

In the Supreme Court
of the Colony of Victoria

11) 607

In its Probate Jurisdiction

In the Will of William
John Turner Clarke
deceased.

Accepted

Final Statement



Lawyer
29 Queen Street
Melbourne.

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will and six Codicils thereto of William
John Turner Clarke late of Rosebank
Essendon near the City of Melbourne in
the Colony of Victoria Esquire deceased.

A true and just Account of William John Clarke and Joseph Clarke Executors of the said Will and Codicils and of their administration of the Estate of the said William John Turner Clarke deceased as to their receipts and disbursements and showing the portion retained by them and what portion of the said Estate remains outstanding

Receipts

Freehold Townlands as per Inventory				
Filed herein valued at	87405	5	0	
Rockbank Estate as per Inventory	188506	3	6	
Bald Hills " " "	41165	5	"	
Sundry Lots " " "	68378	4	"	
Bolinda-vale " " "	158550	10	8	
Red Rock Estate " " "	121681	7	6	
Live Stock &c	59572	11	3	
Money advanced on Mortgage " "	371823	2	11	
Interest due as " "	49256	6	6	
Shares " " "	266636	15	6	
Furniture &c	300	"	"	
Carried forward	£1369244	11	10	

Receipts continued £ 1369244.11.10

Proceeds of Policy of
Insurance Co^y on life
of dec^d Australasian
Insurance Comp^y 1000 - -

1370244.11.10

Debts received due to Testator

H. D. Clarke	405	1	11
H. L. M. Beggs	1926	12	8
Bank of Australasia Ltd	233	7	7
George Jeans	4	18	9
H. Gibson	29	9	8
J. Braumigan M ^{rs}	612	13	5
G. H. Petty	47	2	5
M ^{rs} Bell	132	18	2
A. H. Facey	10	-	-
D. Ryan	400	-	-
G. Ellerman	1	10	6
A. Hunt	177	18	11
D. M ^c Dellan	6	6	7
P. B. Black	19	17	3
J. A. Macarthy	25	1	4
A. M ^c Kenzie	81	-	2
J. Morris	25	-	-
A. Logagiamus	172	3	7
A. H. M ^c Leod	11	15	7
J. Oliver	101	6	6
Eaton & Griffith	21	17	8
L. H. Cohen & Co	81	6	11
Brash Bro & Salenger	16	8	9
Burton & Phillipie	34	17	3
H. M ^c Culloch & Co	15	2	1
H. Thistlethwaite	20	9	7

Carried forward £ 4614.7.3 1370244.11.10

Forward £ 4614.7.3 1370244.11.10

Dobson & Sons	17	10	-
E. Clarke	43	1	2
Allan Jenkins	140	12	8
Thomas Brown	561	12	-
M ^{rs} J. Cameron	7	17	-
C. Carter	4	18	-
J. Mulcare	2	17	-
J. H. Bennett	63	1	7
William Morley	108	14	4
William Hutchinson	57	1	6
D. M ^c Kay	9	11	-
Jones Bros	3	7	-
William Dearmouth	5310	12	7
H. Lynch	1	14	6
R. Pitsavin	498	3	4
R. Blackwood	233	6	8
M ^c Donald Bros	1598	1	0
H. Hutchinson	153	2	4
Maguire & Cohen	3000	-	-
Colonial Bank	152947	12	9
Bright Bros & Co	116	13	11
M ^{rs} J. & M. J. Clarke	782	10	3
G. Seal	418	17	6

170686 4 3 1540930.16.1

Disbursements

Debts of Testator

Exors of Louis Clarke	840	13	7
E. A. & C. Richardson	4010	13	8
C. M ^c Donald	6	5	0
R. M. & A. J. Ardner	37	7	8
C. J. Haw	2	6	11
J. Mudie	36	6	8
H. Howat	8	15	4

Forward £ 4942.8.10

1540930.16.1

Forward £	4942	8	10	1540930	16	1
M ^r J. Webb	5	5	10			
W. Cruckshank	2	13	-			
Oriental Bank	10770	12	-			
Southern Ins ^{co} Comp ^y	428	10	4			
Colonial Bank	800	7	6			
W. J. Clarke	26368	6	2			
H. W. Clarke	1686	6	5			
D. Motherwell	1370	-	-			
Sands & McDougall	6	3	3			
Klingender & Charstey	13	1	6			
J. Bavey	180	-	-			
W. R. Hill	2	12	-			
W. H. Roche	23	13	6			
J. Sumner	29	3	9			
George Browne	3	3	-			
Exors of Louis Clarke	21	4	8			
Robwedder	4	1	0			
Nicholas	3	11	2			
Bullock	5	10	-			
Sadler	4	1	6			
Orang	3	14	4			
Harrison	2	13	-			
Russell	5	11	6			
J. Kearu	56	19	7			
McEwan & Co	9	7	6			
James McEwan & Co	285	6	1			
George Browne	81	13	-			
G. P. Grey	914	10	-			
H. J. Frutchen	23	13	-			
A. Dempster	100	4	6			
J. Sumner	1051	14	10			
G. Wallis & Co	1	11	-			
Forward £	49207	13	9	1540930	16	1

Forward £	49207	13	9	1540930	16	1
W. J. Clarke	3109	7	8			
Funeral & Testamentary Expenses	801	-	3	53118	1	8
Legacies from which has to be deducted proportion of legacy duty						
To Mr. William John Clarke						
Freehold Town Lands	87705	5	0			
Rockbank Estate	188506	3	6			
Bald Hills Estate	41165	5	-			
Sundry Lots	68378	4	-			
Bolinda-vale Estate	158550	10	8			
Red Rock	121681	7	6			
Live Stock &c	59572	11	3			
Money advanced on M ^{rs} G ^{rs}	91357	5	1			
Interest due as per Invent ^y	4925	6	6			
Ballarat Gas Coy Shares	1760	-	-			
Melbourne Gas Coy Shares	21350	7	6			
Mell & Hobsons Bay R ^y Shares	74796	-	-			
Southern Ins ^{co} Coy Shares	511	17	6			
Debts due to Testator	87943	-	2½			
Furniture &c	300	-	-	1008503	3	8½
To Mr. Joseph Clarke						
Money Advanced on M ^{rs} G ^{rs}	91357	5	1			
Southern Ins ^{co} Comp ^y Shares	511	17	6			
Colonial Bank Shares	122960	-	-			
National Bank Shares	25096	13	-			
Bank of Victoria	19650	-	-			
Carried forward £	259575	15	7	1061621	5	4½
				1540930	16	1

Forward £	259575	15	7	1061621	5	4½	1540930	16	1.
Debts due to Testator	87943	-	2½	347518	15	9½			
<u>To Eliza Clarke.</u>									
bark	300	.	.						
Annuity	622	13	8	922	13	8			
<u>To Richard Gibson & Jane Maloney</u>									
Property at West Melbourne and Notkam conveyed on the 7 th day of Sept. 1874	5474	.	.						
Proceeds of Policy of Insurance on life of deceased Australasian Insurance Corp ^y	1000	.	.						
bark	1500	.	.	7974	.	.			
<u>To Mrs Brock</u>	50	.	.						
Miss C. Hearw	100	.	.						
Miss J. Hearw	100	.	.						
Henry Hearw	100	.	.						
William John Clarke									
Thomas Biggs Clarke & David Taylor (in trust)	160000	.	.						
To Charles Clarke	100	.	.	160450	.	.			
				1578486	14	10.			
Less Amount paid for Probate duty	37555	18	9	37555	18	9	1540930	16	1.

Estate still Outstanding
Debts due to Testator
at time of his death

D. Ryan.	136	6	.
J. Norris	24	.	2
J. Victorson	4	10	.
McDonald Bros	4835	.	.
J. Mudie	100	.	.
J. Hodgkinson	100	.	.
			5199.16.2

Wated this 30th day of March 1878

Wm. Mulholland
Solicitor
27 Queen Street
Melbourne

J. Clarke
W. S. Clarke

In the Will of ^{Mr} J. J. Clarke

11)
607



B

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

This is the paper writing marked 'B' produced
and shown to George Brown at the time of swearing
his Affidavit before me this nineteenth Day of
March 1874.

Wm. J. Bailey

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

A

in the Estate of
the late _____

Emerald Hill

Geo. Brown &

Architect, Hurayor

February 24th 1874

Number of Blocks	Where Situated	No. of Stories	Kind of Building	No. of Rooms	Materials	Condition of Repair	Rentable	Frontage	Rates	How Enclosed	Total Value
Allot 7 Sect 21	Murray Street Emerald Hill		Vacant			Vacant		33 feet to Murray Street @ £10			£330 - 0 - 0
Allot 6 Sect 15	Bank Street East Emerald Hill	2 stories	Traces of 3 houses	6 Rooms	Brick	Good	£65 each	56 feet @ £9	Selling in yards		£2550 - 0 - 0
Allot 8 Sect 15	Corner of Murray and Bank Streets Emerald Hill	1 story	Butcher Shop and four (4) small cottages	2 Rooms Each	Weather board & iron	Very Bad	Butcher Shop £3-3/- per month & cottages rent for sale	22 feet brick @ £12-10/-	Selling by		£1200 - 0 - 0
Allot 9 Sect 9	Dundas Street Emerald Hill	2 stories	3 kinds of houses two (2) residences	8 Rooms	Brick	Very Good	£80 -	54 feet @ £9-10/-	Selling from		£2600 - 0 - 0
Allot 3-4-6 Sect 18	Bank Street West Emerald Hill		Vacant			Vacant		198 feet (total) @ £8	unfenced		£1584 - 0 - 0
Allot 12 Sect 18	Bank Street West Emerald Hill		Vacant			Vacant		66 feet @ £7	unfenced		£462 - 0 - 0
Allot 14 Sect 18	Bank Street West Emerald Hill	2 stories	Riding School Residence & stabling	Residence & 9 rooms	Brick	Very Good	£100 per annum	66 feet @ £7	Selling from		£2400 - 0 - 0
Allot 16 Sect 18	Bank Street West Emerald Hill	1 story	Small shop & cottage	uncertain	weatherboard selling to property of vacant	Very Bad	Small ground rental	66 feet @ £7	bad repair Selling property of vacant		£462 - 0 - 0
Allot 10 Sect 47	Bank St West do		Vacant			Vacant		98 feet @ £7	unfenced		£686 - 0 - 0
Allot 8 Sect 47	W Chorr Road do		Vacant			Vacant		76 feet @ £8	unfenced		£608 - 0 - 0
Allot 4 Sect 49	Montague Street do		Vacant			Vacant		66 feet @ £8	unfenced		£528 - 0 - 0
Allot 2-3 Sect 35	Reglan Street do		Vacant			Vacant		132 ft (total) @ £10	unfenced		£1320 - 0 - 0
Allot 16 Sect 35	Bridport Street do		Vacant			Vacant		66 feet @ £10	unfenced		£660 - 0 - 0
Allot 20-21 Sect 35	Do. Do. "		Vacant			Vacant		132 ft (total) @ £10	unfenced		£1320 - 0 - 0
Allot 22 Sect 35	Corner Clarendon & Bridport Streets		Vacant			Vacant		@ £15/10/- unfenced			£1278 - 15 - 0
										Carried Forward	£17988 15 0

Emerald Hill

(Continued)

Number of Blocks	Where Situated	No of Stories	Kind of Building	No. of Rooms	Materials	Condition of Repair	Rental	Frontage	Rates	How fenced	Total Value			
										Brought Forward	£1,988	15	0	
Allot 2-3 Sect 35	Corner Claridon and Raglan Street		Vacant		Vacant			82 ft 6 inches	£12/10/-	unfenced	1031	5	0	
								198 ft (total)	£15-	unfenced	2940	0	0	
Allot 15-16-17 Sect 30	Albert Road		Vacant		Vacant									
Allot 20 Sect 30	✓ " "		Vacant		Vacant			66 feet	£12-	unfenced	792	0	0	
											£	22,782	0	0

Sandridge

Number of Block	Where Situated	No. of Stories	Kind of Building	No. of Rooms	Materials	Condition of Repair	Rental	Frontage	Rate	How Fenced	Total Value
Allot 2a Sect 5	Corner of Bay and House Street	1 Story	Shop weather board paling & iron store	three rooms and store	Weather board and iron (property of tenant)	Very Bad	Ground rental only	132 feet to Bay Street	£8-	unfenced (partly)	£1056
Allot 3b Sect 5 Pt 1	House Street		Vacant and requires filling					82 ft 6 inches	£7-	unfenced (partly)	544 10
Allot 7-8 Sect 2	Corner of Bay and Beach Street	1 Story	Coal Depot (working)	Store	Blue stone	Very Good	£370-	132 feet	£14	All built on	3750
Allot 15 Sect 9	Landor Street		Vacant			Vacant		82 ft 6 inches	£5-	unfenced	412 10
Allot 4 Sect 8	Trott Street	1 Story	Small weather board tenement (property of tenant)	Various	Weather boards paling &c	ordinary some very bad	Ground rental only	66 feet	£5-	unfenced	330
Allot 15 Sect 7	Bay Street	1 Story	at rear of this and same description of tenements	Various	weather boards paling &c	ordinary some very bad	Ground rental only	66 feet	£15-	unfenced	660
Pt of allot 2-3 Sect 2	Bay Street	2 Stories	Chinaman Hotel. Small shop. weather board tenements. Stabling and outbuildings	Bar and 20 rooms outbuilding sub let by lease	Brick			132 feet	£11	tenements and bad repairs	3000
Allot 6 Sect 2	Corner of Beach and Bay Streets	2 Stories	Pier Hotel shop dwelling. Stabling horse yards &c	Bar and 13 rooms, with cellar & stabling	Brick Hotel and shop &c wooden yards	Good	£369	92 feet to Bay Street	£17	Paling &c	4300
Part of allot 1 Sect 5	Corner of Bay and Graham Streets	1 Story	Small wooden residence	about 6 Rooms	Weather board	ordinary	£50	42 feet or thereabouts to Bay Street	£10	paling fence	650

£

14/36

West Melbourne

maloney-

Number of Block	Where Situated	N ^o of Stories	Kind of Building	N ^o of Rooms	Materials	Conditions of Repair	Rental	Frontage	Rate	How fenced	Total Value		
Allot 2 Sect 53	Stanley Street	2 Stories	Residence	4 Rooms	Weatherboard	Ordinary	7/6 per week	66 feet	£8-10/-	partly fenced in with paling	£620	"	"
Allot 3 Sect 53	Stanley Street	1 Story	Cottages	2 rooms each	Blue stone	Very Bad	10/6 per week	66 feet	£8-10/-	partly fenced in with paling	735	"	"
Allot 14 Sect 53	Roden Street	1 Story	Small cottages	Various	Weatherboard &c	Very Bad	little or no rent is very seldom let	66 feet	£4-10/-	very bad paling fence	528	"	"
Allot 11 Sect 53	1 Ring Street	2 Stories	Grocery shop, dwelling also 2 small cottages also 3 other cottages	Shop and 6 rooms with shed at back	Shops and dwelling built with weatherboard shed	Shop &c good. Cottages had and prop. shd of tenants -	2 cottages 26/6 per week 3 other @ 7/6 per week	82 ft 6 inches	£10-	paling and latten fences	1245	"	"
Part of Allot 12 Sect 53	Adjoining Allot 11 Roden Street	1 Story	Small Cottages	2 rooms	Weatherboard and paling	Very Bad	2/6 per week	22 feet	£7-10/-	paling all broken and depreciated	175	"	"
Allot 12 Sect 53	Roden Street		Vacant		Vacant			22 feet	£7-10/-	unfenced	165	"	"
Allot 16 Sect 53	Roden Street	1 Story	Small dilapidated wooden tenements	uncertain	weatherboards paling &c	very Bad and almost untenantable		66 feet	£8	very bad paling fence	528	"	"
Allot 17 Sect	Roden Street	1 Story	Do	Do	Do	Do		66 feet	£8	Do	528		
£											4524	"	"

Maloney

Number of Block	Where Situated	No. of Stories	Kind of Building	No. of Rooms	Materials	Condition of repair	Partial	Frontage	Rate	How fenced	Total Value
Allot 15 Sect 5	Harvard Street	one two (2) 1 one (1) 1 Storey	Two Storey house Shed and out buildings to also small cottage and shed which is the property of tenant	Two Storey house 5 rooms Cottage 3 rooms	Brick and wooden shed	very Bad	house 14 ft. x 12 ft. cottage 10 ft. x 12 ft.	60 feet	£12-10/-	very dilapidated paling fence and partly fenced	£950 £950

East Melbourne

[illegible]

City of Melbourne

[illegible]

Williamstown

Number of Blocks	Where Situated	% of Sites	Kind of Building	% of Rooms	Grasslands	Condition of Repair	Rentals	Frontage	Rates	How secured	Total Value		
Allot 2 Sect 6	Corner of Hammer and Cecil Streets		Vacant		Vacant			66 ft to Hammer St	£3-10/-	unfenced	231		
Allot 10 Sect 5 th	Corner of Cole and Hammer Streets		Vacant		Vacant			165 ft to Cole Street	£2-5/-	unfenced	371	5	
Allot 11 Sect 15	Oshorne Street		Vacant		Vacant			77 feet	£1-12-6	unfenced	125	2	6
Allot 16 Sect 15	Oshorne Street		Vacant		Vacant			77 feet	£1-12-6	unfenced	125	2	6
£											852-40		

Brighton

Number of Block	Where Situated	Nº of Stories	Kind of Building	Nº of Rooms	Particulars	Condition of Repair	Rentals	Frontage	Rate	How Titled	Total Value
Allot 674 Block 10 <i>also piece adjoining above</i>	Bay Street	2 story	private residence stabling four buildings garage etc	15 rooms with outbuildings stables etc	Brick Dwelling and others of great herbord	Ordinary	£175	10 chains Total Area 12 acres	£200 yr acre		4250
	Bay Street		Vacant			Vacant				£	4250

Elsternwick

<i>Number of Block</i>	<i>Where Situated</i>	<i>N^o of Stories</i>	<i>Kind of Building</i>	<i>N^o of Rooms</i>	<i>Materials</i>	<i>Condition of repair</i>	<i>Rentals</i>	<i>Frontage</i>	<i>Rate</i>	<i>Hon Interest</i>	<i>Total Value</i>	
Allot 112a	Corner of Two (2) Government Roads		Vacant			Vacant		4 Chains 4 acres 3 rods 0 perches	£225 per acre		1068	15
Allot 116	Corner of Two (2) Government roads		Vacant			Vacant		4 chains 5 acres 3 rods 36 perches	£200 per acre		1195	
Allot 124	corner of two (2) government roads		Vacant			Vacant		4 chains Area 6 acres	£100 pr acre		900	
										L	3163	15

Richmond

[illegible]

MADDOCK, JAMIESON & LONIE,
SOLICITORS.

J. H. MADDOCK, Notary Public.
A. M. LONIE.

136 & 138 Queen Street

Melbourne 16th March 1923

The Master in Equity
Melbourne

Sir,
re John Barrings appln. N^o 44066

Please produce the Will, Probate thereof and all other papers in connection with the estate of William John Turner Clarke deceased (Reference N^o 66-38) to Mr Examiner Templeton at the Office of Titles required in the above application.



Yours truly,

Maddock Jamieson Lanie

11/607

11/607

JWT Clarke

Notice
To Produce

The books in dispute

Received

A. M. LONE

J. H. WADDOCK, Notary Public

SOLICITORS

WADDOCK, JAMIESON & LONE

Williamson & Purdy

208 138 Queen Street

I certify that the sum of Thirty seven thousand
five hundred and fifty five pounds eighteen
shillings and ten pence for duty upon this
probate has been paid -

Geo G. Glavin
8/4/74

In the Supreme Court
of the Colony of Victoria

11) 607 20/6-

In its Probate Jurisdiction

and six copies to be made

In the Will of
William John Turner
Clarke deceased -

Copies Probate

Received £39355-18-10
8th April 1874.
(950) R. H. Campbell

Waverley
60 Collins Street West
Melbourne

In the Supreme Court }
of the Colony of Victoria }

In its probate jurisdiction

In the Will and Six Codicils thereto
of William John Turner Clarke
late of Roseneath Essendon near the
City of Melbourne in the Colony of Victoria
Esquire deceased.

Be it known unto all Men by these presents
that on Thursday the fifth day of February in the
year of our Lord One thousand eight hundred and
seventy four the last Will and Testament and Six
Codicils thereto of William John Turner Clarke late
of Roseneath Essendon near the City of Melbourne in
the Colony of Victoria Esquire deceased true Copies of
which said Will and Codicils are herunto annexed
were exhibited and proved before this Honorable Court
and administration of all and singular the property
lands and hereditaments goods chattels and credits
of the said deceased within the said Colony of Victoria
was and is hereby committed to William John
Clarke formerly of Sunbury in the Colony of Victoria
but now of Maritimo Saint Kilda near the City of
Melbourne in the said Colony Esquire and Joseph
Clarke formerly of Norton Mandeville in the Colony of
Tasmania but now of 60 Collins Street West in the
City of Melbourne in the Colony of Victoria Esquire
the surviving Executors named in and appointed
by the said Will of the said William John Turner
Clarke deceased they the said William John Clarke
and Joseph Clarke having been first duly sworn

that the said William John Turner Clarke deceased died on the thirteenth day of January One thousand eight hundred and seventy four. that they will pay all the debts and legacies of the said deceased as far as the property of the said deceased will extend and the law bind them so to do. that they will well and truly collect and administer according to law to the best of their knowledge and ability the property lands hereditaments goods chattels and credits of the said deceased at the time of his death which at any time after should come to their power or control hands or possession as his executors or of any person or persons for them. that they will make or cause to be made a true and perfect Inventory of all and singular the property lands hereditaments goods chattels and credits of the said deceased which shall have come to the hands possession or knowledge or to the hands or possession of any other person for them and the same so made sign with their proper handwriting and will exhibit and deposit or cause to be exhibited and deposited the same Inventory in the Office of the Master in Equity within Three months next ensuing the Order granting Probate And further that they will make or cause to be made a just and true account of the administration of the estate which they have undertaken as to their receipts and disbursements and as to what portion is retained by them and what portion remains uncollected and the same so made will sign with their proper handwriting and will exhibit and deposit or cause to be exhibited and deposited the same accounts in the said Office of the Master in Equity within Fifteen calendar months next ensuing the said Order granting Probate and that the real and personale property of the said deceased in the Colony of Victoria

does not exceed the sum of One Million five hundred and ten thousand pounds -

Dated at the City of Melbourne in the Colony of Victoria this fifth day of February in the year of our lord One thousand eight hundred and seventy-four.

Testator sworn to
have died on the
13th day of January
1874.

By the Court
Fredk Wilkenson

Properly sworn not
to exceed £1,510,000

Master in Equity

Geyre

he⁵

WHR

Spaced 18/4/18
In the Supreme Court
of the Colony of Victoria

11) 607

Probate Jurisdiction

In the Will of William
John James Clarke -

Order for Probate

Geo. M. L.
8/11/18

Ready
10 Collins Street West
Melbourne

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will and six Codicils thereto of
William John Turner Clarke late of
Roseneath Essendon near the City of
Melbourne in the Colony of Victoria Esquire
deceased -

The fifth day of February in the year of our Lord One
thousand eight hundred and seventy four -

Before His Honor Mr. Justice Molesworth
Upon reading the Affidavit of William John
Clarke and Joseph Clarke sworn and filed herein on
the fourth day of February instant, the Affidavits of
George Hopwood Ryder, John Browne, Thomas
Kuisella, John Denison Lynch, and Thomas Hanley
sworn herein on the twenty eighth day of January
One thousand eight hundred and seventy four and
filed, the Affidavit of George Henry Harrison sworn
herein the twenty seventh day of January One thousand
eight hundred and seventy four and filed and the
Affidavit of Samuel Crisp sworn and filed herein this
day And upon hearing Mr. Webb of Counsel for
William John Clarke and Joseph Clarke the surviving
executors named in and appointed by the will of
the above named deceased This Court doth Order
that Probate of the last will and Testament of William John
Turner Clarke the above named deceased be and the
same is hereby granted to the said William John
Clarke and Joseph Clarke the surviving
executors named in and appointed by the