

In the Supreme Court
of the Colony of Victoria }

Invits Probate Jurisdiction

In the Will of James -
Ferguson late of Glenferrie
Road Torak in the Colony
of Victoria Wholesale - - -
Stationer deceased - - -

I Percy Joseph Russell of Queen
Street in the City of Melbourne in the
Colony of Victoria Solicitor make oath
and say - - -

1 During the year One thousand
eight hundred and eighty two I was an
Attended Clerk to the late George Henry
Taylor then of Queen Street aforesaid -
Solicitor who at that time acted as
Solicitor for the abovenamed James
Ferguson

2 In or about the month of -
March One thousand eight hundred
and eighty two I was present with the
said George Henry Taylor and did see
the abovenamed James Ferguson - -
deceased duly execute a paper writing
which I was then informed and believe
was a will of the said James Ferguson

3 The said George Henry Taylor
and this deponent attested the said -
paper writing in the presence of the said
James Ferguson and in the presence of
each other

4

J.L.

I have no knowledge
whatever of the contents or effect of
the said paper writing but I believe
it was very short, ^{and} did not occupy
more than one page and a half of
foolscap paper

5 To the best of my recollection
the said James Ferguson brought
to the office of the said George
Henry Taylor a pencil draft of
the will he wished made out and
the said George Henry Taylor while
the said James Ferguson waited
altered such pencil draft and had
it engrossed and it was then - -
executed as aforesaid

6 The said George Henry -
Taylor is now dead and I have -
succeeded to his business

7 I have made a careful
search among his papers but - -
cannot find either the draft or the
original of the said will and I
believe that the said James Ferguson
took away both the draft and the
original of such will immediately
after the execution thereof

Suorn at Melbourne in
the Colony of Victoria this
sixteenth day of May 1888
Before me

Percy J. Russell

Thos. Colles

A Commissioner of the Supreme
Court of the Colony of Victoria for taking -
Affidavits

In the Supreme Court
of the Colony of Victoria

3rd / 31st
In re Robt Kennedy

In the Will of James
Ferguson.

Affidavit
of John W Ferguson



James W Ferguson

In the Supreme Court of
the Colony of Victoria.

In its Probate Jurisdiction.

In the Will of James Fergusson late
of Melbourne in the Colony of
Victoria Wholesale Stationer deceased

I Michael Willis Fergusson of Collins Street
West in the City of Melbourne in the Colony of
Victoria Wholesale Stationer make oath and say

1. That I am the only brother of the deceased
and was at the date of deceaseds death and
still am a Member of the firm of "Fergusson &
Mitchell" of Collins Street West aforesaid or as
Stationers of which firm the above named
deceased was Senior Member at the date of
his death.

2. That I have made a careful search in
the safe and among all the business papers
of the said firm and in all the drawers of the
said firm and among all the private papers
and in all the private drawers of the said
James Fergusson deceased at the said place of
business but have been unable to find the Will
which the said deceased is supposed to have
made in the month of March One thousand
eight hundred and eighty two or any other
Will.

3. That I have also made enquiries at the
Land Mortgage Bank of Victoria Limited where
the deceased kept his private account and at the
City of Melbourne Bank Limited where the

business account of the firm of "Fergusson & Mitchell" was kept but found that no Will of the said deceased had been lodged in either of the said Banks. _____

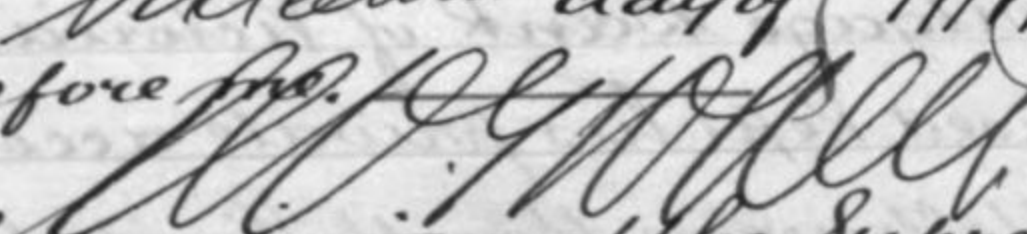
4. That I have made enquiries among all persons likely to know as to whether the deceased left any Will or document purporting to be a Will with them but have failed to find any trace of any Will or other testamentary writing except the Will dated the fifth day of December One thousand eight hundred and seventy one which is annexed to the Affidavit of Henrietta Fergusson sworn herein. _____

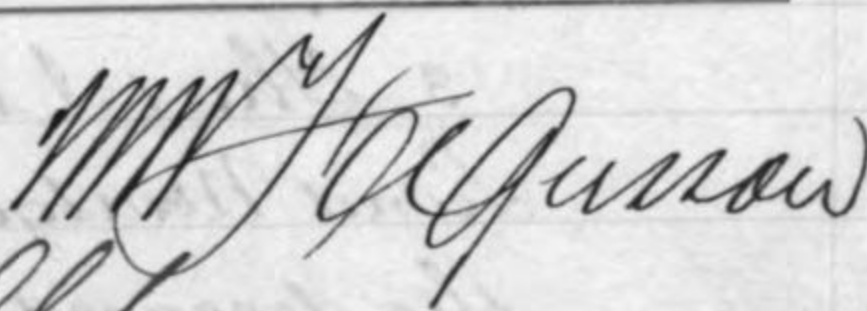
5. That I was on very affectionate terms with the said deceased and he often spoke to me about his private affairs but he never mentioned or that he had made any ~~other Will than his~~ Will ~~dated the fifth day of December One thousand eight hundred and seventy one.~~ _____

6. That for the reasons aforesaid I believe that if the said deceased made any Will in the month of March One thousand eight hundred and eighty two he afterwards destroyed it. _____

7. That the said James Fergusson left the said Henrietta Fergusson his lawful widow but no children and the only next of kin of the said James Fergusson are his mother Eliza Fergusson his sister Margaret Fergusson (both of whom are resident in Scotland) and this deponent. _____

Sworn at Melbourne in the Colony of Victoria this Nineteenth day of May 1888 Before me


a Commissioner of the Supreme Court of the Colony of Victoria for taking Affidavits


Henrietta Fergusson

In the Supreme Court
of the Colony of Victoria

3rd/3rd 1888

In the Probate jurisdiction

On the Petition of Jas.
Bergeson deceased

Affidavit

of

the Bergeson

x



James Campbell

In the Supreme Court }
of the Colony of Victoria } with Probate jurisdiction

In the Will of James Fergusson late
of Melbourne in the Colony of Victoria
Wholesale Stationer deceased.

I Henrietta Fergusson of Glenferrie in the
Colony of Victoria Widow of the above named
deceased make oath and say.

1. That after the death of the said
deceased I and Michael Millis Fergusson a
brother of the said deceased were on Friday
the sixth day of April last searching for
the Will of the said deceased in his ~ ~
bedroom when I remembered that many ~
years before the deceased had informed me
that his Will was in the top centre ~
drawer of a chest of Drawers in
his bedroom where he kept some of
his private papers locked up. —
2. That while we were searching
for the Will and when I ~ ~ ~
remembered the conversation last ~ ~
mentioned I told the said Michael ~
Millis Fergusson and requested him to
look in the centre drawer of the said
chest of Drawers.
3. That I saw the said Michael Millis
Fergusson open the said centre Drawer and
there find the Will of the said deceased

dated the fifth day of December one
thousand eight hundred and seventy
one and referred to in my previous
affidavit sworn herein on the fifteenth
day of May instant.

Sworn at Melbourne in the
colony of Victoria this ~
23rd day of May one
thousand eight hundred
and eighty eight —

Before me

Henrietta Fergusson

Geo: Pullen

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

In the Supreme Court
of the Colony of Victoria

34/314.

In re Robtate production

In the Will of James
Ferguson

Affidavit
of Mr Ferguson



James Robertson

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of James Fergusson late of
Melbourne in the Colony of Victoria Wholesale
Stationer deceased

I Henrietta Fergusson of Glenferrie Torak in the
Colony of Victoria Widow of the above named deceased make
oath and say:—

1. That I have read an Affidavit proposed to be made
herein by Percy Joseph Russell of Melbourne Solicitor

2. That I have made careful search among all the papers
drawers boxes cupboards and other likely places at the
late residence of the said deceased but have been unable to
find any Will or testamentary writing other than the
Will of fifth December One thousand eight hundred and
seventy one And I believe that if any Will was ever made
in the year One thousand eight hundred and eighty
two the said deceased must have destroyed the
same.

3. That about a month before the death of
the said deceased I asked him if he had
made provision for me in the future
and the said deceased replied that I
was amply provided for and that my
interest accruing would make interest
for me but that when he got better he
intended to alter his Will.

4. That I did not know at the time of
such conversation nor had the said deceased
ever told me that he had made any

Will since the said Will of fifth December One
thousand eight hundred and seventy one

Sworn at Melbourne in the
Colony of Victoria this
fifteenth day of May. One
thousand eight hundred and
eighty eight Before me.

Henriette Jorgensen

Geo. Pullen
A Commissioner of the Supreme Court of the
Colony of Victoria for taking Affidavits.

In the Supreme Court
of the Colony of Victoria

3rd/3/9

In the Probate Jurisdiction

In the Will of James
Terguson late of Melbourne
deceased in the County of
Victoria Miscellaneous Matters
deceased.

Fifteen months
account



David Campbell & Davies

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of James Fergusson late of Glenferrie
Tobacco in the Colony of Victoria Wholesale Stationer deceased

Account of the administration of the Estate of the above named James Fergusson deceased by Henrietta Fergusson the Executrix named in and appointed by the Will of the said deceased

Dr.

Cr.

To Directors Fees National Mutual Life Insurance Company	34	1	10
To Australian Mutual Provident Society Policy	500	.	.
" " " " Bonus	44	15	3
" National Mutual Life Association Policy	1000	.	.
" " " " Bonus	47	14	6
" Standard Life Assurance Policy	600	.	.
" " " " Bonus	57	10	.
" J. D. R. Fourth Victoria Building Society	57	7	6
" Interest on do to date of death	1	7	10
" J. D. R. Fourth Victoria Bldg Society	60	.	.
" Interest on do to date of death	19	4	.
" J. D. R. Fourth Victoria Building Society	1000	.	.
" Interest on do to date of death	13	13	8
Metropolitan Building Society Bonus on share conversion	320	.	.
Law Mortgage Bank balance at credit of current account	1300	19	1
Australian Deposit and Mortgage Bank Dividend	52	10	.
" H. Schmidt to account of debt	24	4	5
" Refund Emerald Hill Bathing Coy	21	5	0
" Treasury of Victoria proceeds sale of land	6850	.	.
" Interest on ditto to date of death	257	17	3

Forward £12244 5 8

By Probate duty	5499	1	9
" James Bruce & Mighton	4	4	0
" W. A. Zeal	12	12	.
" James & Campbell Cook	73	18	2
" " " "	57	7	4
" Fraser & Co Valuation fee	42	16	2
" G. S. Brown Draper	8	3	6
" Robertson & Moffatt	53	4	.
" Roche & Co Upholsters	22	12	6
" Metropolitan Bank calls interest	1529	18	2
" Fraser & Co Limited	12	10	.
" Fourth Victoria Building Society	35	5	3
" E. S. & Austr Chartered Bank Debt balance	1759	5	5
" Real Estate Bank allotment 500 shares 5/10	500	.	.
" " " Interest on ditto	6	3	3
" " " Allotment 500 shares @ 7/10	195	16	8
" M. W. Fergusson re Oscar Hansen	1500	.	.
" " " re Ewen & Dindley	1300	.	.
" " " re H. Schmidt	210	.	.
" Sumaries	2	14	0
" Perpetual Executors & Commission on realization	318	13	6
" Edward Blythe loan on Mortgage	3500	.	.

Forward £16642 5 8

Forward £		12244	5	8
To Interest on F D R Real Estate Bank				
to date of death	17	19	2	
" Final Dividends Camelfeld Land Company	408			
" Ballieu purchase of allotment new shares Real Estate Bank	194			
" M. W. Fergusson	2500			
" ditto share of Probate duty	552	7	11	
" Kitchen & Sons Dividends	41	15	3	
" Grand Coffee Palace	15			
" Federal Bank	11	5		
" Metropolitan Bank	293	18	9	
" Fraser & Co	10	6	3	
" Real Estate Bank	1512	8	9	
" National Insurance Company Directors	5	5		
" Langlands Laundry Co	53	5		
" Johnsons Ref & Oil Company	18			
" City of Melbourne Bank	104	15	10	
" Land Mortgage Bank	103	12		
" Mercantile Finance & Co Company	120			
" Australian Deposit and Mortgage Bank	147			
" Australian Mercantile Union	3	15	0	
" Government Interest on Land purchase	387	7		
" Interest on F D R Fourth Victoria Bldg Society	1	18	7	
" " " " " " " " " " " "	2	5	10	
" " " " " " " " " " " "	43	3	7	
" F D R Fourth Victoria Bldg Society	50			
" Interest on ditto	2	15	0	
" " on F D R Real Estate Bank	162		10	
Carried forward £		19006	10	5

Forward £		16642	5	8
By M. W. Fergusson & Co	187	10		
" ditto ap. Sir James MacRae	50			
" Melbourne Water	6	10		
" Rate Stanhope Street Lf 5/- 15/-	8			
" " Glenferrie & Torak	80	8		
" " ditto	142	10		
" Assessment Moradillo Property	3	15		
" North Union Fire Premiums	8			
" National Fire Insurance Premium Moradillo	3	10		
" Christian Mercantile Union	2	1	3	
" Colonial Mutual Fire Stables	7	6		
" " " " "	1	10		
" Assessment of Land Moradillo	5			
" Interest on overdraft E S & Austn Chartered Bank	205	1		
" M. W. Fergusson	52	15	0	
" " "	741	3	4	
" " "	20			
" " "	50			
" " "	100			
" " "	370			
" Poppleal Executors & Co	77	5	0	
" Oscar Hanstein	100			
" Balance in E S & Austn Chartered Bk	148	18	8	

Carried forward £ 19006 10 5

Brought forward £ 19006. 10 5

Brought forward £ 19006. 10 5

Portion of Estate Retained

All that piece or parcel of land situated at Glenferrie in the Parish of Prahran County of Bourke being portion 21 containing about 60 acres bounded on the South by a line bearing West seventeen chains then North thirty four chains then on the North by Springbrook Creek then bounded on East by portion 22 being a line bearing South 36 chains 44 links upon which is erected a 2 story brick house (About 5 acres of the foregoing were purchased by Government of Victoria for Railway purposes) -

Also All that piece or parcel of land situated at Malvern in the County of Bourke and Colony of Victoria being allotment nine of Section B. in the Stanhope Estate having a frontage of 60 feet to Stanhope Street by a depth of 120 feet

Personal Estate

Household furniture and effects.

Shares.

560 Land Mortgage

20 Australian Deposit and Mortgage Bank

207 City of Melbourne Bank

50 Federal Bank

355 Langland Tannery Company

1 Menz Model Lodging House

50 National Assurance Company

87 J. Kitchen & Son

5. Womens Model Lodging House

50 shares Grand Hotel & Coffee Palace

20 " Johnstone Reef Gold Mining Co.

120 " Metropolitan Bank

17 " Fourth Victorian Permanent Bldg Society

100 " Mercantile Finance Guarantee Agency Co.

Carried forward £ 19006. 10 5

Carried forward £ 19006. 10 5

Brought forward £19006. 10 5

£19006. 10 5

(Dated the twenty second day of February - 1890

Henrietta Fergusson -

Executrix

Brought forward £19006 10 5

Portion of Estate retained continued

1028 shares Real Estate Bank

1000 " Australian Mercantile Union Insurance Coy

200 " Employers Union

100 " Fraser & Co

Fixed deposit receipt Real Estate Bank due 28/2/90
£3000

Portion of Estate uncollected

John Bedgood Money lent interest £750

£19006. 10 5

In the Supreme Court
of the Colony of Victoria
23rd / 3rd
In its Probate Jurisdiction

In the Will of Geo.
Bergueon, deceased

Affidavit of
M^r M^r Bergueon

8



James Campbell

In the Supreme Court }
of the Colony of Victoria } In its Probate jurisdiction

In the Will of James Fergusson late
of Melbourne in the Colony of Victoria
Wholesale Stationer deceased

I Michael Willis Fergusson of Collins Street West
in the City of Melbourne in the Colony of
Victoria Wholesale Stationer make oath and say.

1. That on Friday the sixth day of April
last I and Henrietta Fergusson the Widow of
the said deceased were searching in the
deceased's bedroom for the deceased's Will when
the said Henrietta Fergusson informed me that
the deceased many years before had
informed her that his Will was in the
top centre drawer of the chest of drawers
in the bedroom where some of his private
papers were kept.
2. That at the request of the said
Henrietta Fergusson I unlocked the said top
centre drawer and on searching among the
papers in the same found the Will of the
said deceased which is annexed to the affidavit
of the said Henrietta Fergusson sworn herein on
the fifteenth day of May instant.

Sworn at Melbourne in the
Colony of Victoria this 23rd
day of May one thousand
eight hundred and eighty
eight

Before me

Geo: Pullen

Commissioner of the Supreme Court of the Colony
of Victoria for taking affidavits

W. Fergusson