

IN THE SUPREME COURT OF)
THE STATE OF VICTORIA)

In the Probate Jurisdiction

IN THE WILL of MINNIE CROMIE late
of 218 Hotham Street Elsternwick in
the State of Victoria Widow deceased

AFFIDAVIT ON ORDER FOR DISCOVERY



186011

Russell Bona & Russell
19 Queen Street
MELBOURNE
Executor's Solicitors.

IN THE SUPREME COURT OF)
THE STATE OF VICTORIA)

In the Probate Jurisdiction

IN THE WILL of MINNIE CROMIE late of 218
Hotham Street Elsternwick in the State
of Victoria Widow deceased

I WILLIAM HENRY THOMAS of 218 Hotham Street Elsternwick
in the State of Victoria Civil Servant the executor named
in and appointed by the above-mentioned Will make oath and
say as follows:

1. That the only testamentary paper of the said
testatrix (exclusive of the will lodged with the
application for Probate herein) which is or has been
in my possession power custody or control or which
was in the possession power custody or control of
the said testatrix at the time of her death is
the following document, namely, a Will bearing date
the nineteenth day of May One thousand nine hundred
and twenty-two and signed by the testatrix in the
presence of Mary Harris and Ada Eliza Unitt.

S W O R N at Melbourne in the)
State of Victoria by the said)
William Henry Thomas this----)
^{seventeenth} day of November One)
thousand nine hundred and ---)
twenty-two)

W. H. Thomas

Before me

Charles J. ...

A Commissioner of the Supreme Court of Victoria for taking affidavits.

186011

IN THE SUPREME
COURT OF VICTORIA }

In its Probate Jurisdiction

IN THE WILL of MINNIE CROMIE
late of 218 Hotham Street, Els-
terwick in the State of
Victoria Widow Deceased



NOTICE of OBJECTION



A. G. HALL & WILCOX
Solicitors
395 Collins Street
MELBOURNE.

IN THE SUPREME COURT)
OF VICTORIA)

In its Probate Jurisdiction

IN THE WILL of MINNIE CROMIE late of
218 Hotham Street Elsternwick in the
State of Victoria Widow Deceased

TAKE NOTICE that the Caveator EDWARD JOHN FORD both
personally and as legal personal representative of the
Caveatrix ELIZA HYLAND relies upon the following grounds
of objection herein, viz :-

- (a) The Will was not executed by the Testator
- (b) The Will was not executed in conformity with
the Wills Act
- (c) Undue influence exercised by William Henry
Thomas

D A T E D the Eighth day of November One thousand nine
hundred and Twenty-two

A. G. Hall & Wilson

Solicitor for the Caveator

To/

WILLIAM HENRY THOMAS
and his Solicitors
Messrs. RUSSELL BONA & RUSSELL.

186011
IN THE SUPREME COURT OF
VICTORIA

In the Probate Jurisdiction

IN THE WILL of MINNIE CROMIE
late of 218 Hotham Street
Elsternwick in the State of
Victoria Widow deceased.

PRÆCIPUE FOR SUBPOENA



W. H. B. Russell
W. H. B. Russell
Russell Bona & Russell
19 Queen Street
Melbourne
Executors' Solicitors.

IN THE SUPREME COURT }
OF VICTORIA }

In the Probate Jurisdiction.

IN THE WILL of MINNIE CROMIE late of 218
Hotham Street Elsternwick in the State of
Victoria Widow deceased.

SEAL WRIT OF SUBPOENA

on behalf of the Executor named in and appointed by the
above-mentioned Will directed to Mrs. Louisa McGregor of
23 Bowen Street Windsor and others returnable

W. G. Bona 22/11/22

DATED the *22nd* day of November 1922

Evan Guyenne Bona

of the firm of Russell Bona & Russell
19 Queen Street, Melbourne
Solicitors for the Executor.

186011
In the Supreme Court
of Indiana

In the Probate Jurisdiction

In the Will of Myrini (name)
decease of 208 Mellem Street
Ellettsville in the State of
Indiana Mellem deceased

Applicant of S



For Myself and Myself
19 Queen Street
Melbourne
Victoria

In the Supreme Court } Probate Jurisdiction
of Victoria

In the Will of Minnie Cronie late of
218 Hotham Street Elsternwick in the
State of Victoria. Widow deceased

I Geoffry Francis Carmichael of 19 Queen Street Melbourne
in the State of Victoria, Solicitor make oath and say:

That I have this day searched in the proper
office of this Honorable Court and find that no
Caveat has been lodged in this matter save
and except a Caveat filed on the twentieth day
of September One thousand nine hundred and
twenty two ^{and lodged} by Eliza Hyland and Edward J Ford.

Sworn at Melbourne in the
State of Victoria this twenty seventh
day of November One thousand
nine hundred and twenty two.
Before me } Geoffry F. Carmichael

Albert E. Casey
A Commissioner of the Supreme Court of Victoria for taking Affidavits

186011
In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will

of Minnie Cromie

late of 218 Hotham Street
Elsterwick
in the State of Victoria Widow

deceased

Affidavit of Proclamation
and of Searches.



Russell Bona & Russell
19 Queen Street
Melbourne
Proctors for the applicant

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA.

IN THE **Will**

of **Minnie Cromie**

late of **218 Hotham Street Elsternwick**

in the State of Victoria **Widow**

deceased

¶ Geoffrey Francis Carmichael

of **19 Queen Street Melbourne**

in the State of Victoria **Solicitor**

make oath and say—

1. That the following advertisement duly appeared in the "**Age**" newspaper published in Melbourne on the **nineteenth** day of **July One thousand nine hundred and twenty-two** namely

Notice is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of the State of Victoria in its Probate Jurisdiction that **probate of the will of MINNIE CROMIE late of 218 Hotham Street Elsternwick in the said State Widow may be granted to WILLIAM HENRY THOMAS of 218 Hotham Street Elsternwick aforesaid Civil Servant the executor named in and appointed by the said Will**

Dated the 19th day of July 1922

Russell Bona & Russell, 19 Queen Street, Melbourne, Proctors for the applicant.

2. That I have since the death of the deceased searched and find that no Will of the above-named deceased is deposited in the office of the Registrar-General.
3. That I have this day searched in the proper office of this Honorable Court and find that no caveat has been lodged in this matter.
4. That no application for probate or administration in this matter has heretofore been made to or been granted by this Court or the Registrar of Probates of this Court.
5. That I am **in the sole and permanent employ of Messrs. Russell Bona & Russell, of 19 Queen Street, Melbourne, proctors for the applicant, only.**

SWORN at **Melbourne** in the
State of Victoria this *twentieth* day of
August One thousand nine
hundred and **twenty-two.**

Before me

Albert E. Casey

Geoffrey F. Carmichael

IN THE SUPREME COURT OF

VICTORIA

Probate Jurisdiction

IN THE WILL of MINNIE CHOMIE
late of 218 Hotham Street
Elsterwick in the State of
Victoria Widow deceased



A F F I D A V I T



Russell Bona & Russell
19 Queen Street
MELBOURNE
P r o c e e d i n g s

IN THE SUPREME COURT }
OF VICTORIA }

PROBATE JURISDICTION

IN THE WILL of MINNIE CROMIE late of 218
Hotham Street Elsternwick in the State of
Victoria Widow deceased.

I WILLIAM HENRY THOMAS of 218 Hotham Street Elsternwick
in the State of Victoria Civil Servant make oath and say:

1. That I am the sole executor named in and
appointed by the will of the above named deceased,
and am applying for probate of the said will.
2. That the husband of the said deceased was at
the time of his death a natural born British subject
and the said deceased did not acquire any other
nationality after his death.

SWORN at Melbourne in the State }
of Victoria this *eighteenth* }
day of August One thousand nine }
hundred and twenty-two. }

W. J. Thomas

Before me

W. Augustus Jones

A Commissioner of the Supreme Court of Victoria for taking affidavits.

186011
IN THE SUPREME COURT OF
VICTORIA

In its Probate Jurisdiction.

IN THE WILL of MINNIE CROMIE
late of 218 Hotham Street -
Elsternwick in the State of
Victoria Widow Deceased.

C A V E A T .



Entirely paid on 2.8.22
10/10/22
W

A.G. HALL & WILCOX
Solicitors
395 Collins Street
Melbourne.

IN THE SUPREME COURT
OF VICTORIA

In its Probate Jurisdiction

IN THE WILL of MINNIE CROMIE late of 218 Hotham
Street Elsternwick in the State of Victoria --
Widow Deceased.

LET NOTHING BE DONE in the matter of the Will or Estate
of the above-named Deceased without giving notice to each of us
ELIZA HYLAND and EDWARD JOHN FORD - both of 98 Charles Street -
Northcote in the State of Victoria Mother and a Brother respec-
tively of the said deceased and entitled as two of her next of
kin to share in her property whose address for service is to the
care of our Proctors Messieurs A.G. HALL & WILCOX of National -
Mutual Building 395 Collins Street Melbourne in the said State.

DATED this *tenth* day of August One thousand nine
hundred and Twenty-two.

E. J. Ford
E. J. Ford

186011

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of MINNIE CROMIE

of

late of 218 Hotham Street
Elsternwick
in the State of Victoria Widow
deceased



INVENTORY.



Russell Bona & Russell
19 Queen Street
Melbourne
Proctors for the applicant

Harston, Partridge & Co., Printers, Melbourne.

" B "

In the Supreme Court

OF VICTORIA.
(PROBATE JURISDICTION)

This is the inventory marked " B " produced and shewn to **William Henry Thomas** at the time of swearing his Affidavit herein, sworn this *twelfth* day of **August** 1922

Before me,

Francis [Signature]
A Commissioner of the Supreme Court of the State of Victoria for taking Affidavits.

IN THE Will of **MINNIE CROMIE**

late of **218 Hotham Street Elsternwick**

in Victoria **Widow**

deceased.

INVENTORY OF ASSETS.

	f	s.	D.
REAL ESTATE.			
All that piece of land containing 27 and 5/10ths perches being part of Crown Allotment 267 at Elsternwick Parish of Prahran County of Bourke and being the whole of the land comprised in Certificate of Title Vol. 1531 Fol. 306034 on which is erected a weatherboard house containing 5 living rooms, kitchen, scullery, and usual out office, stable coach house, and man's room, known as 218 Hotham Street Elsternwick. Valued by me at	750	0	0
CARRIED FORWARD	£ 750	0	0

BROUGHT FORWARD £ 750 0 0

PERSONAL ESTATE.

Land held under any lease or licence ...	Nil	£		
Improvements	Nil			
Rents	Nil			
Crops	Nil			
Live Stock	Nil			
Farming Implements	Nil			
Carriages, &c.	Nil			
Harness and Saddlery	Nil			
Furniture			50	0 0
Salary or Wages	Nil			
Pensions	Nil			
Compensation on retirement or loss of office	Nil			
Watches, Trinkets, Jewellery, &c. ...	Nil			
Other Personal Effects, Clothing, &c. ...			5	0 0
Money in hand or house	Nil			
Money in Bank or Building Society, Current Account	State S. Bank, Elsternwick, Bal. in Pass Book £217:5:2, interest to 8/7/1922 £8:11:4		Total -----	225 16 6
Money in Bank or Building Society, Deposit	Nil			
Interest on same	Nil			
Debentures	Nil			
Bonds	Nil			
Mortgages	Nil			
Interest on Money, Debentures, Bonds, Mortgages, &c., to date of death }	Nil			
Life Policies	Nil			
Bonuses	Nil			
Shares	Nil			
Dividends	Nil			
Plant, &c.	Nil			
Tools	Nil			
Debts due to the Estate	Nil			
Interest in a Partnership Business ...	Nil			
Goodwill	Nil			
Interest in a Deceased Person's Estate	Nil			
Stock in Shop or Business	Nil			
		TOTAL ASSETS	£ 1030	16 6

Dated this *fourth* day of August 1922

N. J. Thomas

