

187

IN THE SUPREME COURT

Of the State of Victoria

In the Probate Jurisdiction

IN THE WILL of EMMA SHAW late
of "Astra", 8 Robertson Avenue
St Kilda in the State of
Victoria. Widow. deceased.

ADMINISTRATION ACCOUNT



A. W. D. T o c k e .
Collins House
360 Collins Street
Melbourne
Proctor

182/184

THE COMMON SEAL OF THE EQUITY TRUSTEES
EXECUTORS AND AGENCY COMPANY LIMITED
was heretofore affixed by order of the
Directors on the 10 day of July 1923

Director

Director

IN THE SUPREME COURT
OF THE STATE OF VICTORIA

In the Probate Jurisdiction

IN THE WILL of EMMA SHAW late of "Astra", 8 Robertson Avenue
 St Kilda in the State of Victoria. Widow. deceased.

Administration Account

The Equity Trustees Executors and Agency Company Limited being
 The executor to whom Probate of the said Will was granted by the
 Supreme Court of the said State on the 26th day of April 1922 --
 hereby certifies the following to be a true and just account of
 its administration of the estate of the said deceased up to the
 date hereof.

Receipts

1922				
March. 3.	By cash	Foster Brewing Co.Dividend	£	4- 10- 0
April. 6.	"	Federal Palace Hotel Ltd.		2- 10- 0
May. 29.	"	English, Scottish & Austral- ian Bank, ^{Windsor} Balance to credit of deceased's a/c		34- 9- 6
June. 1.	"	National Bank.Dividend		13- 0- 0
		N ational Bank. Dividend for 1 month ending 31/3/22 on ordinary new issue shares		10- 10
June. 9.	"	State Savings Bank.Prahran Balance to credit of deceased's a/c		38- 11- 2
	"	State Savings Bank.Prahran Interest to date of death		2- 18- 8
	"	S tate Savings Bank.Prahran Interest		10- 10
	"	Commonwealth Government half- year's interest £40 at 5% to 15/3/22		1- 0- 0
	"	Commonwealth Government half- year's interest £170 at 4½%		3- 16- 6
	"	Commonwealth Government half- year's interest £20 at 5%		10- 0
July. 8.	"	Net proceeds of sale of 13 National Bank shares		93- 18- 6
" 21.	"	Net proceeds sale of 75 Foster Brewing Co.shares		104- 7- 0
Aug. 4	"	Bank of Victoria.Dividend		33- 15- 0
	"	Equity Trustees Co.Dividend		2- 7- 6
Sept. 23.	"	Commonwealth Government half- year's interest		1- 0- 0
Oct. 2.	"	Federal Palace Hotel.Ltd. Dividend		3- 15- 0
" 11.	"	British Tobacco Co (Australia) Ltd. Dividend		120- 4- 9

Carried Forward

£ 461- 15- 3

Brought forward

461- 15- 3

1922

Oct. 17.	By face value of Commonwealth War Loan taken over in part payment of Commonwealth Estate Duty	50-	0-	0
	By interest on same to 18/10/22		15-	4
Dec. 4.	By cash Net proceeds sale of £180 Commonwealth War Loan	173-	11-	0
" 7.	" National Bank Dividend	13-	0-	0
1923				
Feb. 21.	" Miss Fannie Buckley amount required to balance account		11-	10- 9

Disbursements

1922

Feb. 28.	To cash National Bank. Balance of purchase money for 13 ordinary shares of new issue	58-	10-	0
May. 12.	" State Probate Duty	70-	5-	5
June. 1.	" Braham & Pirani. Costs perusing Will of L. Buckholz deceased re Mrs Shaw's interest in estate	1-	1-	0
" 30.	" Union Bank charge		5-	0
July 5.	" Dr. D.M. Morton Claim	26-	5-	0
	" Dr. H.M. Hewlett "	3-	3-	0
	" Dr. Herbert Blaubaum "	36-	15-	0
	" Misses Kavanagh "	25-	0-	0
	" W.G. Apps & Sons. Funeral expenses	18-	1-	0
" 21.	" Federal Income Tax	3-	11-	3
Sept 6.	" Mrs S.C. Buckley. Legacy	5-	0-	0
	" Miss M.L. Buckley. Legacy (deposited in Savings Bank)	10-	0-	0
	" Miss J.S. Buckley. Legacy (deposited in Savings Bank)	10-	0-	0
" 15.	" M.E. Cohen. Refund of 1st instalment paid by him on 13 National Bank shares of new issue	19-	10-	0
	" New South Wales State Probate Duty	53-	10-	10
Oct. 13.	" Commonwealth Estate Duty	53-	13-	6
Nov. 22.	" A.W.D. Tocke. Costs obtaining Probate, Statements for Duty, Notice to Creditors, Re-sealing Probate in New South Wales, Administration a/c, &c. and fees paid	54-	8-	4
Dec. 1.	" British Tobacco Co. (Australia) Ltd. Registration fee re transfer of shares	1-	1-	0
" 31.	" Union Bank charge		5-	0

Carried Forward

£ 450- 5- 4 710- 12- 4

Brought forward 450- 5- 4 710- 12- 14

1923

Jan. 10.	To cash A.W.D.Tocke.	Costs re application for order dispensing with filing and passing of a/cs in New South Wales	3-	9-	0
" 16.	"	Union Bank.Closing charge	5-	0	
Feb. 23.	"	Equity Trustees Co. Corpus Commission 2½% on £4034.15_4 (Probate value of Assets)	100-	17-	6
	"	Equity Trustees Co. Income Commission on £196.15.9 and Petties to 30/6/22	5-	15-	6

1922

June.22.	"	Miss Fannie Buckley on a/c share	100-	0-	0
Sept.13.	"	Miss Fannie Buckley further on a/c share	50-	0-	0

£ 710- 12- 4 710 - 12- 4

Corrected

Portion of Estate retained

Nil

Note. Gold cable bangle taken over by Miss F. Buckley.
Opal pendant and chain bequeathed to and taken over by Mrs S. C. Buckley.

Shares.

52 Ordinary shares. National Bank of Australasia Ltd.	} Transferred to Miss F. Buckley the sister of the deceased and the residuary beneficiary.
50 shares in The Equity Trustees Executors and Agency Co Ltd.	
150 shares in Bank of Victoria Ltd.	
100 shares in Federal Palace Hotel Ltd.	

Portion of Estate uncollected

Nil.

Dated this 19th day of April 1923

THE COMMON SEAL of THE EQUITY TRUSTEES)
 EXECUTORS AND AGENCY COMPANY LIMITED)
 was hereunto affixed by order of the)
 Directors on the 19th day of April 1923)

Hatham Director
Godfrey Manager.



482187

IN THE SUPREME COURT

of the State of Victoria



In exercise of the State Jurisdiction

IN THE WILL OF EMMA SHAW
late of "Astra" 8 Robertson
Avenue, St Kilda, in the State
of Victoria, Widow, deceased.

ORDER FOR PROBATE

[Handwritten signature]
2/5/22

A. W. D. Toelke
Collins House
360 Collins Street
Melbourne
Proctor.

IN THE SUPREME COURT.)
OF THE STATE OF VICTORIA)

IN THE PROBATE JURISDICTION

IN THE WILL of EMMA SHAW
late of "Astra", 8 Robertson Avenue, St Kilda
in the State of Victoria, Widow, deceased.

BEFORE THE REGISTRAR

The 26th day of April 1922

UPON APPLICATION this day made by the Proctor for the Applicant
and upon reading the several affidavits of Joel Fox and Albert --
William Dredrick Tocke respectively sworn and filed herein -----
THIS COURT DOTH ORDER that Probate of the Will of the said --
Emma Shaw be granted to The Equity Trustees Executors and Agency
Company Limited of 85 Queen Street, Melbourne in the State of ---
Victoria the sole executor named in and appointed by the said Will.



BY THE COURT

Harber

Registrar of Probates

182187

IN THE SUPREME COURT
of the State of Victoria

Probate Jurisdiction

IN THE WILL OF EMMA SHAW
late of "Astra" 8 Robertson
Avenue, St Kilda, in the State
of Victoria, Widow, deceased.

P R O B A T E.

I certify that the sum of
seventy four pounds five shillings and five pence
the Duty in Victoria on this
Probate has been paid.

R. M. Weldon
Commissioner of Taxes
18/5/22

A. W. D. T o o k e.
360 Collins Street
M e l b o u r n e.
Proctor.

IN THE SUPREME COURT -)
OF THE STATE OF VICTORIA)

PROBATE JURISDICTION

IN THE WILL of EMMA SHAW late of "Astra" 8 Robertson Avenue, St Kilda in the State of Victoria, Widow. deceased.

BE IT KNOWN that on the twenty-sixth day of April in the year of our Lord One thousand nine hundred and twenty two the Will (a true copy of which is hereunto annexed) of EMMA SHAW late of "Astra" 8 Robertson Avenue, St Kilda in the State of Victoria, Widow, deceased who died on the Fifth day of February One thousand nine hundred and twenty two and who had at the time of her death no real estate within the jurisdiction but had personal estate within the jurisdiction sworn not to --- exceed in value One thousand seven hundred and forty-six --- pounds eighteen shillings and four pence ----- was proved by The Equity Trustees Executors and Agency Company Limited of 85 Queen Street, Melbourne in the State of --- Victoria the sole executor named therein, Joel Fox the Manager of the said Company having been first sworn that the said -- Company would well and truly collect and administer according to law the estate of the said EMMA SHAW and would exhibit and deposit in the office of the Master-in-Equity a true and perfect inventory of the said estate within three months of the order granting Probate and a true and just account of its -- - administration of the said estate within fifteen months of the said order. This grant is made upon the condition that no portion of the assets shall be distributed or paid during the war to any beneficiary or creditor who is a German, Austro-Hungarian, Turkish or Bulgarian subject wherever resident or to any one on his behalf or to or on behalf of any person resident in Germany, Austria-Hungary, Turkey or Bulgaria of whatever nationality without the express sanction of the Crown, and if any distribution or payment is made contrary to the said condition this Grant of Probate will be forthwith revoked.

AMC

Given at Melbourne this *19th* day
of *May* in the year of our Lord
One thousand nine hundred and twenty two.

AM
2.5.22

J Carter

Registrar of Probates.

[Faint, mostly illegible text, likely a legal document or court record.]

182187

In the Supreme Court
OF THE STATE OF VICTORIA.

IN ITS PROBATE JURISDICTION.

In the will of *Emma Shaw*

Queen St Kilda

late of *"Astra" & Robertson* in the

State of Victoria. *Widow*

deceased

AFFIDAVIT OF MR. JOEL FOX,

IN SUPPORT OF APPLICATION FOR PROBATE.



A. W. D. Tooke
360 Collins Street
Melbourne
Proctor

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court }
OF THE STATE OF VICTORIA

IN ITS PROBATE JURISDICTION.

In the Will EMMA SHAW

late of "Astra" 8 Robertson Avenue St Kilda

in the State of Victoria Widow deceased.

I, JOEL FOX, of No. 85 Queen Street, in the City of Melbourne in the State
* of Victoria Manager of THE EQUITY TRUSTEES EXECUTORS AND AGENCY COMPANY
LIMITED, make Oath and say:—

1. That the said Company is seeking to obtain Probate of the Will -----
-----of the above-named Emma Shaw -----
----- deceased.

2. The said deceased died on the fifth day of February
One thousand nine hundred and twenty two at *Empfield Street St Kilda*
in the said State

3. That the above-named Emma Shaw
was not married at the date of death.

4. The said deceased left a Will bearing date the sixth day of
November One thousand nine hundred and sixteen
which is as I believe the last Will and Testament of the said deceased and which I
believe is unrevoked.

5. That the above-named Emma Shaw
was of the full age of twenty-one years at the date of the execution of the said Will.

6. By her said Will the said testatrix appointed THE EQUITY TRUSTEES
H.S. EXECUTORS AND AGENCY COMPANY LIMITED ^{sole} Executor thereof.

7. The paper writing now produced and shewn to me marked "A" is the true
last Will of the said deceased as I verily believe.

8. The said Will was signed by the said deceased in the presence of William
Edwin Ellis, Clerk, who now resides at 43 Shaftesbury Parade, Northcote
in the said State and William Richard Bingham, Clerk, who now resides
at 31 Park Street, South Melbourne in the said State.

H.S. 9. The said deceased ^{was not possessed of any} ~~left~~ Real Estate in the State of Victoria ~~not exceeding the~~
H.S. ~~value of~~ at the date of her death but left -----

~~and~~ Personal Property in the said State not exceeding the value of One thousand seven hundred and forty six pounds eighteen shillings and four pence.

as set out in the Inventory now produced and shewn to me marked "B."

10. If the said Company obtains Probate it will well and truly collect and administer according to law to the best of its knowledge and ability the property lands and hereditaments goods chattels and credits of the said deceased at the time of her death which at any time after shall come to the power or control hands or possession of the said Company as her executor or of any other person or persons for it that it will make or cause to be made a true and perfect inventory of all and singular the property lands and hereditaments goods chattels and credits of the said deceased which shall have come to the hands possession or knowledge of it or to the hands or possession of any other person or persons for it and the same so made will sign with my 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 calendar months next ensuing the order granting probate and further that it will make or cause to be made a true and just account of the administration of the estate which it has undertaken as to its receipts and disbursements and as to what portion is retained by it and what portion remains uncollected and the same so made will sign with my proper handwriting and will exhibit and deposit or cause to be exhibited and deposited the said account in the office of the Master-in-Equity within fifteen calendar months next ensuing the order granting probate.

11. That I am the Manager of the said THE EQUITY TRUSTEES EXECUTORS AND AGENCY COMPANY LIMITED.

H.S. ~~12. That the said deceased was as I am informed and verily believe at the time of her death a British Subject by birth.~~

N.B.—If the Testatrix is a married woman clause as to separate estate.

Sworn at Melbourne in the State of Victoria
this 12th day of April
One thousand nine hundred and twenty two
Before me
H. Jennings

Joel Fox

A Commissioner of the Supreme Court of the State of Victoria for taking Affidavits.

182187

IN THE SUPREME COURT
OF THE STATE OF VICTORIA

In its Probate Jurisdiction

In the Will of Emma Shaw
late of "Astra" 8 Robertson
Avenue St Kilda in the State
of Victoria. Widow deceased.

A F F I D A V I T
of

Mr Albert William Dredrick Tocke



A. W. D. T o c k e
360 Collins Street
Melbourne. Proctor.

IN THE SUPREME COURT
OF THE STATE OF VICTORIA

IN ITS PROBATE JURISDICTION

IN THE WILL of Emma Shaw

late of "Astra" 8 Robertson Avenue, St Kilda

in the State of Victoria. Widow deceased.

I, Albert William Dredrick Tocke of Collins House, 360 Collins Street
Melbourne in the State of Victoria Solicitor make Oath and say:-

1. That I am the Proctor for the applicant for Probate of the
said Will.

2. That I have made enquiries from the sister of the said ---
deceased and other persons who had known the said deceased and also
at the Commonwealth Attorney General's Department and the Home and
Territories Department in Melbourne and at the Bank of Victoria --
Collins Street Melbourne for the purpose of ascertaining the nation-
ality of the said deceased at the time of her death but have been
unable to ascertain her said nationality.

3. That in the course of my said enquiries at the Commonwealth
Attorney General's Department a Statutory Declaration made by the --
said deceased on the 10th day of February 1916 in support of her ---
application for exemption from the provisions of War Precautions ---
Regulation 49 DG (which application was granted) was produced to me
and that in the said Statutory Declaration it was declared as follows:-

- (a) That the said deceased was born in Sheffield in England in
the year 1856, her father, Simon Bucholz having left Germany when
he was 15 years of age, and having married in England and settled
in Sheffield aforesaid.
- (b) That in the year 1857 the said deceased with the rest of her
family came to Victoria and shortly afterwards went to New Zealand
- (c) That the said deceased's father the said Simon Bucholz was --
naturalized in New Zealand in the year 1882 and subsequently ----
returned to Victoria where he died.
- (d) That the said deceased was married in New Zealand about the
year 1883 to Siegismund Schwartz.

- (e) That the family of the said Siegismund Schwartz came from Bavaria to New Zealand when he the said Siegismund Schwartz was 11 years old.
- (f) That the said deceased had no knowledge whatsoever whether her husband the said Siegismund Schwartz was naturalized or not nor had she any knowledge of his relatives or their whereabouts.
- (g) That the said deceased was separated from her husband the -- said Siegismund Schwartz in the year 1905 and that there were no children of the marriage.
- (h) That the said Siegismund Schwartz died in the year 1910, and that the said deceased had no communication with him since the year 1905.
- (i) That the said deceased received no support from her husband the said Siegismund Schwartz, but on his death she received the benefit of his life insurance policy which she had kept in force.
- (j) That what means the said deceased possessed at the time of --- making her said declaration she derived as a beneficiary in the estate of her father the said Simon Bucholz: such means consisting of shares in The British Tobacco Company, the Castlemaine Brewery Foster Brewery, Perkins Brewery, The National Bank, the Bank of --- Victoria Ltd and the Federal Coffee Palace.
- (k) That the said deceased could not speak the German language, and that she did not correspond with any one in Germany.
- (l) That the said deceased devoted her spare time and also part of her means to the work of the Red Cross, and was a member of the St Kilda Red Cross.
- (m) That the said deceased had invested her available cash in the War Loan.

4. That I am informed by one Fannie Buckley, a sister of the said ---- deceased, and verily believe that all the beneficiaries under the said -- Will are natural born British subjects.

5. That the said deceased changed her name from Emma Schwartz to Emma Shaw by Deed Poll dated the 28th day of August 1916 and lodged in the ---- Registrar General's Office, Melbourne.

SWORN at Melbourne in the State of Victoria)

this twenty first day of April One thousand

nine hundred and twenty two. Before me

Richard
A Commissioner of the Supreme Court of Victoria for taking Affidavits

189187

IN THE SUPREME COURT
OF THE STATE OF VICTORIA

IN ITS PROBATE JURISDICTION

IN THE WILL OF EMMA SHAW
late of "Astra" 8 Robertson
Avenue, St Kilda
in the State of Victoria
Widow Deceased.

AFFIDAVIT of Mr ALBERT WILLIAM

FREDRICK TOCKE

of Probation and Branches



A.W.D. Tocke.
Collins House
360 Collins Street
Melbourne
Proctor

IN THE SUPREME COURT)
OF THE STATE OF VICTORIA)

IN ITS PROBATE JURISDICTION

In the Will of EMMA SHAW
late of "Astra" 8 Robertson Avenue, St Kilda
in the State of Victoria. Widow (deceased)

I, ALBERT WILLIAM DREDRICK TOCKE of Collins House, 360 Collins Street, Melbourne in the State of Victoria, Proctor for the ---- Applicant make oath and say:-

1. THAT the following advertisement duly appeared in the Argus newspaper published in Melbourne on the fourth day of -- March 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 LAST WILL of --- EMMA SHAW late of "Astra" 8 Robertson Avenue, St Kilda in the said State, widow, deceased, may be granted to The Equity Trustees and Agency Company Limited of 85 Queen Street--- Melbourne in the said State, the sole executor named and -- appointed by the said Will.

Dated this 4th day of March 1922.

A.W.D. Tocke, Collins House, 360 Collins Street, Melbourne, -- Proctor for the said executor.

2. THAT I have this day searched and find that no Will of the above-named deceased has been deposited in the office of -- the Registrar General.

3. THAT I have this day searched in the proper office of this Honourable Court and find that no caveat has been lodged in this matter and further that no application for Probate or Administration in this matter has heretofore been made to or been granted by the Court or the Registrar.

SWORN at Melbourne in the State)
Victoria this *twenty first*)
day of *April* One thousand)
nine hundred and twenty two.)

A.W.D. Tocke

Before me

Richards

A Commissioner of the Supreme Court of the State
of Victoria for taking Affidavits.

109187
IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will

of Emma Shaw

late of "Astra" 8 Robertson
Avenue St Kilda,
in the State of Victoria Widow

deceased

INVENTORY.



The EQUITY Trustees Executors and
Agency Company Limited

85 QUEEN STREET, MELBOURNE.

A. W. D. Tocke
360 Collins Street
Melbourne
Proctor

Harrison, Partridge & Co., Printers, Melbourne.

" B "

An the Supreme Court

OF VICTORIA.

(PROBATE JURISDICTION)

This is the inventory marked " B " produced and shewn to JOEL FOX, at the time of swearing his Affidavit herein, sworn this 12th day of April 1927.

Before me,

H. J. Manning
A Commissioner of the Supreme Court of the State of Victoria for taking Affidavits.

IN THE Will of Emma Shaw

late of "Astra" 8 Robertson Avenue St Kilda

in Victoria Widow

deceased.

INVENTORY OF ASSETS.

		£	s.	D.
REAL ESTATE	Nil			
PERSONAL ESTATE				
Watches trinkets jewellery				
Gold cable bangle	£1- 0- 0			
Opal pendant and chain	3-10- 0	4	10	0
Money in hand current account				
With State Savings Bank Prahran	38-11- 2			
Interest thereon to date of death	2-18- 8			
With the English Scottish and Australian Bank Windsor	34-14- 6	76	4	4
Bonds				
£170 Commonwealth Treasury Bonds				
4½% 1925 Seventeen £10 at £9-10-6	£161-18-6			
£40 Commonwealth Treasury Bonds				
5% 1923 Four £10 at £9-16-6	39- 6- 0			
£20 Commonwealth Treasury Bonds				
5% 1927 Two £10 at £9-10-0	19- 0- 0	220	4	6
Carried forward		£ 300	18	10

"The National Bank of Australasia Ltd" is a public company limited by shares, and is registered in the State of Victoria, Australia, under the Companies Act, 1901, as amended.

Brought forward 300 18 10

Shares

52 ordinary shares in The National Bank of Australasia Ltd at £7-6-0 per share £379-12- 0

50 shares in The Equity Trustees Executors and Agency Company Ltd at £1-1-6 per share 53-15- 0

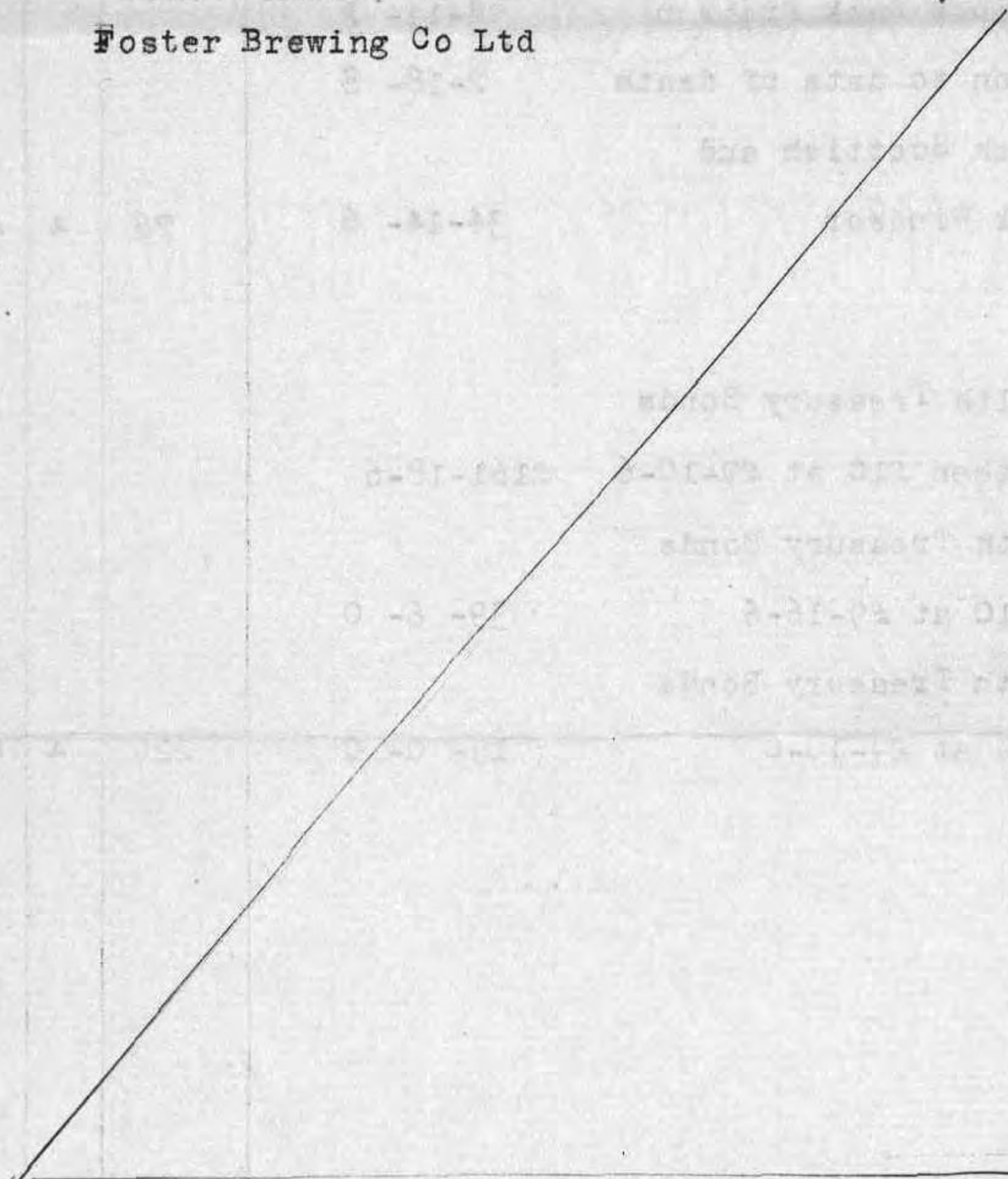
150 ordinary shares in the Bank of Victoria Ltd at £5-15-0 per share 862-10- 0

75 shares in the Foster Brewing Co Ltd at £1-1-6 per share 80-12- 6

100 shares in The Federal Palace Hotel Ltd at 13/- per share 65- 0- 0 1441 9 6

Dividends

Dividend on said shares in the Foster Brewing Co Ltd 4 10 0



Carried forward £1746 18 4

Brought forward £ 1746 18 4

£ 1746 18 4

✓ Dated this

12th

day of

April
~~March~~

1922

Godfrey
Manager. ✓

The EQUITY Trustees Executors and Agency Company Limited
85 QUEEN STREET, MELBOURNE.

182/687

Emma Shaw

St. Kitts



Registrar of Probates & Estates,

Supreme Court,

Sydney, *18th August* 1922

Dear Sir,

Re

Emma Shaw

late of

St Kilda Vic

deceased.

I have to inform you that

Probate

herein

granted by your Court on the

26th

day of

April 1922

was sealed in the Supreme Court of

New South Wales on

10th

day of *August*,

1922.

Yours faithfully,

Wm H. Higney

Registrar of Probates.

Dep

The Registrar of Probates,

Supreme Court

Melbourne

Vic.

182187

IN THE SUPREME COURT
OF THE STATE OF VICTORIA

1542
IN ITS PROBATE JURISDICTION

In the WILL of EMMA SHAW
late of "Astra" 8 Robertson
Avenue, St Kilda
in the State of Victoria
Widow deceased

PRAECIPE ON APPLICATION TO
REGISTRAR OF PROBATES FOR --
PROBATE OF THE ABOVE WILL---

*60 granted
22/4/22*



A. W. D. T o c k e.
Collins House, 360 Collins St
M e l b o u r n e
Proctor

26th April

22

The Commonwealth Public Trustee
Spring Street
Melbourne

Sir,

re Emma Shaw deceased

I beg to inform you that Probate of the Will of the abovenamed deceased has been applied for by The Equity Trustees Executors and Agency Company Limited.

There is a doubt as to the Nationality of the deceased and a long affidavit dealing with the - - question has been filed in this office which your officer could extract if he attends here.

Yours obediently.

Registrar of Probates