

22/1/63 to
5/10/65

D

(Formerly)

0588/VI

AGR/AJG/2 # 8

0588 / VI

FALKLAND ISLANDS FREEZER.

commencing with folio 865

CONNECTED FILES.

NUMBER

867

FREEZER CO.

Y.E.

I have enclosed audited accounts for the period 1.12.61. to 31.12.62. As you may see cash on deposit account is £8,786. These accounts will be sent to the various parties concerned.

I regret to report that the negotiations which appeared so promising at the beginning of last year regarding a sale have halted and I fear will not be started again, at least not with the same client. Perhaps you would again give consideration for the winding up of the Company. You may wish to discuss.

Quintin
Receiver.
22. 1. 63.

868

SYDNEY HOUSE.
STANLEY.
FALKLAND ISLANDS.

30th March, 1961.

My dear Ted,

Receiver, F.I. Freezer Company.

Having visited Ajax Bay and perused the existing accounts and some of the correspondence of the Falkland Islands Freezer Company, I very much regret that I must refuse nomination to the Supreme Court to succeed you as Receiver unless a statement of affairs of the company is forthcoming as required under the Companies Act, 1948.

Yours sincerely

John Brand

E.C. Gutteridge, Esq.,
Receiver,
F.I. Freezer Co.,
STANLEY.

5th February, 1962.

Your Excellency,

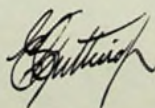
I spoke to you on Monday the 29th of January in regard to winding up the Freezer Company. Little is now left at the site which can be sold locally. There are however such items as living quarters, boilers, steelwork and machinery for which use might possibly be found in Government. Under present circumstances any item required must be bought, requiring the purchasing Department to apply for special funds, these funds eventually finding their way back to the Government in payment of interest on the Debenture.

The time I believe has been reached when the likelihood of a major sale is extremely remote and I believe the best course would be for the Government as Debenture holder to petition for a winding up order.

The value of the assets in my estimation would fall below the outstanding debt owed to the Government and to the best of my knowledge there being no creditors who take preference the assets such as they are would become the property of the Government.

In the event of the Company being wound up a separate lease would need to be negotiated with the Landlord. This would be a separate issue that is the Government would need to apply as Government and not as Debenture holder. It might perhaps be wise even to purchase?.

I have discussed with the Auditor the procedure for implementing the winding up of the Company and have compiled the attached notes for your information.



Procedure to be adopted for the winding up
of the Falkland Islands Freezer Co.

1. To lodge a Petition in the Supreme Court for a winding up order to be made against the above Company on the grounds that the order is necessary to enforce the security of the Debenture, and that the Company has been transferred to the debenture holder and is nothing but a name, and further that the Company has not traded for more than a year. ✓
2. Notice must then be given seven full days in the Gazette before the hearing that a winding up order has been applied for (Rule 23). ✓
3. There is then a time limit of seven days during which any interested party may lodge an objection. In this particular case a longer time may be necessary in order that I may cable C.D.C. in London, who are the principal shareholders. ✓
4. The Court on hearing the evidence may then grant a winding up order. (Section 225).
5. Court will then appoint a provisional Liquidator who will be Official Receiver of the Court.
6. If you agree I suggest that I might be appointed Official Receiver of the Court within the provision of 235 of the Companies Act. There is an advantage in this for in the absence of any other Liquidator being appointed other than the Official Receiver subsequent to the Company's first meeting, then the Official Receiver automatically acts. Section 239 D.
7. Liquidator appointed on winding up must give notice of his appointment to the Registrar of Companies. (H.Bennett) Section 305.

The appointed ^{man} must be Gazetted within 14 days.

8. The Liquidator will convene first meeting of the Company, within one month of winding up order. The main purpose of this meeting in normal circumstances is for the Members of the Company and any other interested Creditors to propose to the Court a suitable person to take over as final Liquidator from the Official Receiver who is appointed on the winding up order. Or as may be in this instance, the Official Receiver may act throughout. The Creditors and members of the Company may also decide on whether to appoint a committee of inspection (unlikely in this case).
9. The Liquidator should within 14 days of the winding up order procure from the Company and submit to the Court a statement of affairs as at the date of the winding up order. (Statement of affairs in this instance is not available). The Court may at its discretion decide that in the special circumstances the Statement of Affairs will not be called for but it is important that this is clearly stated in words when the Court grants the winding up order (section 256).
10. If the Court decides Statement of Affairs is not required then the Official Receiver who is the provisional Liquidator must submit preliminary report to the Court.
 - (a) As to the amount of capital issued subscribed and paid up, and the estimated assets and liabilities as known.
 - (b) If the Company has failed, to give in his opinion the cause of failure.

- (c) Whether in his opinion any further inquiries are necessary ie. whether he considers there is any evidence of fraud or willful neglect on the part of the responsible Officer of the Company.

11. Powers of Liquidator To do all acts necessary to sell and wind up the Company, to best advantage and pay Creditors in the following order:-
1. Creditors secured on specific assets of Company.
 2. Costs of winding up.
 3. Preferential creditors.
 4. Debentures secured by a floating charge.
 5. Unsecured creditors.
 6. Deferred creditors.
 7. Preference capital.
 8. Ordinary capital.
12. Accounts to be produced for Audit for presentation to Court every six months, from date of winding up order (section 249) (Should not be necessary, Company should be wound up long within six months). In this particular case Liquidator should make a list as near as possible of all remaining assets of the Company a reasonable value should then be put upon these assets, (in the absence of a competitive tender, it might be as well to obtain the agreement of the Company and the Court on this point) The price agreed upon will be debited against the value of the Debentures and a credited to the assets account and form part of receipts in the final receipt and payment account.
13. On completion of winding up the Liquidator convenes final meeting of the Company in which the only business to be done is the acceptance or otherwise of the Liquidator's final combined receipts and payment account.

14. The receipt and payment account is then subject to Audit and presentation to Court. If the accounts are accepted the Court makes an order to dissolve the Company.
15. The Liquidator must then report dissolution of the Company to the Registrar within 14 days.
16. The books of the Company must be retained by the Liquidator for a period of 5 years after which they may be destroyed.

Appendix to Proceedure.

Para. 9. This "Statement of Affairs" you may recall was the document that should have been completed by the Company and lodged with the Registrar at the time the Company came under Receivership.

Para. 10a. Capital Authorised. £.

10,000 £1 Deferred shares.	10,000.
350,000 £1 Preferred shares.	350,000.
	<u>Total. 360,000.</u>

Capital Issued.

10,000 Deferred shares.	10,000.
242,000 Preferred shares.	242,000.
	<u>Total. 252,000.</u>

Assets.

On Deposit.	9,286.
My provisional figure for fixed assets, i.e. buildings and sundry items.	10,000.
	<u>Total. 19,286.</u>

Liabilities.

In order of priority.

1. Creditors secured on specific assets of the Company. None to my knowledge.
2. Costs of winding up. Minor items.
3. Preferential Creditors. None to my knowledge.
4. Debenture holders secured by a floating charge. The Falkland Islands Government Debenture. £50,000.
5. Unsecured Creditors. Rent of land. The Government also has an outstanding account owing of £32-12-9d.
6. Deferred Creditors. None to my Knowledge.
7. Preference Capital. £242,000.
8. Ordinary Capital. £10,000.

Para. 10b. I can report:-
The lack of suitable animals available, resulting in the Company being unable to trade.

Para. 10c. No further enquiry necessary.

FALKLAND ISLANDS FREEZER COMPANY LIMITED
(Under Receivership)

Statement of Receipts and Payments 1. 12. 61. to 31. 12. 62.

To Balance	£9,371. 11. 8.	By Salaries and Wages	£ 231 16 8
		Stores	4 1 9
Sales as per attached schedule	1,427. 11. 0.	Telegrams, Postage, Broadcast	12 3 3
		Air passages	14 0 0
		Land rental	45 12 6
		Freight	3 15 10
		Insurance	201 7 1
		Interest on Debenture	1,500 0 0
		Balance Held on Deposit	8,786 5 5
	<u>£10,799 2 8</u>		<u>£10,799 2 8</u>


Receiver, Falkland Islands Freezer Co., Ltd.

31st December 1962.

FALKLAND ISLAND FREEZER COMPANY, LIMITED

(Under Receivership)

Detailed Expenditure 1. 12. 61-31. 12. 62.

SALARIES AND WAGES.

T. McKay (Caretaker) 25.11.61-3.3.62 = 14 weeks @ £5.10. 0.			
Vrs. 3/62, 8/62, 15/62.	£ 77	0	0
E.C.Gutteridge (Receiver) 1.12.61.- 31.12.62. 13 Months @			
£10.			
Vrs. 4,9, 14,20,24,27,30,33,35,36,38,40,42/62.	130	0	0
J.M.Morrison (Part time Caretaker) San Carlos. For period			
March to December 1962 @ £25 per annum.	Vr.44/62	20	16 8
Casual Labour Vr. 16/62.		4	0 0

STORES.

San Carlos Sheep Farming Co. Parrafin.	Vr. 17/62	2	8 4
Falkland Islands Co., Statement Book.	Vr. 22/62		3 2
Falkland Islands Government, P.E.Dept. Wicks.	Vr. 37/62	1	10 3

TELEGRAMS POSTAGE AND BROADCAST ANNOUNCEMENT

Colonial Government (P & T) Telegram to Montevideo			
	Vr. 23/62	1	13 11
do. do. Vr. 24/62		3	13 6
do. do. Vr. 28/62		1	0 2
do. do. Vr. 31/62		3	8 5
do. Wales Vr. 10/62		1	5 7
do. do. do. Postage Vr. 29/62		17	0
do. do. do. Broadcast Announcement			
	Vr. 12/62	3	6

FREIGHT.

Colonial Government (Harbour Dept.) Freight per			
M.V.Philomel. Vr. 18/62	1	18	2
Vr. 19/62	1	0	5
Vr. 25/62		12	3
Vr. 45/62		5	0

INSURANCE

Insurance for period July 1959 to July 1962. Payment Vrs.	1	0	0
Crown Agents to Colonial Treasury	68	5	0
	60	17	1
	68	5	0

PASSAGES

Colonial Government (Aviation) Air passages Stanley to Ajax			
Bay-Ajax Bay to Stanley. Vr. 1/62	3	11	0
Vr. 6/62	6	18	0
Vr. 7/62	3	11	0

LAND RENTAL

San Carlos S.F.Co.-Land rent 1.10.61-31.12.62 @ £36 10 0			
per annum. Vrs.5,21,34,43/62.	45	12	6

<u>INTEREST ON DEBENTURE.</u> 3% Debenture £50,000	1,500	0	0
<u>Total</u>	£2,012	17	3

FALKLAND ISLANDS FREEZER COMPANY, LIMITED.
(Under Receivership)

Schedule of Stores, etc. Sold 1.12.61. - 31.12.62.

Invoice.	Rec.	74	<u>L. Gleadall</u>		
			Dinghy.	£	12. 12. 0.
"	92	" 75	<u>Falkland Islands Co.</u>		
			Two cattle hoist assemblies	140.	0. 0.
"	93	" 79	<u>Colonial Government (P.W.D.)</u>		
			Two boilers with oil burners		
			One oil burning unit	225	0. 0.
"	94	" 76	<u>D.J. Murphy</u>		
			One sitting room suite, one dining table, chest of draws and tallboy	95.	0. 0.
"	95	" 77	<u>P. Kiddle</u>		
			Three dozen sheep gambrels		9. 0.
"	96	" 82	<u>W. Goodwin</u>		
			One used bath	5.	0. 0.
"	97	" 78	<u>Falkland Club</u>		
			One used bath	5.	0. 0.
"	98	" 80	<u>Colonial Government (P.E. Dept.)</u>		
			Three bags damaged mutton cloth	6.	0. 0.
"	1	" 87	<u>Douglas Station LTD</u>		
			One bungalow dwelling with fittings	800.	0. 0.
"	2	" 87	<u>Douglas Station LTD</u>		
			One Braithwaite tank	70.	0. 0.
"	3	" 83	<u>A.V. Summers</u>		
			One Creda electric stove damaged	20.	0. 0.
"	4	" 86	<u>Colonial Government (P.W.D.)</u>		
			Drain rods, boiler lagging, augers	6.	10. 0.
"	5	" 85	<u>Colonial Government (Education Dept)</u>		
			Two used electric fires	2.	0. 0.
"	6	" 84	<u>A. Biggs</u>		
			One forge	12.	0. 0.
"	7	" 88	<u>R. Henriksen</u>		
			One used electric fire	1.	10. 0.
"	10	" 89	<u>Christ Church Cathedral</u>		
			Two damaged electric stoves	25.	0. 0.
"	-	" 81	<u>P. Plummer</u>		
			Sundry books		1. 10. 0.
Total.				£1,427.	11. 0.

Raw
13.364

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871



FALKLAND ISLANDS FREEZER CO. LTD.

(Under Receivership)

AJAX BAY

FALKLAND ISLANDS

Crown Agents Ref.
PL/GC/Falkland Is.4.

Office of the Receiver,
Stanley, Falkland Islands.

Foreign Office Ref.
(XF145/28863)

.....1st. August.....1963..

Dear Sir,

I would be pleased if you would authorise the Crown Agents to pay the Finance Department of the Foreign Office the Sum of £139. 10s. 1d. in respect of expenses incurred by Mr S.G.Trees during his office as Receiver of the Falkland Islands Freezer Co.,Ltd.

The above amount being debited against the Receiver's Deposit account.

The Hon. The Actg. Colonial Secretary,
Secretariat,
STANLEY.

Yours Faithfully,

A handwritten signature in dark ink, appearing to read 'Bentley'.

Receiver, F.I.F.Co.,Ltd.

2/ 872
He arrange by his mail

h.l.
✓

0588/V.

0813

16th August, 63.

Gentlemen,

I am directed to enclose a copy of a letter from the Falkland Islands Freezer Co., Ltd. and to request you to pay £139. 10. 1. to the Finance Department of the Foreign Office, debiting the Colony's General Account in the usual manner.

I am,
Gentlemen,
Your obedient servant,

(Sgd.) H.L. Bound

for COLONIAL SECRETARY.

Crown Agents for Oversea Governments and Administrations,
4, Millbank,
LONDON. S.W.1.

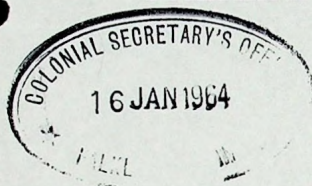
Copy to Receiver

DRM/IM.

BU 2012.53
16/20/96
(Signature)

FALKLAND ISLANDS FREEZER CO. LTD.

0878



(Under Receivership)

AJAX BAY
FALKLAND ISLANDS

Office of the Receiver,
Stanley, Falkland Islands.

15th January 1964.

Si
c.i. use
Si

Dear Sir,

Please find enclosed Statement of Account for
the calender year 1963 for the above Company.

The Hon. The Colonial Secretary,
Secretariat,
STANLEY.

Yours faithfully,

(E.C. Gutteridge)
Receiver, F.I.F.Co., Ltd.

0815

FALKLAND ISLANDS FREEZER COMPANY LIMITED
(Under Receivership)

Statement of Receipts and Payments from 1st.- 1 - 63 to 31st.- 12 - 63.

To Balance.	£8,786.	5.	5.	By Salaries and wages	£ 145	0.	0.
Sales as per attached schedule.	131.	7.	11.	Telegrams	1	3	10
				Rental	36	10	0
				Air passages	6	18	0
				Expences, S.Trees	139	10	1
				Interest on Debenture	1500	0	0
				Balance held on Deposit	7088	11	5
	£8,917	13	4		£8,917	13	4

The above Receiver's Statement of Receipts and Payments, for the period 1st. January, 1963, to the 31st. December 1963, has been examined in accordance with order 50, rule 22, of the Rules of the Supreme Court. I have obtained all the information and explanations that I have required, and I certify that in my opinion the above statement is correct.

E. H. H. H. H.
O.I.C. Audit.

Audit Office,
Stanley,
Falkland Islands.

3rd. January 1964.

[Signature]
Receiver,
Falkland Islands Freezer Co., Ltd.
31st. December 1963.

FALKLAND ISLAND FREEZER COMPANY LIMITED
(Under Receivership)

Schedule of Stores sold from 1st. January to 31st. December 1963.

Invoice No. 8	Rec. No. 91.	<u>W.A.N. Goodwin</u>	£	s	d
		Used Chest of Drawers.	1	10	0
do.	9 do.	<u>Falkland Is. Co.</u>			
		3. ins. Brass valve.	5	0	0
do.	11 do.	<u>J. Rowlands</u>			
		Two fire extinguishers.	2	0	0
do.	do.	<u>J.R. King.</u>			
		One Electric fire.	2	0	0
do.	12&13 do.	<u>Douglas Station.</u>			
		Thirty items as listed on invoice.	58	0	11
do.	14 to 16 do.	<u>Port San Carlos.</u>			
		Twenty nine items as listed on invoice.	62	17	0
<u>Total.</u>			131	7	11

Details of Expenditure for same period.

Salaries.

E.C. Gutteridge. (Receiver).	120.	0	0
J.M. Morrison. (Part Time Caretaker).	25	0	0

<u>Telegram to Montevideo.</u>	1	5	10
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Rental.

Rental at Ajax Bay Freezer site.	36	10	0
----------------------------------	----	----	---

Air Passages.

Air passage to Ajax Bay. Ticket No. 930.	6	18	0
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Expences. S. Trees.

Expences incurred in Montivideo Sept. 57.			
Bogota. Nov. 57. Santiago April and Oct. 57.			
Payable to the Foreign Office.	139	10	1

Debenture.

Interest payable at 3% on 50,000.	1,500	0	0
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<u>Total.</u>	£1,829.	1	11
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HCT.

877

To see L-6 pl

P.H.

17.1.64

878

Hes

See, thank you

P.H.

17.1.64



Pa -

20.1.64

879

FALKLAND ISLANDS FREEZER CO. LTD.

(Under Receivership)

AJAX BAY
FALKLAND ISLANDSOffice of the Receiver,
Stanley, Falkland Islands.

20th March 1964

Sir,

I would be grateful if the Crown Agents could be requested by letter to pay to the Finance Controller of the Colonial Development Corporation, 33, Hill Street, London.W.1, the sum of £68. 5s. 0d. (sixty eight pounds five shillings), their invoice No 4446 dated 27-2-64 refers, being for balance due on insurance of buildings etc. The property of the Falkland Islands Freezer Company. This amount should be debited against the Receivers Deposit Account.

The Hon. The Colonial Secretary,
Secretariat,
STANLEY.I am,
Sir,
Yours faithfully,

A handwritten signature in blue ink, appearing to read "Butterfield".

Receiver F.I.F.Co.

Similar letter
to 2 pl

See 880.

21st March,

64.

Dear Sirs,

879 I enclose a copy of a letter from the Falkland Islands Freezer Co. and request you to pay \$68. 5. - to the Finance Controller of the Colonial Development Corporation, 33 Mill Street, London, W.1. debiting the Colony's General Account in the usual manner.

Yours faithfully,

(Sgd.) H.L. Bound

for

COLONIAL SECRETARY

Crown Agents for Oversea Governments and Administrations,
4, Millbank,
LONDON, S.W.1.

Copy to Receiver

IM.

far
24.3.64

20th May,

64.

Sir,

This Government now proposes to lodge a Petition in the Falkland Islands Supreme Court for the winding up of the Falkland Islands Freezer Co. Ltd., the remaining unsaleable fixed assets of which are situated within the Colony.

The Company is nothing but a name, and has in effect already been transferred to this Government as the Debenture holder.

No useful purpose can be served by the Company remaining under Receivership.

The present Receiver, Mr. E.C. Gutteridge, will be in the United Kingdom from late July until early September, and I suggest you should discuss the matter with him.

If you should wish to contact him his address will be -

95 Cumberland House,
Kingston Hill,
Surrey.

Will you please let me know before the 31st August, 1964, whether you have any objection to my Government, as Debenture Holder, petitioning for an Order.

I have the honour to be,
Sir,
Your obedient servant,

(W.H. THOMPSON)

OFFICER ADMINISTERING THE GOVERNMENT

L.S. Coxon, Esq.,
Head Office Accountant,
Commonwealth Development Corporation,
33 Hill Street,
LONDON, W.1.

Copy to Mr. Gutteridge.

See 896.
RU 31.8.64

888

H. N. FUNNELL

GREAT PADDOCK FARM,
CHALLOCK,

Nr. ASHFORD

KENT.

CHALLOCK 234

ARM/JP



11th June 1964

W.H.Thompson, Esq.,
The Office of the Colonial Secretary,
Stanley,
Falkland Islands.

Dear Mr.Thompson,

Having interests in Asia and Australasia I am seeking Cold Storage facilities conveniently situated to shipping.

I have been given to understand by the Colonial Development Corporation that such facilities might be available in the Falkland Islands. No effective information is available in this country and it was suggested that you would have the best knowledge and authority.

Your confidential views concerning my interest and it's reception, together with an appraisal of the tonnage space and the condition and use of ancillary buildings, would be most useful.

Should these facilities be available for disposal, perhaps you would let me know the price, so that I may consider an option and pay an early visit to the Falkland Islands.

Anticipating your early and favourable reply,

Yours sincerely,

H N Funnell

H.N.Funnell.

Reply at 889

6/6.
22.7.646/11 w
~~6/6~~ 6/6

7.7.64

Dear Mr. Thorpe,

Please excuse my writing later, but am writing in haste just prior to boarding plane for LK. Reason, Freyer business. I met McCormack. (Freyer agent Montevideo) through the good office of Judy White. McCormack MICE. C.B.E. Last with him a potential customer who plans to travel down or next Southbound Darwin to have a look at with object to purchase, the Freyer. tentative figure is £40,000. we can come down on that, but met him quickly provided the first visit unhindered. I had a long conversation with the interested party and although formally introduced, I regret I cannot remember his name. He appears quite a responsible person and genuinely interested. As you are aware it is in the Government interest that, should he travel down, and I believe he will, he should be given every opportunity to visit and inspect what help he may need. John Boud as you are aware is asking Quinn and will handle him, but John may think he is just another bidder. I haven't written to John and ask

if you will inform him of the possibility of a sale.
It is a pity I should be there should be an air, I have
diversified various ways and means of discharging and off loading
at Quez Bay with him, having had practical experience
myself. He appreciates the difficulties and had useful suggestions.
Should things develop favorably John thought you might
even negotiate a figure. The possibility is that I might arrive
back in Monte and meet him soon after his return and negotiate
a figure myself. But I would need your authorization with
the concurrence of John. Should things develop to this stage
would you please inform me to Max Stapleton or my return, or
if earlier to my UK address. Max Cornwell is in the happy
or possible situation of. I arranged for his ^{5% of sale} commission
such circumstances would be honored. please advise
this.

Sincerely
Ted Galt

6-6-64

61

THE
FALKLAND ISLANDS
TRADING CO., LTD.

Port Stanley,
Falkland Islands.

CONDITIONS UNDER
WHICH MESSAGES ARE
ACCEPTED.

The Company may refuse
to accept for transmission
any telegram, or to trans-
mit any telegram even
though it has been
accepted for transmission.

Neither this nor any
telegraph Company or
Government Administration
to whom this Telegram is,
would, in the ordinary
course of the telegraphic
service be forwarded, shall
be liable to make com-
pensation for any loss,
injury or damage arising or
resulting from non-trans-
mission or non-delivery of
a Telegram, or delay or
error or omission in the
transmission or delivery
thereof, through whatever
cause such non-transmission,
non-delivery, delay, error or
omission shall have
occurred, even though
occasioned by the neglect
or default of such Company
Administration or any
officer or servant in their
employment.

I request that this Tele-
gram may be forwarded
subject to the above con-
ditions, by which I agree
to be bound.

Signature

255

No.

RADIOTELEGRAM

SHIP TO SHIP

SHIP TO SHORE

PREFIX

OFFICE OF ORIGIN

CHARGES

NUMBER

NO. OF WORDS

DATE FILED

TIME FILED

Ship Charge

Coast Station
Charge

Forwarding
Charge

Other Charges

Total

Exchange
Surcharge

Grand Total

SERVICE INSTRUCTIONS

SENT TO

DATE SENT

TIME SENT

SENT BY

TO

BU 22.7.64

Any enquiry in connection with this telegram must be accompanied by the official receipt
for charges paid thereon.

Form No. 1.

BU 7.7.64

DECODE.

883

No. 2.

TELEGRAM.

From MacCormack, R.M.S. "Darwin".

To Thompson O.A.G., Port Stanley.

Despatched : 17th July, 19 64. *Time* : 1230

Received : 17th July, 19 64. *Time* :

Grateful give all assistance Mr. Holmberg travelling
Darwin inspect Ajax freezer. He returns via Punta
Arenas. Can mechanic be available. Letter on Darwin.

MacCormack

P/L : LH

To SPT for information
(Intld.) WT

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

584

Wt P2809 5/61

Number	Office of Origin	Words	Handed in at	Date
				19.7.64
To				
etat MACCONMACK "DARWIN" =				

HOLMBERG STOP ALL POSSIBLE ASSISTANCE WILL BE GIVEN STOP MECHANIC
AVAILABLE =

OAG.

(confirmatory copy - original 'phoned VPC 1400/19th)

ACB
*Mr. Holmberg is now not arriving this Darwin - you
will require this file for later correspondence.*

Time

21.7.64

885

DECODE.

No. 2.

TELEGRAM.

From MacCormack, R.M.S. "Darwin".

To Thompson O.A.G., Port Stanley.

Despatched : 20th July, 1964. Time : 1745

Received : 19 Time :

Due to complications reservations Holmberg will join
"Darwin" Punta Arenas if you can confirm reservations from
there to Stanley and later to Montevideo confirmation to
Carntyne Montevideo.

MacCormack

P/L : LH
Copy to: S/PT
(Intld.) HLB

Reply at 887

21 July,

64.

Dear Sir,

I refer to our conversation of this morning and confirm that premium class accommodation is required for Mr. Holmberg from Punta Arenas to Stanley and onwards to Montevideo per R.M.S. 'Darwin' voyage H.15 17th August.

Yours faithfully,

(Sgd.) H.L. Bound

for COLONIAL SECRETARY.

The Manager,
Darwin Shipping Ltd.,
STANLEY.

HLE/IM.

Copy to Mr. J. Bound.

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

Wt. P2809 5/61

Number	Office of Origin	Words	Handed in at	Date
	Stanley			22.7.64
To				
	etat CARNFYNE MONTEVIDEO			HOA/c

Confirm reservations secured Punta Arenas Stanley and onward Montevideo
leaving Stanley 17th August

OAG

B. 11.9.64

HLB/LH

Ref: CSO 0588/IV

Colonial Secretary's Office,
Stanley, Falkland Islands.

24th July, 1964.

Dear Mr. Funnell,

888 Thank you for your letter of the 11th of June which arrived here by this morning's mailship.

I think quite the easiest way to deal with the freezer problem is for you to contact Mr. E. Gutteridge, who is the Official Receiver for the freezer company and who is on leave in England at this moment.

His contact address is - 95 Cumberland House,
Kingston Hill,
SURREY.

Mr. Gutteridge knows more about it than anyone else and should be most helpful.

Yours faithfully,

W. H. Thompson
(Sgd) ~~W. H.~~ Thompson.

(W.H. THOMPSON)

H. N. Funnell, Esq.,
Great Paddock Farm,
Challock,
Nr. Ashford,
KENT.

WHT/FA

Kiv Bu 9.8.64
(888)

DECODE.

TELEGRAM.

From Crown Agents, London.

To Colonial Secretary, Stanley.

Despatched : 7th August, 1964 Time : 1529

Received : 8th August, 1964 Time :

Following for Receiver repeat Receiver to decode. Begins.
Offer from Funnell is for 6 months option to purchase Freezer as
is where is at £20,000 on payment non-returnable deposit £500 to
Crown Agents for Colonies on date option commences. Offer consider-
ed beneficial Colony in view intention to operate plant in Falkland
Islands. This constitutes offer by tender and we consider same
treatment should apply Holmberg offer. C.D.C. have been present
at Kingsley and support reasonableness this approach but without
wishing to prejudice Receiver decision. Telegraph reply direct to
me for transmission to Funnell. Gutteridge. Ends.

Crown.

Reply at 891

Underlined in plain language.

GTC / TB.

Copy:Receiver

DECODE.

TELEGRAM.

From Colonial Secretary, Stanley.

To Crown Agents, London SW1.

Despatched : 10th August, 19 64. Time : 1000
Received : 19 Time :

890 No. 221. Your telegram 7th August. Please pass following to Gutteridge begins. Holmberg arrives this week must arrange tender and option with him but see no difficulty further telegram within week.

Colonial Secretary

G.T.C. : WHT/LH

Copy to: J. Bound

54. 15. 8. 64.
BU 14. 8. 64.

COMMONWEALTH DEVELOPMENT CORPORATION

33 HILL STREET
LONDON W1

112/202

17th August, 1964

W.H.Thompson Esq,
Officer Administering the Government,
Colonial Secretary's Office,
Stanley,
Falkland Islands.



881
Dear Sir,

We duly received your letter of 20th May advising us that the Government is proposing to lodge a Petition in the Falkland Islands Supreme Court for the winding up of the Falkland Islands Freezer Co Ltd. We have, as you suggested, contacted Mr Gutteridge and had discussions with him in this office.

The Corporation has no objection to the Petition.

Yours faithfully,

G.W.TOTMAN
Controller of Finance

GWT/PMS

1964

89³~~7~~

The Receiver,
The Falkland Islands Freezer Company Ltd.,
(Under Receivership).
Stanley, Falkland Islands.

17th August, 1964.

Dear Sir,

I refer to a meeting between your goodself, Mr. Thompson the Colonial Secretary, and myself, of this morning wherein you tendered as follows for the component parts of the Freezer at Ajax Bay:

For buildings	£500
For the roof of the Abattoir and main Freezer complete with trusses	£1,000
For machinery	£9,500
	£11,000

2. As explained I must now consult the other principal, the Commonwealth Development Corporation in London. This is being done by telegram and I will cable you (I expect this to be within three days) the result of my consultations with them.

3. Subject to their agreement I confirm that a ninety day reciprocal option will be offered to you.

4. The taking up of the option on your part will be subject to confirmation by your bankers that payment will be made spread over a three year period with payment in equal one third portions. Compound interest at the rate of 4% per annum to be paid on the outstanding balances.

5. Should you take up the option a formal agreement will be drawn up and signed here in Stanley on your return from Montevideo.

Yours faithfully,



RECEIVER

Mr. S. Holmberg,
Orinoco 5154,
Montevideo,
Uruguay.

WHT/TB.

Orinoco, 5154,
Montevideo,
URUGUAY.

8924

17th August, 1964.

Dear Sir,

I refer to our agreement today and confirm that subject to acceptance by the Commonwealth Development Corporation of the offer made by me I am willing to take up a ninety day option on the buildings and machinery of the Freezer at Ajax Bay. I offer:

For buildings	£500
For the roof of the Abattoir and main Freezer com- plete with trusses	£1,000
For machinery	£9,500
	<u>£11,000.</u>

2. Payments to this amount would be made against a Bankers Guarantee this to include payment of compound interest at the rate of 4% per annum on outstanding balances. It is proposed to spread the total payment over three years.

3. I also confirm that if the option is taken on my part I am willing to sign an agreement with you on my return to Stanley from Montevideo.

Yours faithfully,

Sl.

S. HOLMBERG

The Receiver,
The Falkland Islands Freezer Co. Ltd., (in Receivership),
STANLEY.

TELEGRAM.

From Colonial Secretary, Stanley.

To Crown Agents, London SW1. (E.I.E.Co.Ltd. A/c)

Despatched : 18th August, 19 64. Time : 11.15

Received : 19 Time :

No. 232. Please pass following to Gutteridge c/o Coach House, Braust, Weyhill, near Andover. From Receiver. Begins.

We have received offer from Holmberg of £1,500 for buildings and £9,500 for machinery against 90 days option. Bankers guarantee payment sterling in United Kingdom.

At first sight this does not appear to be much but inspection shows much to be desired e.g.

- (i) Condensers salted up and tubes write off
- (ii) Boiler second hand when installed
- (iii) Piping badly fitted throughout and write off
- (iv) Lack of air ducting in freezing rooms
- (v) Cork insulation write off
- (vi) Dwellings saturated with rain water and Nissens write off
- (vii) Tractor nearing end useful service
- (viii) Jetty unserviceable.

£11,000 in the hand is worth £20,000 in the C.D.C. bush. C.D.C. knows nothing about present situation at Ajax Bay and have cared naught for us. Consider an office negotiation at such long range highly dangerous.

Reactions to Funnell's offer as follows:

- (a) What does he know about Falkland Islands
- (b) What does he know about costing putting plant in action and what would he do with it
- (c) Would he pay more for it when he sees it
- (d) How would he operate it in situ without local labour and certain refusal cheap foreign labour.

Matter has been fully discussed with Colonial Secretary and am proposing accept Holmberg's offer 90 days reciprocal option with guarantee Funnell first refusal thereafter. Ends.

G.T.C. : JB/IH

Copy to: Receiver

Letter for this



817

British Consulate,
Punta Arenas, Chile.
August 20, 1964.

551/64.

Dear Mr. Bound,

As a matter of interest, I would be interested to hear the result of Mr. Holmberg's visit to Ajax Bay. Did he purchase the machinery of the Freezer?.

Yours sincerely,

Sven B. Robson

(Sven B. Robson)

Bound Esq.,
Colonial Secretary's Office,
Port Stanley.

See 128 in 0440.

FALKLAND ISLANDS FREEZER CO. LTD.

(Under Receivership)

AJAX BAY
FALKLAND ISLANDS

Office of the Receiver,
Stanley, Falkland Islands.

21st August, 1964.

Dear Sir,

The following telegrams despatched and received are passed to you for information :

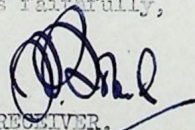
From Mr. E.C. Gutteridge in the United Kingdom - 21.8.64.

"Agreed. Parties being informed"

To Mr. S. Holmberg in Montevideo - 21.8.64.

"All now agreed. Your ninety days option effective from 17th August 1964".

Yours faithfully,


RECEIVER.

JB/JB.

Handwritten notes:
P...
25 Feb

15th October, 1964.

Dear First Secretary,

You may know that for several years we have been trying to sell a meat freezer built in these Islands by the then Colonial Development Corporation. This project failed almost at its start, this Government which had advanced £50,000 in the form of a debenture to the Freezer Company applied for a Receiver to be appointed in the hope that some of this money might be salvaged from the wreck.

I have been informed by the Receiver that successful negotiations have taken place through his agent, Mr. D.G. McCormack of Valdivia, Montevideo, to sell all that is now salvageable to a Mr. Sten Holmberg. Mr. Holmberg has visited here and viewed the plant. His offer of £11,000 for the entire plant has been accepted. The terms of payment are that he pays one third of this amount cash now and the balance over a period of three years and in addition an amount equal to 4% per annum on what will be a diminishing balance. The Receiver has drawn up agreements for Holmberg's signature, these he is forwarding to McCormack along with information contained in this letter and with instructions to contact your office.

I am to ask if you will be kind enough to receive on this Government's behalf Holmberg's cash payment of £3,666, accept in your safe keeping the deeds he proposes to offer as surety and verify them and receive from time to time future payments from Holmberg. On satisfactory receipt of Holmberg's deposit and surety, McCormack should be paid the sum of £825 this being his commission of 7½% on the total sale figure and agreed to in 1956. If all goes well Holmberg plans to leave Montevideo on board R.N.S. "Darwin" sailing on the 26th October for this Colony to prepare the plant for shipment.

Trusting you are able to assist in this matter.

Sincerely,

(W.H. THOMPSON)

Acting First Secretary,
British Embassy,
MONTVIDEO.

Copies to: C.T. (1)
Receiver (2)

EC/LH

fa -
17 10 64

899

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

Wt. P2809 5/61

Number	Office of Origin	Words	Handed in at	Date
	Stanley			28.10.64
To				
	etat PRODROME MONTEVIDEO			HOA/c

898

Reference mylet 0588/V 15th October para 3 stop Deeds not available
 grateful you amend agreement to accept Banks guarantee arranged by
 MacCormack for outstanding balance stop With guarantee other conditions
 apply stop Confirmatory letter follows

900

Colonial Secretary

Copy to: Receiver Freezer Co.

EG/LH

la

11th November, 1964.

Dear First Secretary,

899 I confirm my telegram to you of the 28th October which read:

"Reference mylot 0588/V 15th October para 3 stop Deeds not available grateful you amend agreement to accept Bank's guarantee arranged by MacCormack for outstanding balance stop With guarantee other conditions apply stop Confirmatory letter follows"

This arose because MacCormack reported that the property offered as surety was no longer available and that a bank guarantee could be offered instead.

The Receiver tells me that the terms of the agreement which Holmberg was to sign would need amendment. Hence my telegram.

By the time you receive this I expect the whole affair will have been dealt with. I am most grateful for all the help you have given us.

W. H. THOMPSON
(COLONIAL SECRETARY)

The First Secretary,
British Embassy,
MONTEVIDEO.

WHT/TB.

DECODE.

No. 61.

TELEGRAM.

From Brain, Montevideo.

To Governor 01511 Port Stanley, F.Is.

Despatched : 11th December, 1964 Time : 1312

Received : 12th December, 1964. Time :

PRIORITY.

900 Thompsons letter 0588/V of November 11 deal not yet completed letter by Darwin.

Brain

P/L : LH
(Intld.) HLB

~~KIV 901~~
64.26.1.65 for HE

Col. Sec.,

Mr. Gutteridge asked me to prepare the attached draft petition for the winding up of the F. S. Freyer Co Ltd. and forward it to you. Also attached is an affidavit verifying the petition and a draft advertisement of petition. The petition must be advertised at least seven clear days before the hearing.

H.B.
11.1.65.

R.G.S.C.

Please now go ahead.

W.I.

15.1.65



BRITISH EMBASSY,
(CONSULAR SECTION),
MONTEVIDEO.

December 11, 1964.

Dear Sir,

900 I refer to correspondence ending with your letter 0588/V of the 11th of November about the sale of a meat freezer.

I have had many meetings and discussions about this. Not only are title deeds unavailable but a Bank guarantee is also impossible to arrange. There are legal difficulties about the question of foreign currency. The purchasers suggested that some individuals should give personal guarantees. Here again there is some doubt about the validity of such guarantees especially as the Manager of the Bank of London and South America had some misgivings. One of the people involved is a well known Senator and we would not wish to have to deal with him if payments were not made on time.

The final solution appears to be for us to draw up, with the assistance of our legal adviser, a document stating that the freezer remains the property of the Falkland Islands Government until the final payment has been made. Would you please let us know by telegram that this is in order.

Holmberg, accompanied by about three assistants, is going to Stanley by the "Darwin" this trip. I have told him that he cannot start dismantling the freezer until you are satisfied about the purchasing agreement. He assures me that his co-directors will make the down payment next week and sign the agreement. I will let you know by telegram when this has been done. I must say, however, that I am not very happy about the way Holmberg and his associates do business. Holmberg himself is alright but I wonder whether his company will be able to pay for the freezer.

Yours sincerely
C.C. Jones

(C.C. Jones)

H.B.M. Vice-Consul

W.H. Thompson, Esq.,
Colonial Secretary,
Stanley.

905
903
Reply at 905

0588

903
904

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

P1677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			18.12.64
To				
	etat PRODROME MONTEVIDEO			HOA/c

903

For Jones stop Yourlet 11th December sale Freezer stop Grateful you
proceed as in your penultimate paragraph stop Confirmatory letter
follows

Secretary

Copy to Receiver, F.Is. Freezer

904
905

18th December, 1964.

Dear Mr. Jones,

903

Thank you for your letter of the 11th December regarding the sale of the Freezer.

I much appreciate all you are doing on our behalf. I admit that we have always had moments of doubt over Homberg and his associates.

The solution you propose in your penultimate paragraph is acceptable, and on behalf of the Receiver, in whose hands the decision legally rests, I ask you to go ahead and my telegram of the 18th December is accordingly confirmed.

It is likely that in any event the Freezer Company will be wound up in the New Year and because of this I would ask that legal or other expenses incurred by you in the negotiations might be sent to us as soon as possible.

Again, my thanks for your great help.

Sincerely,

Willoughby Thompson

(W.H. THOMPSON) C.S.

Reply at 908

Copy to: Receiver F.Is. Freezer

Mr. C.C. Jones,
H.B.M. Vice-Consul,
British Embassy,
MONTVIDEO.

DECODE.

No. 53.

TELEGRAM.

From Brain, Montevideo.

To Governor, Falkland Islands.

Despatched : 7th January, 19 65. Time : 1824.

Received : 8th January, 19 65. Time :

PRIORITY.

905 Thompson's letter 0588/V of December 18th. Sale
of freezer not yet completed.

Brain

P/L : LH

Copy to: Receiver F.I. Freezer

906
S
11. 1. 65
05
KIV 902

C.S.

R.S.C. has set out the Petition and Advertisement
 There remain now for H.E. as Judge S.C. to be informed,
 a date to be set for publication of the Advertisement
 and the hearing before the S.C. May I suggest that
 R.S.C. and myself now meet together in your office
 regarding above and to brief each other if necessary on
 procedure, at your convenience.



J.B.B.

18-1-65.

~~bu 25 1.65~~

6.0. 12. 2. 65



(532/65)

BRITISH EMBASSY,
Consular Section,
MONTEVIDEO.

January 7, 1965.



*in Subridge's
S. Comment.
Si
17.2.65*

Dear Sir,

Thank you for your letter 0588/V of December 18 about the sale of the freezer.

On the receipt of your telegram of December 18 I consulted our legal adviser about drawing up a document as proposed in my last letter. The legal adviser said that such a document would not have much validity in local law but we could take a risk if we felt that everything would be in order. On balance, the risk did not seem to be acceptable to me. The legal adviser then suggested that the purchasers should sign a "pledge" drawn up by a lawyer. I so informed the purchasers together with the fact that the taxes and legal fees for a pledge covering £11,000 would be approximately £600 with a proportional decrease for the downpayment. I have of course impressed upon the purchasers the idea that the ideal solution to avoid extra costs and administrative troubles would be to pay cash outright for the plant.

They then added that there had been some problem (not previously hinted at) about importing the plant into Uruguay. They said they had solved this problem and could produce title deeds, in accordance with the terms of the original contract, by January 4 and that by agreement with their bank they would pay the balance of the purchase price within three months and so redeem the title deeds.

On the afternoon of January 4 Holmberg visited me to report that no progress had been made in this respect and he asked for another deferment. He added that he felt more confident at this stage that his associates were anxious to complete the transaction as soon as possible. He expected to be able to produce in the near future both the downpayment and an acceptable security. To achieve this he has now put the question into the hands of his lawyer.

My telegram of today's date reported that the sale had not been completed. I will let you know when the purchasers produce something tangible. I have, however, passed on to the purchasers the vague suggestion that the Government of the Falkland Islands would probably wish to seek an alternative buyer if the present delays continue. At one time the purchasers were under the impression that the purchasing rights awarded to them would expire towards the end of 1964, but I had told them that we had no evidence of any time limit.

Yours faithfully,

C.C. Jones
(C.C. Jones)
H.B.M. Vice-Consul

Reply at 910, 911

W.H. Thompson, Esq.,
Colonial Secretary,
Stanley,
Falkland Islands.

909

C.S.

I have drafted a letter & telegram at once for your approval and despatch. I believe the terms I have suggested will either kill it or at least annul us of our money from them bandits. If it kills it, I will re-open negotiation with Farnell.



18-2-65.

S.

19.2.65

912

STANLEY. 18th February 1965.

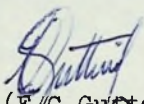


Dear Sir,

Will you please arrange, through the Crown Agents, to pay the sum of £68-5s-0d. to The Commonwealth Development Corporation of 33, Hill Street, London. In respect of insurance premium for the Falkland Island Freezer. C.D.C. Invoice No. 4408 and Order No. 44032 dated 15th December 1964. refers. Will you then debit the Receiver's F.I. Govt. Deposit Account by this amount plus any other charges incurred in respect of this transaction.

The Colonial Secretary,
Secretariat,
STANLEY.

Yours faithfully,


(E.C. Gutteridge)
Receiver F.I.F.Co.c Ltd.

Similar letter to 880 pl
Jm

19th February, 1965

Dear

908 Thank you for your letter of January 7th reference 532/65 regarding the sale of the Freezer.

These negotiations are becoming so extended it is questionable whether any debt would ever be liquidated without disproportionate legal costs for its recovery. In view of this we now consider that the terms of the sale should be amended to cash payment for any part of the Freezer dismantled.

911 This confirms my telegram of the 19th February which read - "Your letter 7th January in view of uncertainties outlined and to ensure all payments terms of sale should be amended to cash for full amount".

As a matter of interest there is another potential client in England but distance made his offer less attractive to us.

If Holmberg does not produce something before the end of March the deal is off.

Once again, very many thanks for your great help.

Yours sincerely,

(W.H. THOMPSON)

Copy to: Receiver FI Freezer

Mr. C.C. Jones,
H.B.M. Vice-Consul,
British Embassy,
MONTEVIDEO.

GOVERNMENT TELEGRAPH SERVICE

911

FALKLAND ISLANDSSENT

P1677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			19.2.65

To

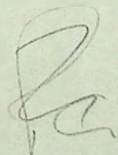
etat PRODROME MONTEVIDEO

HOA/c

908

For Jones. Yourlet 7th January sale of freezer. In view of uncertainties outlined and to ensure all payments terms of sale should be amended to cash for full amount. Confirmatory letter follows

Secretary



bu 16.3.65

Time

20th February,

65

Dear Sirs,

912

I enclose a copy of a letter from the Falkland Islands Freezer Company and request you to pay £68. 5. 0. to the Commonwealth Development Corporation, 33 Hill Street, London debiting the Colony's General Account in the usual manner.

Yours faithfully,

(H.L. Bound)

for COLONIAL SECRETARY

Crown Agents for Oversea Governments and Administrations,
4, Millbank,
LONDON, S.W.1.

Copy to: Receiver

LH

Bu 22.3.65 (mail)

No mail
off by 22.3.65
Bu 16.3.65

Bu 1/5/65 (mail)

914

Extract from letter to Colonial Secretary from Mr.
H.L. Bound of 15th March, 1965.

Quite by accident I met Sten Homborg in a bus out in Carrasco and he told me he had just sent a telegram to you about his sealing licence so I took the opportunity there and then to put him in the picture. I shall be seeing him again in a few days and will give him all the details I can. He is still very interested in the freezer but I had no time to discuss further.

HJB/LH

mail.
By 11/5/65

DECODE.

TELEGRAM.

No. 2.

From Scottfox, Santiago, Chile.

To Governor, Port Stanley.

Despatched : 3rd May, 19 65 Time : 1847
Received : 4th May, 19 65 Time :

00203

Enquiry received for freezer. Please telegraph
whether still available.

Scottfox

Mr Cutbridge

Anything in the last-mail?

P/L : IS

CS

Spoken to the Receiver. Nothing from
Montevideo re Holmberg.

BUF

4.5.65

915

916 Reply at 917

4.5.65

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

P1677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			4.5.65
To	etat PRODROME SANTIAGO CHILE			HOA/c

Your 00203 freezer still available

Governor

Reply at 922

LS

*Re 22/5/65
(mail)*

DECODE.

TELEGRAM.

No. 11.

From Montevideo

To Governor, Stanley

Despatched : 10th May, 19 65 Time : 1757
Received : 11th May, 19 65 Time :

PRIORITY.

910
00410 for Colonial Secretary your letter 0588/VI of 19th February sale of freezer Holmberg has sold the equipment to another company expect to receive total amount from latter in couple of days MacCormack sees no objection unless we hear to the contrary from you propose going ahead.

P/L : LS

File please. Copy to Receiver (Mr. Catteridge)

D. G. MacCormack C. B. E.

B. Sc. - M. I. C. E.

OBLIGADO 1083
MONTEVIDEO - URUGUAY

TEL. 73808
CABLES CARNTINE

928

W. H. Thompson Esq.
H. M. Colonial Secretary
Falkland Islands

12/5/65

5:27/5

Ligase Bay / Ligase

Dear Mr. Thompson

You must be thinking that we
are living in a tract-house as far as the
Sale of the Ligase is concerned.

Well as you undoubtedly know
Holmberg obtained after inspection an option to buy
the plant at £11000 on deferred payment terms. This
later on was altered to a 100% Cash deal.
Holmberg in whose name the Sale should be conducted
has been looking for backers to finance the deal.
He has been in touch with a considerable number
of people but until recently there has been no
definite proposition. The reason for the procrastination
has been the closure of the import market and
later the mess it caused by the failure of Smeaton
Reels at 929.

2

D. G. MacCormack C. B. E.

B. Sc. - M. I. C. E.

OBLIGADO 1083

MONTEVIDEO - URUGUAY

TEL. 73808

CABLES CARNITINE

banks. However the banks open today
after nearly a month of all banks closed
down. Holmberg as you have been advised
by the Consul there, has produced a S.
Fernandez who is putting up the 100%
payment in sterling. In the meantime
Mr. Lee has been showing agitated interest
in protecting the finance and just at this late
moment. He has been in contact by radio
with you on the subject, we believe. Both
of these parties say they will put up the
money today or Wednesday. However in the
absence of any ruling from you ~~and~~ (in the
Consul & myself) I have taken the position that
Holmberg must bring along his backs who ever
it may be. We understand he has opted for
Fernandez who seems to be more definite and

(3)
D. G. MacCormack C. B. E.

B. Sc. - M. I. C. E.

OBLIGADO 1083
MONTEVIDEO - URUGUAY

TEL. 73808

CABLES CARNTINE

dynamic in the matter. Chris Jones
called you regarding the phase, and therefore
we hope that by Wednesday at the latest
the sterling amount will have departed with
the B. Embassy to your satisfaction.

Hoping the note clarifies the
situation, I remain

Yours sincerely
D. G. MacCormack

C.S. Dear thank you. I assume you will
answer this. J. 25/5.

DECODE.

No. 19.

TELEGRAM.

919

From Brain, Montevideo.

To Governor, Port Stanley, Falkland Islands.

Despatched : 17th May, 19 65 Time : 1840

Received : 18th May, 19 65 Time :

PRIORITY.

0051/. My tele 4 purchaser has interested at least two parties both of whom indicate wish finance deal immediately understand one party been in touch direct with you but purchaser decided another party should finance grateful to know if purchaser (your letter 0588/VI 19 February) still has option and whether we may accept his proposals.

Brain

Although offer lapsed
am *do deal on*
cash basis

P/L : LS
Copy to: Receiver

Reply at 923

Y.E.

I haven't the time nor have I been dealing with the freezer but

my impression is that all we are interest in is a quick sale for cash.

I have spoken to Mr. Guttenberg and he is happy about the Embassy

accepting Holmberg's proposals.

The selling price is \$11,000.

Jim

19.5.65

GOVERNMENT TELEGRAPH SERVICE

921

FALKLAND ISLANDS

SENT

PI677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			20.5.65
To				
	etat PRODROME MONTEVIDEO			HOA/c

Yourtel 00517 17th May stop Reply will be sent by 24th May

Governor

Cop~~y~~ to Receiver

LS

DECODE.

No. 5.

TELEGRAM.

From Scottfox, Santiago, Chile.

To Governor, Port Stanley.

Despatched : 12th May, 19 65 Time : 1037

Received : 19 Time :

917

00312 your telegram of May 4 freezer local company one of whose partners saw installation in 1958 is again interested since development corporation is to ask for tenders for slaughter houses two of which will be built at Tierra Del Fuego and Aysen. Company wishes to know present price in situ of plant exclusive of any outside constructions.

Scottfox

Reply at 924

P/L : LS

Copy to: Receiver

923

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

P1677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			25.5.65

To

etat PRODROME MONTEVIDEO

HOA/c

919 Yourtel 00517 although option lapsed am prepared to deal on cash basis

Governor

Copy to : Receiver

LS

924

GOVERNMENT TELEGRAPH SERVICE

FALKLAND ISLANDS

SENT

PI677 P4416 8/64

Number	Office of Origin	Words	Handed in at	Date
	Stanley			25.5.65

To

etat PRODRONE SANTIAGO CHILE

HOA/C

922 Yourtel 00312 prospective purchaser Uruguay made application one day before your signal received stop First refusal will be offered your parties stop Will let you know position soonest

Governor

Copy : Receiver

LS

See 8.6.65

925

file
copy
p.c.
S.

IN THE SUPREME COURT OF THE FALKLAND ISLANDS

Petition.

In the Matter of the Falkland Islands Freezer Company, Ltd.

and

In the Matter of the Companies Act, 1948.

To His Lordship the Acting Judge.

The day of , 1955.

The humble petition of Leslie Charles Glendell Colonial Treasurer of the Colony of the Falkland Islands, having been duly appointed by His Excellency the Governor to represent him in his capacity as debenture holder for and on behalf of the Government of the Colony of the said Falkland Islands, sheweth as follows:-

1. That the Falkland Islands Freezer Company, Limited, (hereinafter called the Company) incorporated under the Companies and Private Partnership Ordinance (Cap. 13) was registered with the Registrar of Companies, Falkland Islands, under No. 2993 on the 9th June, 1953.
2. The registered office of the company is at Port Ajax, East Falkland, Falkland Islands.
3. The nominal capital of the company is £50,000, divided into shares of £1 each. The amount of the capital paid up or credited or paid up is £252,000.
4. The objects for which the company was established are as follows:-

To build, erect, construct, lay down, purchase, option, licence, exchange, or otherwise acquire in any part of the world, any abattoirs, freezing works, cold stores, cooling stores, preserving and packing plants, tanneries, refineries, and any plants or works, or other establishments for the manufacture, getting, extracting, and preparing for market, of animal vegetable and fishery products and by-products, and of produce merchandise of all kinds and descriptions, and to operate, improve, manage, or otherwise turn to account, and deal with or dispose of the same in any manner whatsoever; and other objects set forth in the memorandum of association thereof.
5. That the said company, borrowed £50,000 from the said Government of the Colony of the Falkland Islands, by debenture dated the 20th day of August, 1954, and registered with the Registrar General under No. 2132 on the 2nd day of November, 1954.
6. That the said company charged its undertaking and all its property present and future, including its uncalled capital with the repayment of the principal moneys and interest accrued by the said debenture.
7. That the works and plant of the said company were on the 7th day of February, 1955, placed on a care and maintenance basis and since that date the said company has not traded, neither is there any future prospect of the said company trading.
8. That because of the inability of the said company to trade, the security of the Government of the Colony for the said debenture was held to be in jeopardy.

9. That by a Motion dated the 16th day of September, 1955, the said Government made application to the Supreme Court of the Falkland Islands for the appointment of a Receiver of the property and assets charged by the said debenture.

10. That the application was heard in the Supreme Court on the 27th day of September, 1955, in the presence of the Acting Colonial Secretary representing the Government of the Falkland Islands and the Secretary of Falkland Islands Freezer Company Limited representing his Company.

11. That the subject matter of the motion was not contested by the Company.

12. That a Receiver was appointed by the Court to receive on behalf of the Debenture holder all the property and assets of the Company comprised in, or subject to, the securities and charges created by the said Debenture.

13. That the sales of the property and assets of the Company comprised in, or subject to, the securities and charges created by the said Debenture have realised a return (less expenses and interest paid on debenture) amounting to £5,245. 1s. 10d. and the value of the unsold fixed assets of the Company is estimated to be approximately £10,000.

Your petitioner therefore humbly prays as follows:-

(1) That the said Company may be wound up by the Court under the provisions of the Companies Act, 1948.

(2) That with a view to securing the more convenient and economical conduct of the winding up, the Court may appoint Edward Charles Gutteridge to act as official receiver and provisional liquidator in the winding up for all purposes.

Note.- It is intended to serve this petition on The Receiver of the Falkland Islands Freezer Company Limited.

IN THE SUPREME COURT OF THE FALKLAND ISLANDS.

Advertisement of Petition.

In the Matter of the Falkland Islands Freezer Company, Ltd.

and

In the Matter of the Companies Act, 1948.

Notice is hereby given that a petition for the winding up of the above-named company by the Supreme Court, was, on the day of , 1965; presented to the said court by Leslie Charles Gleadell. And that the said petition is directed to be heard before the Court sitting at Stanley on the 16th day of June, 1965, and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring such copy.

NOTE. - Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above-named, notice in writing of his intention so to do. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm, and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than 2 o'clock in the afternoon of the 15th day of June, 1965.

28th May, 1965.

Dear Mr. McCormack,

928

Thank you very much for your letter about the Ajax Bay Freezer. No we do not think that you are in a mad house. This is only just one more of the on and off problems which seem to get thrust around this place.

Quite obviously now we must insist on cash as any other deal would be too difficult to work out. As long as we get cash we are happy.

At the time of writing we have heard nothing from Maclean and nothing else from the Embassy but we would like to see the matter cleared up within the next couple of months or so if it is at all possible.

Once again thank you very much for writing.

(W.H. THOMPSON)

D.G. McCormack, C.B.E.,
Obligado 1083,
Montevideo,
URUGUAY

110 924
~~Poe~~

IN

BU 20. 6. 65

926
Di. hu.
Freezer File.

A Meeting was held at Government House on the 21st May to discuss the disposal of the Freezer following a further telegram from the Embassy Montevideo.

Those present were - His Excellency the Governor, the Colonial Secretary, the Colonial Treasurer, the Receiver (Mr. Cuttard) Mr. J. Bound (the Acting Receiver when negotiations were conducted with Mr. Holmberg, Mr. H.C. Harding (Executive Council), Mr. R. V. Goss (Executive Council) and Mr. D.R. Morrison.

The Colonial Secretary explained events leading up to the present situation. The question of the interest of a Mr. Fumel in buying the Freezer was recapitulated.

His Excellency stated that he wished to be assured that by accepting the latest proposal of sale that we were doing the right thing as he had not been here when negotiations for the sale of the Freezer had started.

The Meeting agreed to proceed with the sale.

BWS/6/65 (924)

BU 18.6.65(924)

Freezer

927

8 June, 1965.

Sir,

With reference to the winding up of the Falkland Islands Freezer Company Limited on the Petition of the Debenture Holder, in my capacity as Debenture Holder for and on behalf of the Government of the Colony I appoint you to represent me in the forthcoming hearing before the Supreme Court of the Falkland Islands.

I am, Sir,
Your obedient servant,



GOVERNOR.

The Honourable Mr. L.C. Gleadell, J.P.

KIV 924

(532/65)

931
BRITISH EMBASSY,
Consular Section,
MONTEVIDEO.

CONFIDENTIAL

7 June 1965.

Dear Sir,

923 Please refer to correspondence ending with your telegram of 25 May about the sale of the freezer.

I regret to inform you that this business has not yet been completed. The end might be in sight, however, but after all the meetings I have had about this I remain cynical.

Mr. Holmberg must have sent at least a dozen different associates and public notaries to speak to me over the months. He has changed his associates a few times and I must admit that I found it difficult at times to know with whom we were dealing. At the same time several proposals were made about the means of financing the purchase of the freezer but on examination the proposals turned out to be either suspect or impracticable.

As you know Mr. Holmberg is an engineer and needs financial backing from some quarter for the purchase. I have always taken the line, with which Mr. MacCormack agrees, that the latter had completed his negotiations on behalf of the Receiver with Mr. Holmberg and that our responsibility was to ensure that the contract was completed satisfactorily and to accept the payments. The Embassy were not in a position to negotiate.

I am glad we did not budge from this attitude because there is some ill feeling in the business world now that a few people are falling over themselves to buy the freezer. Mr. Holmberg brought a new associate, Sr. Jorge E. Fernández, Director of FRISO S.A., to see me a few weeks ago. These people always turn up about the time "Darwin" is due to arrive here. Sr. Fernández seemed confident that he could produce the whole payment in cash within a few days. Since then, however, there has been the Uruguayan bank scandal and it has been difficult to carry out any banking transactions. But Sr. Fernández reckons that permission for him to buy sterling at the official rate of exchange will soon be forthcoming and that we can draw pesos at the prevailing free rate thus ensuring that the full £11,000 will be paid into the Embassy account. Sr. Fernández also tells me that he has an import licence and also permission to import without the payment of Customs duties. These documents are important and the latter one would probably be unobtainable now if any other person were to try to buy the freezer because there will soon be duties to pay on some components owing to the setting up of a factory here to make freezer units.

At about the time Mr. Holmberg introduced Sr. Fernández as the purchaser I was visited by a representative of Maclean and Stapledon. He wanted to know whether they could send to the Falkland Islands an engineer on an Argentine identity document. The answer was no, of course, but for the first time I was aware of the interest in the freezer shown by this firm. Evidently Mr. Holmberg had also agreed to deal with this firm, whose engineer he is. We left the latter to

/sort ..

W.H. Thompson, Esq.,
Colonial Secretary,
Stanley,
Falkland Islands.

See 932.
CONFIDENTIAL

CONFIDENTIAL

sort this out as best he could. I gather that Mr. Holmberg will make £9,000 profit by dealing with Sr. Fernández. On the other hand, I understand that Maclean and Stapledon have been in touch with you direct in an endeavour to come to an understanding. Mr. MacCormack was thus being by-passed although over the years he had tried as the Receiver's agent to interest them in the freezer.

I have gone into some of the details in case any one should approach you. We are told by both parties that their competitor is a rogue. We are not, however, been drawn into this squabble and intend to remain aloof. The present position is that Sr. Fernández, through Mr. Holmberg, has the option to buy the freezer and there is some likelihood that he will turn up one day with the full payment. If there are any further developments I shall let you know.

Yours faithfully,

C.C. Jones
(C.C. Jones)
H.M. Vice-Consul

932

68.

I thank you for letting me read this letter. It would appear that Holmberg is trading or something he has not got, the option to buy the freezer. Mr. Cormack would know that Holmberg is expecting to get £14,000 and he no doubt gets a large share of the extra £8,000. If this is so it is bad business, possibly typical of S.A. We were prepared to accept £11,000. Fernández would be told this, or we would ask the Embassy to stop negotiations as there is double dealing, we want no part of it.

Stapledon

CONFIDENTIAL

931

Thank you very much indeed for your long explanatory letter (532/65) of 7th June, 1965.

When the Freezer business started we had no idea at all that we would cause you so much trouble. We are very appreciative of all you have done for us.

Holmberg's option lapsed a long time ago, and he is trading something he no longer has. By trailing people along to you he is spinning out something he has no right to.

McCormack is obviously interested in his cut as an agent, and may well have some other interest with Holmberg. We have had no approach from Maclean & Stapledon or anyone else in Uruguay.

If you think the time has come to close negotiations please do not hesitate to say so and we will cut our losses.

(W.H. THOMPSON)

C.C. Jones, Esq.,
H.M. Vice-Consul,
MONTVIDEO.

IM

CONFIDENTIAL

934

IN THE SUPREME COURT OF THE FAULKLAND ISLANDS.

ORDER

In the Matter of the Falkland Islands Freezer Company Limited,
and
In the Matter of the Companies Act, 1948.

IT IS DECLARED AND ADJUDGED that the Falkland Islands Freezer Company Limited, shall stand dissolved as from the date of this judgment; and it is ordered that the dissolution thereof as from that day be advertised in the Government Gazette.

AND IT IS ORDERED that the assets of the above-named Company consisting of £1,519. 1s. 6d. in cash and fixed assets at valuation (£11,000) be transferred to the Shareholders (the Government of the Falkland Islands).

AND IT IS ORDERED that the audited final statement of receipts and payments dated from the 7th day of January, 1965 to the 31st day of July, 1965, and submitted to the Court by the Liquidator, be accepted by the Court.

AND IT IS ORDERED that all interest in the lease dated the 1st day of July, 1951, whereby the premises known as the Freezer, Ajax Bay, East Falkland, were leased to the Colonial Development Corporation and assigned to the Falkland Islands Freezer Company Limited, on the 9th day of December, 1954, at a rent of £36. 10s. 0d. per annum for a term of 99 years, be vested in the Government of the Falkland Islands, as from the date of this judgment.

AND IT IS ORDERED that Edward Charles Gutteridge the Liquidator, be released from his duties as Liquidator, as from the date of this judgment, and he is discharged from all liability in respect of any act done or default made by him in the administration of the affairs of the Falkland Islands Freezer Company, Limited or otherwise in relation to his conduct as Liquidator, but this part of this judgment may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material facts; and it is ordered that his release shall be advertised in the Government Gazette.

AND IT IS ORDERED that the books and papers of the Falkland Islands Freezer Company, Limited, shall not be destroyed before the 1st day of August, 1970.

W. H. Thompson
Acting Judge.

~~Closed see vol VII~~

~~freezer at Ajax Bay.~~

-

~~31-7-65~~

935

IN THE SUPREME COURT OF THE FALKLAND ISLANDS.

Advertisement of Dissolution

In the Matter of the Falkland Islands Freezer Company Limited,

and

In the Matter of the Companies Act, 1948.

By an order of the Supreme Court dated the 31st day of July, 1965, the Falkland Islands Freezer Company Limited was dissolved as from that date.

Dated this 31 day of July, 1965.

H. Bennett

Registrar.

Pulson file

936

IN THE SUPREME COURT OF THE FALKLAND ISLANDS.

Advertisement of Release of Liquidator.

In the Matter of the Falkland Islands Freezer Company Limited,

and

In the Matter of the Companies Act 1948.

By an order of the Supreme Court dated the 31st day of July, 1965, Mr. Edward Charles Gutteridge, the Liquidator of the above-named Company was released from his duties as Liquidator as from that date.

Dated this 31st day of July, 1965.

J.P. Bennett

Registrar.

Pat. m file

pac

Good see Vol 1
(Freezer at Max Band)

5/8/66

936a

(532/65)



BRITISH EMBASSY,
Consular Section,
MONTEVIDEO.



7 September 1965. /vi

*Transfer to 0588/vi
as w his up a
6/b.*

*W1
25/w*

Dear Sir,

Thank you for your letter 0588/VI received here
a couple of weeks ago about the Ajax Bay Freezer.

I have informed McCormack that Holmberg's option
has lapsed. I have also told McCormack that as the
Receiver's agent I thought it was up to him to deal
with any other potential buyers. A few people have
shown interest and it is quite possible that McCormack
will come up with fresh proposals. The lack of
foreign exchange (in other words a favourable rate for
the purchaser, who would pay us in Pesos) and import
permits could well delay any further local reaction
for some time.

Yours faithfully,

Chris Jones
(C. C. Jones)

H.B.M. Vice-Consul

W.H. Thompson, Esq.,
Colonial Secretary,
Stanley,
Falkland Islands.

933 in
0588/vi

Original filed in 2067.

A.C.S.,

See 47 on file 2067

These bills may be an arguing point when we come to settle the Ajax Bay site with G.C.R. Bommer. We may be able to offer them in lieu of compensation.

However the main point is that a new lease of the Ajax Bay site must be arranged. As you know the Freezer Company has finally folded up.

When G.C.R.B. comes back please arrange with him to continue to rent the site on the existing basis or a yearly basis until we have had time to sort it all out properly.

(Initia.) W.P.

5.10.

25/10
G.

9366

Closed SEE von U

(Mezger at Ajax Bay)

Kiv 9360

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