

BETWEEN HESSE, HASTICH, CURTIS, SIMMONS
& ASSOCIATES a partnership
carrying on business in Auckland
and elsewhere as Surveyors

Plaintiff

A N D GEORGE HAMILTON GILLANDERS of
Kawa Kawa Bay, Farmer,

Defendant

I, DANNY JOHN CURTIS of Auckland, town planner, make oath
and say as follows:-

1. THAT I am a partner of the Plaintiff firm.

2. THAT I am not aware of the circumstances which caused
the non-appearance of the defendant at the Magistrates Court
at Auckland when the matter was set down for hearing on the
2nd day of July 1968. I attended at Court with my Solicitor
and was ready to proceed with the proof of the claim but when
the defendant did not appear I did not have to give evidence
and Judgment was entered by default.

3. THAT the only communication which has been received
from the defendant is the application to set aside judgment
and a letter from his Solicitor ^{LOCKHART LITTLE & CO} enquiring as to the firm's
attitude to it. No details of the defence to the claim
have been given.

4. THAT the claim is for preparing a scheme plan a land
transfer plan and a motel development plan and the defendant
has paid \$100 in part payment of an interim account for the
scheme plan on the 12th December 1967. On the 28th December
he signed an authority for the firm to proceed with a land
transfer survey and acknowledged he was aware that survey fees
could be in the vicinity of \$700. I have no idea of any
possible defence he could have to the claim.

5. THAT my firm has issued and served a bankruptcy notice

Morgan SA
31/10/68
Judgment
Set aside

STATE TO THE CLAIM

5. THAT my firm has issued and served a bankruptcy notice on the defendant in connection with the debt and it was following service of this that the motion to set aside judgment was filed. A bankruptcy summons has also now been issued and

(10)

is down for hearing at the Supreme Court at Auckland on the 29th November 1968 but is not yet served.

That I have made enquiries of the Bailiff at the Magistrates Court Papakura who has informed me that he has other summonses to serve on the defendant. I caused the Chattels Register at Auckland to be searched and there are four chattels securities registered against the defendants property. A farm property owned by him at Kawa Kawa Bay has recently been advertised for sale by his mortgagee and I believe the defendant may have made efforts himself to sell it. Because of the facts I believe further delays would prejudice the firms chances of recovering the money due to it.

SWORN at Auckland this }
day of }
1968 before me:- }

A Solicitor of the Supreme Court of New Zealand

THE FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

Plaint No.
2019/68

DEFENDANT
BESSIE, INSTANT, CARRIE,
MIRIAM & ASSOCIATES a
partnership carrying on
business in Auckland and
elsewhere as Surveyors

PLAINTIFF

A. A. D.
MORRIS LINDLEY
GILBERTS of London
Esq., Barrister,
Deponent

AFFIDAVIT OF MARY JOHN CURTIS

BERNARD & JONES
SOLICITORS,
AUCKLAND.