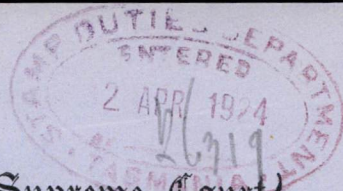
W. F. STEPHENS SMITH & IFE

146 Collins Street Hobart

Solicitors for the Petitioner.

In the Supreme Court
of Tasmania.

In Bankruptcy.



1/6



I, CHARLES JAMES GALLAGHER -----

of Neika, Huon Road in Tasmania, Farmer -----

make oath and say, as follows:—

I am the petitioner named in the petition hereunto annexed.

I verily believe that it will be most convenient to the Creditors whose debts exceed Ten Pounds that the General Meeting should be held at the Offices of Messrs W. F. Stephens Smith & Ife Solicitors 146 Collins Street Hobart.

Sworn at Hobart ----- in } *C. J. Gallagher*
Tasmania this ²10 day }
of *April* one thousand }
nine hundred and twenty four Before me, }

A Justice of the Peace

I certify my belief that it will be most convenient to the Creditors of the Petitioner that the General Meeting should be held at the offices of Messrs W. F. Stephens Smith & Ife, Solicitors 146 Collins Street, Hobart.

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 CHARLES JAMES
GALLAGHER, of NEIKA, HUON ROAD
in TASMANIA, Farmer.

AFFADAVIT IN PROOF OF DEBT

By RISBY BROS. LIMITED.

For £36-10-0.

29/10/24
[Signature]

IN THE SUPREME COURT OF TASMANIA

In Bankruptcy.

In the Matter of Proceedings for Liquidation
by Arrangement or Composition with Creditors
Instituted by CHARLES JAMES GALLAGHER,
of NEIKA, HUON ROAD in TASMANIA, Farmer.

I, CECIL CLYDE ROWE, of HOBART in TASMANIA, Clerk,
make Oath and say as follows:-

That I am the Public Officer for RISBY BROS. LIMITED.,
and authorized under Seal to make this Declaration.

That the said CHARLES JAMES GALLAGHER was at the date
of the Institution of the said proceedings and still is
justly and truly indebted to RISBY BROS. LIMITED in
the sum of Thirty-six Pounds Ten Shillings (£36-10-0)
for goods sold and delivered, for which said sum or
any part thereof, I say 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 of satisfaction or
security whatsoever.

Sworn at Hobart in Tasmania)
this 28 day of)
April, One Thousand Nine)
Hundred and Twenty Four.)

Before me,

Justice of the Peace.

I APPOINT

H. Henderson
Accountant

my Proxy in the above matter.

C. C. Rowe

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of

AFFIDAVIT IN PROOF OF DEBT.

22 of 24
29
H.B.

In the Supreme Court }
of Tasmania.

In Bankruptcy.

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

by *Chas Jas Gallagher*
of *Neirba*

I, *J. J. Tanner*
of *Kingston*
make oath and say as follows:

The said *Chas Jas Gallagher* was at the date of
the institution of the said proceedings and still is justly and truly indebted
to me in the sum of *Twenty two pounds* ~~two shillings~~ *in ten pence*
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 of satisfaction or security whatsoever save and except the
following:—

Date.	Drawn.	Acceptor.	Amount.			Due Date.

Sworn at *Kingston*

This 28th day of
April 1924

Before me. *R. Reid JP*

J. J. Tanner

I appoint

Edgar
of *Hobart*

my proxy in the above matter

J. J. Tanner

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of Charles James
Gallagher

AFFIDAVIT IN PROOF OF DEBT.

*Reed 30th Apr
H. B. Chapman*

In the Supreme Court }
of Tasmania.

In Bankruptcy.

IN THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by Charles James Gallagher -----
of Neika Huon Road in Tasmania Farmer

I Ernest Hazell of Kingston in Tasmania Meat Salesman

dox

make oath and say as follows:

The said Charles James Gallagher ----- was at the date of
the institution of the said proceedings and still is justly and truly indebted to me in
the sum of Nineteen pounds nine shillings and three pence

for for goods sold and delivered and for money paid to the said
Charles James Gallagher for my use -----
for which said sum, or any part thereof, I say that I have not, nor hath any person by
my order or to my knowledge or belief, for my use, had or received any manner of
satisfaction or security whatsoever, save and except the following:-----

Date.	Drawn.	Acceptor.	Amount.	Due date.

Sworn at Kingston in Tasmania)

this 19th day of

April 1924.

E. Hazell

H. B. Sahor J.P.

I appoint Arthur Lerchia Butler

of Hobart Solicitor

my proxy in the above matter.

E. Hazell

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of

*Charles James Gallagher of Neika,
in Tasmania, Farmer.*

AFFIDAVIT IN PROOF OF DEBT.

Clements & Marshall Propty Limited.

Hobart, Merchants.

[Handwritten signatures and initials, including "R. J. G.", "H. M.", and "A. B."]

In the Supreme Court
of Tasmania.

In Bankruptcy.

IN THE MATTER of Proceedings for liquidation by
arrangement or composition with Creditors instituted
by Charles James Gallagher
of Meika, Huon Road in Tasmania, Farmer.

I, Clyde Edwin Clements, Manager of the firm of Clements, Marshall & Co
of Hobart in Tasmania, Produce Merchants.

make oath and say as follows:

The said Charles James Gallagher was at the date of

the institution of the said proceedings and still is justly and truly indebted to me in
the sum of Twenty-two Pounds, thirteen shillings and six pence.

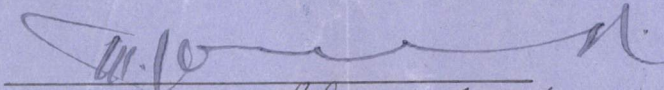
for Goods sold and delivered.

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:—

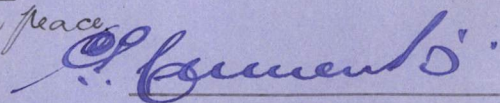
Date.	Drawn.	Acceptor.	Amount.	Due date.

Sworn at Hobart in Tasmania, this Twenty-ninth day of April
One thousand, nine hundred and twenty-four.

Before me



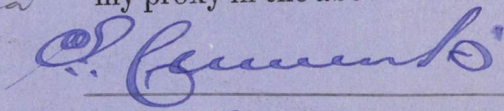
Justice of the Peace



I appoint Trevor Arthur Stokes

of Hobart, in Tasmania

my proxy in the above matter.





IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

James Gallagher of Neika Tasmania

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

James with the special provisions of the said Act, do hereby resolve as follows:-

that the said James shall be accepted in satisfaction of

as from the said James Gallagher

of payment of one payment within seven days from the second meeting

of the said James Gallagher

with the special provisions of the said Act, do hereby resolve as follows:-

22
m

Registered 1/5/34
R.D. p. Rf

2/6
IN THE SUPREME COURT OF TASMANIA

IN BANKRUPTCY

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by Charles James Gallagher of Neika Huon Road in Tasmania Farmer

WE, the undersigned, being the statutory majority of creditors, assembled at the first meeting in the above matter duly held at the offices of Messrs W. F. Stephens Smith & Ife Solicitors 146 Collins Street Hobart this - - - twenty ninth day of April 1924 in accordance with the provisions of the said Act, do hereby resolve as follows:-

- (1). That a composition of Three shillings and seven pence in the £ shall be accepted in satisfaction of the debts due to the Creditors from the said Charles James Gallagher
- (2). That such composition shall be payable in one payment and within seven days from the second meeting
- (3). That the security of James Gallagher of Neika Huon Road aforesaid Farmer be accepted for the said composition
- (4). That the said Messrs W. F. Stephens Smith & Ife be entrusted with the registration of this special resolution.

H. L. D. Miller
Chairman.

P.P. CLEMENTS & MARSHALL Pty. Ltd.

Tasmania

Risby Bros. Ltd. by their proxy H. D. Denden

J. T. Tanner by his proxy H. D. Denden

In the Supreme Court of Tasmania.

In Bankruptcy.

*In the matter of Proceedings
for liquidation by arrangement
or composition with
creditors instituted by
Charles James Gallagher.*

Statement of Debtor's Affairs.

In the Supreme Court of Tasmania,

In Bankruptcy.

STATEMENT of the affairs of the above

In the matter of

Proceedings for liquidation by arrangement or composition with creditors instituted by Charles James Gallagher of Deirha House Road in Tasmania Farmer.

on the twenty ninth day of April 1924

	£	s.	d.		£	s.	d.
Unsecured Creditors as per list (A)	110	5	2	Stock-in-trade at			
				Estimated at	Nil		
Creditors fully secured as per list (B)							
Less estimated value of securities				Book debts about £			
Surplus to contra	Nil			, estimated to produce	Nil		
Creditors partly secured as per list (C)				Cash in hand	20	-	-
Estimated value of securities	Nil						
				Bills of Exchange or other similar securities, estimated to produce...	Nil		
Other liabilities, as per list (D)	Nil						
				Furniture, fixtures, and fittings at			
Creditors for rent and wages, as per list (E)	Nil			estimated to produce	Nil		
Liabilities on bills discounted, as per list (F) £	Nil			Property, as per list (G)	Nil		
Of which it is expected will rank against the Estate for Dividend...				Surplus from securities in the hands of Creditors fully secured,	Nil		
				see contra			
Total debts	£ 110	5	2	Total assets	£ 20	-	-

A

LIST OF CREDITORS.

Name.	Address.	Amount of Debt.		
		£	s.	d.
J. J. Tanner	Excelsior Store, Kingston	23	-	10
J. J. Lane & Co Limited	Elizabeth Street Hobart	8	4	11
R. R. Hazell	Kingston	19	9	3
L. Hazell & Co	Kingston		6	9
W. Clements & Marshall Pty Ltd	Argyle Street, Hobart.	22	13	6
Risby Bros Ltd	Elizabeth Street, Hobart	36	10	0
		£ 11 0	5	3

LIST OF CREDITORS FULLY SECURED.

18/3240 Mercury.

CREDITORS PARTLY SECURED.

[illegible]

D.

LIABILITIES.

	Amount of Creditors' Claim.		
	£	s.	d.
J. J. Tanner	23	-	10
J. J. Lane & Co Limited	8	4	11
R. R. Hazell	19	9	3
L. Hazell & Co		6	9
Edmund Marshall & Co Ltd	22	13	6
Risby Bros Ltd	36	10	0
Total Amount of Liabilities	£ 110	5	3

CREDITORS FOR RENT AND WAGES.

[illegible]

LIABILITY ON BILLS DISCOUNTED BY BANKRUPT.

Nil

G.

PROPERTY.

Full Statement of Nature of Property.

Estimated to
Produce.

£ s. d.

cash in hand

20

-

-

Total £

In the Supreme Court of Tasmania.

In Bankruptcy.

*In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by Charles James Gallagher.*

Request with List of Creditors.

*Notices sealed & posted to
the Creditors within names
12/4/21. R.S.D. J.H.S.*

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by Charles James Gallagher

To the Registrar.

I REQUEST that the notices of the General Meeting on the twenty ninth day of April 1924-----, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this twelfth -----day of April -----1924. ----- Charles James Gallagher
By his Attorneys

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
	J. T. Tanner	Excelsior Store, Kingston	23	-	10
	T. J. Cane & Co. Limited	74 Elizabeth Street Hobart	8	4	11
	E. E. Hazell	Kingston	19	9	3
	C. Hazell & Co.	Kingston		6	9
	Clements & Marshall Pty Ltd.	38 Argyle Street, Hobart	22	13	6
	Risby Bros. Ltd.	16 Elizabeth Street, Hobart.	36	10	0



IN THE SUPREME COURT OF TASMANIA

In Bankruptcy

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IN THE MATTER of proceedings for
liquidation by Arrangement or -
Composition with Creditors instituted
by Charles James Gallagher

A F F I D A V I T

Filed 2/5/24
W. F. Stephens



IN THE SUPREME COURT OF TASMANIA

In Bankruptcy



IN THE MATTER of proceedings for liquidation by arrangement
or Composition with Creditors instituted by Charles James
Gallagher of Neika Huon Road in Tasmania Farmer

I TERENCE KENRIC CRISP of Hobart in Tasmania Attorney for
the above-named Charles James Gallagher make oath and say
as follows-;

1. THAT I verily believe that the resolutions statements,
of affairs, proofs and proxies filed in this matter are the
whole of the resolutions, statements, proofs and proxies
come to and produced at the general meeting held in this
matter on the Twenty ninth day of April last
2. THAT I verily believe that the gross amount of - -
composition payable to the creditors of the said Charles
James Gallagher does not exceed Twenty pounds

SWORN at Hobart aforesaid this
Second day of May One thousand
nine hundred and twenty four

Before me

S. Dobson - HES/p

A Justice of the Peace.

Terence K. Crisp

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of proceedings for liquidation
by arrangement or composition with creditors
instituted by *Charles James
Gallagher*

Request with List of Creditors.

*Notices sealed & posted
to the creditors within named
AS
5/10/24.*

W. F. Stephens Smith Esq

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by *Charles James Gallagher*

To the Registrar.

I REQUEST that the notices of the ^{2nd} General Meeting on the *Twelfth* day of *May 1924*, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this *5th* day of *May 1924*

Charles James Gallagher
By his Attorneys
W. F. Stephens Smith & Co
Per J. K. B.

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
	<i>J. J. Tanner</i>	<i>Excelsior Store, Knapston</i>	<i>23</i>	<i>—</i>	<i>10</i>
	<i>W. J. Lane & Co Limited</i>	<i>74 Elizabeth Street, Hobart</i>	<i>8</i>	<i>4</i>	<i>11</i>
	<i>E. E. Hazell</i>	<i>Knapston</i>	<i>19</i>	<i>9</i>	<i>3</i>
	<i>E. Hazell & Co</i>	<i>Knapston</i>		<i>6</i>	<i>9</i>
	<i>Clements & Marshall Pty Ltd</i>	<i>38 Anson Street, Hobart</i>	<i>22</i>	<i>13</i>	<i>6</i>
	<i>Risby Bros Ltd</i>	<i>16 Elizabeth Street, Hobart</i>	<i>36</i>	<i>10</i>	<i>0</i>



IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY

IN THE MATTER of proceedings for
liquidation by arrangement or composition
with creditors instituted by CHARLES
JAMES GALLAGHER

RESOLUTION

at Second General Meeting.

Registered 14th May 1924
[Signature]



IN THE MATTER of proceedings for or towards the liquidation by arrangement or composition
with creditors instituted by Charles James Gallagher of Neika Huon Road in Tasmania
Farmer

WE, the undersigned, being the statutory majority of creditors assembled at the
second meeting in the above matter duly held at the offices of Messrs W. F. Stephens Smith
& Ife Solicitors 146 Collins Street Hobart this Twelfth day of May One thousand nine -
hundred and twenty four in accordance with the provisions of the said Act do hereby
confirm the resolution passed by the statutory majority of creditors of the said Charles
James Gallagher assembled at the first meeting

Chairman.

H. D. Baker

Risby Bros. Ltd. by their proxy B. D. Borden
Clements & Marshall by their proxy J. A. D. C.
J. T. Tanner by his proxy H. D. Baker
Hogell & Co. by their proxy H. D. Baker

IN THE SUPREME COURT OF
TASMANIA
IN BANKRUPTCY

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IN THE MATTER of proceedings
for Liquidation by arrangement
or composition with Creditors
instituted by Charles James
Gallagher

A F F I D A V I T

Filed 14th May 1934
W. F. Stephens

IN THE SUPREME COURT OF TASMANIA
IN BANKRUPTCY



IN THE MATTER of proceedings for Liquidation
by arrangement or composition with Creditors
instituted by Charles James Gallagher of
Neika Huon Road in Tasmania Farmer

I TERENCE KENRIC CRISP of Hobart in Tasmania Attorney for the
above-named Charles James Gallagher make oath and say as
follows-;

1. THAT I verily believe that the resolutions statement of
affairs, proof and proxies filed in this matter are the whole
of the resolutions, statement proofs and proxies come to and
produced at the general meetings held in this matter on the
Twenty ninth day of April last and the Twelfth day of May -
instant
2. THAT I verily believe that the gross amount of composition
payable to the creditors of the said Charles James Gallagher
does not exceed Twenty pounds.

SWORN at Hobart aforesaid this
Fourteenth day of May One
thousand nine hundred and twenty
four.

Terence K. Crisp.

Before me

J. P. Laughlin
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 Charles James
Gallagher.

List of Creditors assembled to
be used at every Meeting.

In the Supreme Court of Tasmania.

In Bankruptcy.

in the matter of proceedings for liquidation by arrangement or composition with Creditors
instituted by Charles James Gallagher of Neika Huon Road in Tasmania Farmer

MEETING held at 146 Collins Street----- this Twelfth ----- day of May ----- 1924

No. of Assents of Creditors.	Number.	Names of Creditors present or assembled.	Amount of Assent.			Amount of Proof.		
1	1	J. T. Tanner	4	3	8	23	0	10
1	2	T. J. Cane & Company Limited	1	10	2	8	4	11
1	3	E. E. Hazell	3	10	10	19	9	3
1	4	Clements & Marshall Pty Ltd.	4	2	5	22	13	6
1	5	Risby Bros Ltd	6	12	11	36	10	0
	5	Total Number of Creditors present or assembled.						
5	Total Number of Assents.							
		Totals.....£	20	0	0	109	18	6

IN THE SUPREME COURT OF TASMANIA.

In Bankruptcy.

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

I, William Alfred Gane of Hobart, in Tasmania,

do hereby

make oath and say as follows:--

That I am Managing Director of T. J. CANE & CO. LTD.

AFFIDAVIT IN PROOF OF DEBT

and at the date of the institution of the said pro-

ceedings I was indebted to T. J. CANE & CO. LTD.

in the sum of

For £

and I declare that the said sum is a debt due to the said

company and is not a debt due from the said company.

I declare that I am not a partner in the said company

and that I have not received any money or

benefit from the said company since its formation.

Sworn at Hobart in Tasmania

this day of

One Thousand Nine Hundred and

Twenty

Before me

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 *Charles James Gallagher of Neika*

I, William Alfred Cane of Hobart, in Tasmania,
Ironmanger
make oath and say as follows:---

That I am Managing Director of T. J. CANE & CO. LTD.

That the said

Charles James Gallagher

was at the date of the institution of the said proceedings and is still justly and truly indebted to

76 my Company, in the sum of *Six Eight pounds four shillings and eleven 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 Company's use, had or received any manner or satisfaction or security whatsoever.

Sworn at Hobart in Tasmania

this *6th* day of *May*
One Thousand Nine Hundred and
Twenty *four*

Before me

W. A. Cane
Theophilus of me
Justice of the Peace

I appoint

of

my proxy in the matter.