

IN THE SUPREME COURT
OF TASMANIA
In Bankruptcy

1030
1925

IN THE MATTER of proceedings for
liquidation by arrangement or
composition with creditors
instituted by JOHN BURLES

AFFIDAVIT
in support of Petition under
Sections 112 and 113

Filed 28/5/25
Rhb
pals

FINLAY WATCHORN & CLARK

116

IN THE SUPREME COURT
OF TASMANIA
In Bankruptcy



I JOHN BURLLES of No 23 Quayle Street Hobart in the State of Tasmania Sawmiller make oath and say as follows:-

I am the Petitioner named in the Petition hereunto annexed.
I verily believe that it will be most convenient to the creditors whose debts exceed Ten pounds that the general meeting should be held at the offices of Messieurs Finlay Watchorn & Clark of No 32 Murray Street Hobart aforesaid Solicitors.

SWORN at Hobart in Tasmania this)
Twenty eighth day of May One)
thousand nine hundred and twenty)
five)

J Burlles

Before me

William A. Guesdon

A Justice of the Peace.

WE CERTIFY our belief that it will be most convenient to the creditors of the petitioner that the general meeting should be held at the offices of Messieurs Finlay Watchorn & Clark of No 32 Murray Street Hobart aforesaid.

Finlay Watchorn & Clark

Attorneys in the matter of the Petition.

No. 97.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of JOHN BURLS

Petitions under Sections 112, 113.

*Filed 28th May 1925
at 3.53 pm
R. B. P. Res*

FINLAY WATCHORN & CLARK

In the Supreme Court
of Tasmania.



This is the Petition referred to
in the annexed Affidavit of John
Burles Sworn before me this twenty
eighth day of May 1925

William A. Guesdon

A Justice of the Peace.

In Bankruptcy.



The humble petition of **JOHN BURLES** of Hobart in the State

of

of **Tasmania** formerly **Nugent** in the said State of Tasmania Sawmiller

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 his debts at**

Three hundred and eighteen pounds five shillings

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.

J Burles

Signed by the Petitioner **the said John Burles**

on the **twenty eighth** day of **May** **1925** **1925**

in the presence of

William A. Guesdon
Attorney, No 32 Murray
Street Hobart Tasmania

In the Supreme Court of Tasmania.

In Bankruptcy.

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

Request with List of Creditors.

*Notice sealed & posted to the Creditors
within named 1st June 1925*
AB
ghe

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by John Burles of Hobart
in the State of Tasmania formerly of Nugent in the said State of Tasmania Sawmiller

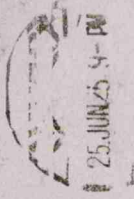
To the Registrar.

I REQUEST that the notices of the General Meeting on the **eighteenth** day of **June 1925**, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this *thirtieth* day of **May** One thousand nine hundred and twenty five

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
1	Butterworth ✓	Storekeeper Nugent	47	0	0
2	Adcock ✓	Butcher Bellerive	20	0	0
3	Brown B ✓	Butcher Nugent	10	0	0
4	Estcourt Robert ✓	Yardsman Nugent C/o Messrs Okines & Ogilvie	28	1	6
5	J.Bidencope & Son Pty Ltd ✓	Murray Street Hobart	12	8	0
6	Cooper L. ✓	Horse driver, Nugent C/o Messrs.Okines & Ogilvie	13	15	0
7	Bezzant R.W. ✓	Bushman Nugent C/o Messrs Okines & Ogilvie	20	0	0
8	Broadly S. ✓	Nugent	21	3	9
9	Dare J. ✓	Nugent	18	13	0
10	Smith C Senr ✓	South Street, Battery Point	21	9	4
11	Smith C Jnr ✓	South Street, Battery Point	18	11	3
12	Lynch D ✓	129 Goulburne Street, Hobart	10	6	3
13	Edgecock T. ✓	26 Buttnett Place, West Hobart	21	0	0
14	Burles J. ✓	23 Quayle Street, Hobart	11	3	1½
15	Burles R. ✓	129 Goulburn Street, Hobart	21	0	10
16	Burles I. ✓	23 Quayle Street, Hobart	14	7	9
17	Hathaway B. ✓	Nugent	17	14	5

POST EARLY



3 PM

Messrs. J. Bidencope & Son Pty Ltd,

Murray 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 JOHN BURLLES of Hobart in
the State of Tasmania formerly of Nugent in the said State
of Tasmania Sawmiller

A GENERAL MEETING of the Creditors of the above-named person is hereby summoned
to be held at the offices of Messieurs Finlay Watchorn & Clark of No. 32
Murray Street Hobart
on Friday the Tenth day of July
at three o'clock in the afternoon precisely.

The Sections of the *Bankruptcy Act*, 1870, under which the Proceedings are instituted
provide as follows:—

"112. (1.) A Debtor unable to pay his Debts may summon a General Meeting of his Creditors, and such meeting may, by a special Resolution as defined by this Act, declare that the affairs of the Debtor are to be liquidated by arrangement and not in Bankruptcy, and may at that or some subsequent Meeting, held at an interval of not more than a week, appoint a Trustee, with or without a Committee of Inspection."

"(5.) All such property of the Debtor as would, if he were made Bankrupt, be divisible amongst his Creditors shall, from and after the date of the appointment of a Trustee, vest in such Trustee under a liquidation by arrangement, and be divisible among the creditors, and all such Settlements, Conveyances, Transfers, Charges, Payments, Obligations, and proceedings as would be void against the Trustee in the case of a Bankruptcy shall be void against the Trustee in the case of liquidation by arrangement."

"113. The Creditors of a Debtor unable to pay his Debts may, without any proceedings in Bankruptcy, by an Extraordinary Resolution, resolve that a Composition shall be accepted in satisfaction of the Debts due to them from the Debtor."

"An Extraordinary Resolution of Creditors shall be a resolution which has been passed by a majority in number and three-fourths in value of the Creditors of the Debtor assembled at a General Meeting to be held in the manner prescribed, of which notice has been given in the prescribed manner, and has been confirmed by a majority in number and value of the Creditors assembled at a subsequent General Meeting, of which notice has been given in the prescribed manner, and held at an interval of not less than seven days, nor more than fourteen days, from the date of the meeting at which such resolution was first passed."

A Form of Proof and Proxy will be found on the Third side of this notice.

Dated the 25th day of June 1925

Finlay Watchorn Clark

Attorney for the said Debtor

In the Supreme Court }
of Tasmania.

In Bankruptcy.

IN THE MATTER OF PROCEEDINGS for Liquidation by Arrangement
or Composition with Creditors instituted by

of

I, A.B., of

make oath and say as follows—

The said C.D.

was at the date

of the institution of the same proceedings and still is justly and truly indebted to me in the
sum of

for (*state consideration*)

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:—

[Here set out security, or, if bills be held, specify them in the Schedule.]

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

Sworn at

I appoint

of, etc.,

my proxy in the above matter.

No. 100

A.B. (or G.H. of

in partnership name).

In the Supreme Court of Tasmania

In Bankruptcy

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

John Miles

Affidavit in Proof of Debt

By J. BIDENCOPE & SON PROPRIETARY LIMITED

For £ 12 : 17 : 10

In Bankruptcy

John Murles of Bohart

(b) His address
(c) His occupation

I, ^(a) Rechab Barry Anderson

of (b) Robert in Tasmania, (c)

make oath and say as follows :—

(e) Debtor's
name in full

That the said (e) John Murles

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) J. BIDENCOPE & SON PROPRIETARY LIMITED

(g) Amount in words

in the sum of ^(g) Twelve pounds, seventeen shillings

(h) State consideration thus: For

for ^(h) Goods sold & delivered and costs of services

for which said sum, or any part thereof, I say that the said ⁽ⁱ⁾

(i) Creditor's name

BIDENCORE & SON PROPRIETARY LIMITED has not nor has any person by their order or to my

knowledge or belief for ~~them~~ use had or received any manner of satisfaction or security

whatsoever, (k) save and except the following :—

DATE.	DRAWN.	ACCEPTOR.	AMOUNT.			DATE WHEN DUE.
			£	s.	d.	

(1) Creditor's
name

That I am a person in the employ of ⁽¹⁾ LEIDENCOPE & SON PROPRIETARY LIMITED

and am duly authorised by them

..... 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) Hoboken

(n) State
(o) Declarant
signs

in ⁽ⁿ⁾Tasmania this

day of *July* 1925

Before me,

(p) Magistrate signs

(p)

A Justice of the Peace

(q) Name of proxy

I appoint ^(q).....

(r) His occupa- (r)
tion

of (

(t) Creditor signs

my proxy in the above matter.

No. 39
1925.

IN THE SUPREME COURT OF

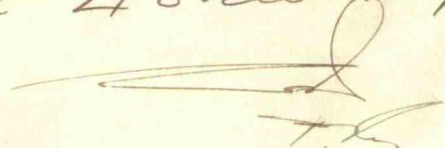
TASMANIA

In Equity

IN THE MATTER of proceedings for
liquidation by arrangement or com-
position with creditors instituted
by John Burles

AFFIDAVIT

in support of Petition under Section
112 and 113

Filed 23rd June 1925
at 4 o'clock pm.


1/6

IN THE SUPREME COURT
OF TASMANIA
In Bankruptcy



I JOHN BURLES of No.23 Quayle Street Hobart in the State of Tasmania Sawmiller make oath and say as follows:-

I am the petitioner named in the petition hereunto annexed.

I verily believe that it will be most convenient to the creditors whose debts exceed Ten pounds that the general meeting should be held at the offices of Messieurs Finlay Watchorn & Clark of No.32 Murray Street Hobart in the State of Tasmania Solicitors.

SWORN at Hobart in the State of)
Tasmania this 22nd }
day of June One thousand nine }
hundred and twenty five }

J Burles

before me

[Signature]
J.C.

We certify our belief that it will be most convenient to the creditors of the petitioner that the general meeting should be held at the offices of Messieurs Finlay Watchorn & Clark of No.32 Murray Street Hobart aforesaid.

Finlay Watchorn & Clark

Attorneys in the matter of the Petition

No. 97.

In the Supreme Court of Tasmania.

In Bankruptcy.

In the matter of the Petition of
John Burles

Petitions under Sections 112, 113.

In the Supreme Court }
of Tasmania.

In Bankruptcy.

2/6 This is the Petition referred to
in the annexed Affidavit
of John Burles sworn before
me this 22nd day of June 1925



Justice of the Peace



The humble petition of JOHN BURLES of Hobart in the State of Tasmania
formerly of Nugent in the said State of Tasmania Sawmiller

of

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 his debts at Three
hundred and thirty seven pounds nine shillings and eight pence.

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

And your Petitioner shall ever pray, etc.

J Burles

Signed by the Petitioner the said John Burles

on the twenty second day of June 1925

in the presence of

Ernest T. Waltham
Solicitor
Hobart
Attorney in the matter of this Petition

In the Supreme Court of Tasmania.

In Bankruptcy.

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

*Collected for
2/6*

Request with List of Creditors.

*Notices sealed & posted
to the creditors within
named 25/6/25*

[Signature]
P. L.

In the Supreme Court of Tasmania.

In Bankruptcy.

IN THE MATTER of proceedings for liquidation by arrangement or composition with creditors instituted by JOHN BURLES of Hobart
in the State of Tasmania formerly of Nugent in the said State of Tasmania Sawmiller

To the Registrar.

I REQUEST that the notices of the General Meeting on the Tenth day of July 1925, herewith delivered to you, duly addressed and stamped for post, may be sent to the under-scheduled creditors.

Dated this Twenty fifth day of June One thousand nine hundred and twenty five

No.	Names of Creditors or Firms of Creditors.	Addresses.	Estimated Amount of Debt.		
1	Butterworth	Storekeeper Nugent	47	0	0
2.	Adcock	Butcher, Bellerive	20	0	0
3.	Brown B.	Butcher, Nugent	10	0	0
4.	Estcourt Robert	Yardsman, Nugent; C/o Messrs Okines & Ogilvie	28	1	60
5	J. Bidencope & Son Pty Ltd	Murray Street, Hobart	12	8	0
6	Cooper L.	Horse Driver, Nugent C/o Messrs Okines & Ogilvie	13	15	0
7.	Bezzant R.W.	Bushman, Nugent, C/o Messrs. Okines & Ogilvie	20	0	0
8	Broadby S.	Nugent	21	3	9
9	Dare J.	Nugent	18	13	0
10	Smith C. Senr	South Street Battery Point	21	9	4
11	Smith C. Junr	" " " "	18	11	3
12	Lynch D.	129 Goulburn Street, Hobart	10	6	0
13	Edgecock T.	26 Burnett Place, West Hobart	21	0	0
14	Burles J.	23 Quayle Street, Hobart	11	3	1 1/2
15	Burles R.	129 Goulburn Street "	21	0	10
16	Burles I.	23 Quayle Street "	14	7	9
17	Hathaway B.	Nugent	17	14	5
18	F. Clarkson Junr	129 Goulburn Street Hobart	6	17	2
19	T. Lynch	78 Mollie Street Hobart	19	2	2
20	A.H. Douglas	Nugent	36	18	0