

FROM

J. W. FOSBERY,  
EQUITY OFFICE.

TO

Accountant

Water Dept.

No.

Estate of <sup>decd.</sup> Chas. J. Summer . decd.

A house in Park St. Essendon

MELBOURNE WATER SUPPLY

Assessment

RATE BOOK, NO. \_\_\_\_\_

FOLIO \_\_\_\_\_

Secured

OFFICE OF MASTER-IN-EQUITY,

Melbourne,

8/10/1884 }

James Pollock

Officer for Probate Duty.

Cannot trace in Park St. Assessment  
 but can trace 2 Houses in Brunswick  
 one in King St and one in Glenlyon Rd

J. M. H.  
 9/10/84

(173)

Please furnish the assessments  
 of the above ment<sup>d</sup>. Houses  
 and state whether they are in  
 the name of the late W. Sumner.

There are <sup>also</sup> in the statement  
 2 brick shops containing 8 rooms  
 each stated to be "in the Sydney  
 Road, Brunswick" - what are they  
 assessed at?

John. Foster  
 10/10/84

1884/5  
 RATE BOOK, No. 13.  
 FOLIO 36.

$\frac{1}{60}$  King St.

1884/5  
 RATE BOOK, No. 13  
 FOLIO 38

$\frac{1}{500}$  Glenlyon St.

1884/5  
 RATE BOOK, No. 13  
 FOLIO 2

$\frac{2}{110}$  Sydney Rd

£480  
 All in name  
 of late J. J.  
 Sumner

GRICE, SUMNER & CO

✓  
Melbourne, Nov: 19<sup>th</sup>: 1884

J.W. Fosbery Esq.  
Melbourne.

Dear Sir,

At the request of Mr. J.W. Eggleston  
Solicitor, we beg to inform you that the members  
of our firm at the date of the late T.J. Sumner's  
death were,

Trustees late R. Grice

T. J. Sumner

John Penn

James Grice

each having one fourth share.

We are

Yours truly,

Grice Sumner & Co

<sup>ny</sup> J. J. Sumner dectd. ✓

Will Mr. Bowdery be  
so good as to inform  
Mr. <sup>ny</sup> Fosbery whether the  
within valuation of £39,250  
is the present marketable  
value of Messrs Ericc  
Sumner & Co's premises

AM.  
7/11/84

[See over]

I have reinspected these premises. They are in the same state as at the time of Mr. Grier's death, except a little the worse for wear and tear. City property in the main streets, especially Collins St, has doubtless greatly increased in value during the past two years but I don't think this particular property would realise much more. An additional thousand pounds is quite as much as I think could be put upon it - making it £40,250.

S. Bowdery

13<sup>th</sup> Nov/84

See Mr. Bowdery's  
Valu With Grier's Papers

|            |       |             |
|------------|-------|-------------|
| 6518.2.1   | @ 5%  | = £325.18.1 |
| 2793.11.9  | @ 10% | = £279.7.2  |
| <hr/>      |       |             |
| 9311.13.10 |       | 605.5.3     |

✓

£38,560. 15. 2

Law & Buildings

~~4137246.15.4~~

~~9311.13.10~~

addition to 131369.11.3

+ 56301 - 4.10

Summed

P. into Court - 2823.15.6

Coal 284.17.9

2638.17.9

Furniture 65.10

2704.7.9

Campbell receive 915.17.3

265.17.3

650 1788.10.6

IN THE SUPREME COURT

1903 No 584

EDWARD VII by the Grace of God King of the United

BETWEEN

Kingdom of Great Britain and Ireland  
ALICE ELFRIDA RYAN, JAMES OSBORNE  
JOHN WATERHOUSE EGGLESTON and THE  
TRUSTEES EXECUTORS & AGENCY COMPANY  
LIMITED

To The Master in Equity William Street Melbourne  
Plaintiffs  
and

JAMES GRICE and MAUD MARY NASH  
Defendants

And by Counterclaim

day of September 1905 at the hour of half past

BETWEEN

JAMES GRICE

ten o'clock in the forenoon and so from day to day during  
Plaintiff

and

the said Estate until the above cause is tried to give

ALICE ELFRIDA RYAN JAMES OSBORNE  
evidence on behalf of the Defendants and also  
JOHN WATERHOUSE EGGLESTON THE

to bring with you and produce TRUSTEES EXECUTORS & AGENCY COMPANY

LIMITED MAUD MARY NASH SARAH JONES

all papers affidavits and documents in your custody or control  
SUMNER JOHN GRICE and ROBERT MURRAY

relating to the wills and SMITH of Edward Grice deceased  
Defendants

Theodore John Sumner deceased and John Sumner deceased  
And by Counterclaim

BETWEEN

MAUD MARY NASH

Plaintiff

and

Witness - THE HONORABLE MR JUSTICE MADGILL

Knight, Chief Justice of JAMES GRICE ALICE ELFRIDA RYAN

JAMES OSBORNE JOHN WATERHOUSE

EGGLESTON and THE TRUSTEES EXECUTORS

AND AGENCY COMPANY LIMITED

Defendants

EDWARD VII by the Grace of God King of the United  
Kingdom of Great Britain and Ireland Defender of the  
Faith

To The Master in Equity William Street Melbourne

GREETING :-

We command you to attend at the sittings of our Supreme  
Court to be holden at Melbourne on *Monday* the *25<sup>th</sup>*  
\_\_\_\_\_ day of September 1905 at the hour of half past  
ten o'clock in the forenoon and so from day to day during  
the said Sittings until the above cause is tried to give  
evidence on behalf of the Defendant Maud Mary Nash and also  
to bring with you and produce at the time and place aforesaid  
all papers affidavits and documents in your custody or control  
relating to the wills and estates of *30/356*  
*28/1637* Richard Grice deceased  
Theodotus John Sumner deceased and John Benn deceased

LS.  
S. Ct.

Cancelled  
1/-

W.R.

51/338

Witness - THE HONORABLE SIR JOHN MADDEN  
Knight, Chief Justice of our Supreme Court at Melbourne the  
— *25<sup>th</sup>* — day of September in the year of our Lord  
one thousand nine hundred and five

Summer 28/639

Will & 12 other dogs

IN THE SUPREME COURT

1903                      No                      584

Price 25.363

- Will & B other doc<sup>s</sup>

Benn 59.338

Will & Foster does

Valuations subsequently

to Holroyd 9

1st April

25.9.08-

Case adjt judge on circuit

1st Civil  
25/9/03

28/637

RYAN & OTHERS

**SUBPOENA**

V

Duces      Tecum

on behalf of

the Defendant

GRICE & ANOR

MAUD MARY NASH

This Subpoena was issued by Stawell and  
Nankivell of 459 Chancery Lane Melbourne  
in the State of Victoria Solicitor for the  
Defendant Maud Mary Nash



Stawell & Nankivell

TELEPHONE No 553.

JOHN W. EGGESTON,  
SOLICITOR & C.

Imperial Chambers,  
Bank Place

Melbourne 15 Decr 1885

J. W. Fosberry Esq  
Master in Equity's Office

Dear Sir /  
re Sumner's Estate

Mr Cadden (from Francis Sumner Esq)  
and I will be up to see you  
at twenty minutes to 3  
O'clock this afternoon

Yours truly  
John W. Eggeston

28/634

29 June

Le Mer

that first.  
occurring in the value of the station's interest in  
of death and is represented in the sum of \$25,000.00  
valued as one of the assets of the partnership at the date  
part of the station known as "Landmark" which was  
firm of C. H. Jones & Co., the said partnership formed  
interest in the above partnership was as a result of the  
and in view thereof we beg to state that the partnership  
We are indebted to your letter of 25th Decr.

Robertson & Co.

EGGLESTON & EGGLESTON.  
SOLICITORS & C.

TELEPHONE N° 553.

S.

JOHN W. EGGLESTON.  
FRED. W. EGGLESTON.  
JOHN B. EGGLESTON.

*Imperial Chambers.  
Bank Place.*

*Melbourne* 10th December 1908

J. F. Poole, Esq.,  
Officer for Probate Duty.

Dear Sir,

We are in receipt of your letter of 9th Decr.  
and in reply thereto we beg to state that the testator's  
interest in the above allotments was as a member of the  
firm of Grice Sumner & Co.. The said allotments formed  
part of the Station known as Glendinning which was  
valued as one of the assets of the partnership at the date  
of death and is represented in the sum of £89,356/11/10  
appearing as the value of the testator's interest in  
that firm.

Yours truly,

*W. H. L. Eggleston*  
*W. H. L. Eggleston*  
*W. H. L. Eggleston*

# Estate of <sup>my</sup> Theo. J. Sumner, decd.

Balance as per Statement

✓ £194,880: 16: 11

Increase on Real Est. 900: 0: 0

✓ £195,780: 16: 11

Widow's life interest in

"Honey Park" (21 ac) £9230 = £4171: 16: 4

"Garimil" £4750 = £2146: 18: 6

✓ £13980

✓ £6,318: 14: 10

Furniture & "Honey Park" to Widow

✓ 1791: 6: 0

✓ £8,110: 0: 10

£195,780: 16: 11

8110: 0: 10

10/£18,670: 16: 1

18,670: 16: 1  $\times \frac{3}{10} =$

£56,301: 4: 10

$\times \frac{7}{10} = 131,369: 11: 3$

8110: 0: 10 } 139,479: 12: 1

£195,780: 16: 11

£56,301: 4: 10 @ 10% = 5630: 2: 6

£139,479: 12: 1 @ 5% = 6973: 19: 7

£12,604: 2: 1

2097m  
In the Supreme Court  
of the Colony of Victoria  
In its Probate Jurisdiction

In the Will of Theodorus  
John Turner late of Stoney  
Fork in the County of Bonar  
in the Colony of Victoria  
Esquire deceased

Affidavit of  
William Sank Smith



John W. Coggeson

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

In the Will of Theodotus John  
Turner late of Honey Park in  
the County of Bourke in the  
Colony of Victoria Esquire deceased.

I William Lamb Smith of the City of Melbourne  
in the Colony of Victoria Valuator for the firm of  
Fraser and Company Auctioneers and Valuers  
make oath and say: —————

1 That the four sheets of paper hereunto  
annexed and numbered 1. 2. 3 and 4 and signed  
"Fraser & Coy" represent the values of the properties  
inspected and valued by me as representing the said  
firm and on behalf of the executors of the late  
Theodotus John Turner —————

*Ans* 2 That the figures set opposite to the  
various properties on the sheets represent in my  
opinion and in the opinion of the said firm the  
true values of such properties respectively —————

Sworn at Melbourne in the Colony  
of Victoria this nineteenth day of  
November one thousand eight  
hundred and eightyfour

Before me

*Wm Lamb Smith*

*A. D. Nichol*

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

AND AT GEORGE ST. SYDNEY.

Melbourne <sup>19 Queen Street</sup> 23<sup>rd</sup> May 1884

To the Executors of the late  
Hon. J. J. Sumner  
Gentlemen

We have carefully made a valuation  
of all the Household Furniture and Effects in  
this Estate, including Books, Pictures and  
Carriages, valuing each article separately.  
The total of the whole all being in Residence  
known as Stony Park Brunswick is  
£1791. 6/ (say One thousand, seven hundred,  
and ninety one pounds six shillings 6d)

Yours obt. Servts

W. H. G.

Wm. H. G. Eggleston  
Executors.

4

This and the three preceding sheets of paper are those referred to in  
the affidavit of William Lamb Smith sworn before me this nineteenth  
day of November 1884.

A. S. Michie  
Commissioner

Melbourne <sup>19 Queen Street</sup> 23 May 1884

To the Executors of the late  
John T. J. Sumner  
Gentlemen

We have carefully inspected the following  
Properties in this Estate and value the same as  
follows

City of Melbourne

Spring St. Parts of Allots 10. 11 & 12 of Block 8  
Land having a frontage of 75 ft 9 in. to Spring St by  
a depth of 117 ft along Flinders Lane with old  
Cottages erected thereon £5,302. 10. -

Flinders Lane

Land 66 ft by a depth of 175 ft 9 in.  
along a right of way with old H. B.  
Cottages erected thereon 2,640. - - -

Essendon

Park St Land 146 ft x 279 ft with  
Brick Villa containing 7 Rooms and  
outhouses erected thereon 1,250. - - -

Wm H. Carried Forward £ 9,192. 10. -

<sup>2</sup>  
Brought Forward

£9192.10.-

Brunswick

<sup>A</sup>21.<sup>R</sup>0.<sup>P</sup>25 Land situated at the end  
of Glen Lyon St and bounded by  
Merri Creek with Residence known  
as "Stony Park" built of Brick.  
outhouses of W. B. Stabling and  
Mens House of Brick, Galvanized  
Iron Stabling and Shed erected  
thereon.

9.230.-

<sup>A</sup>47.<sup>R</sup>2.<sup>P</sup>4 Land having frontage to  
Nicholson St, Glen Lyon Road,  
King St, Albert Road, and  
Miller St, the whole not being  
an entire block, but intermixed  
with Lots belonging to other  
proprietors. upon the Land is erected  
an old Cottage known as "Willow

Bank" let at £52. per an.

9.691.17.6

<sup>A</sup>45.<sup>R</sup>3.<sup>P</sup>34 Land situated between the Jan  
Jan Tramway & Merri Creek with  
entrance to land at the end of  
Arthurton Road

5.055.17.6

Carried Forward  
W. A. S. T. G.

£33,170.5.-

Not a Statement.

3

Brought Forward

£ 33,170. 5. 0

Brunswick ContinuedSydney Road

Land 61 ft x 117 ft back to right  
of way with 2. Two story attached  
Houses Built of Brick, containing  
each 8 rooms and Washhouse erected  
thereon. One building is let to the Colonial  
Bank at £110 Taxes & the other as a  
shop at £110 Taxes & as:

3,130. - - -

South TarranPunt Road Land 49 ft 6 in x 117 ft

along St Davis St

371. 1. -

2 Allotments in all 105 ft 1 in x 117 ft

735. 11. 8

Paisley St Land 49 ft 6 in x 147 ft

346. 15. -

Punt Road Land 99 ft by 264 ft

back to Paisley St

1237. 10. -

Grand Total

£ 38,991. 2. 8

Say Thirty eight thousand, nine hundred, and ninety  
one pounds, two shillings & eight pence.

Wm. E. E. & Co. 1894  
Executors of the late John A. E. E.

Witness

Witness

Witness

281637  
In the Supreme Court  
of the Colony of Victoria

and its Probate Jurisdiction

In the Will of Theodoros  
John Sumner late of Honey  
Hatch in the County of Maitland  
in the Colony of Victoria  
Esquire deceased

Affidavit  
of publication of notice



John W. Eggleston

In the Supreme Court  
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Theodotus John  
Turner late of Honey Park in the  
County of Bourke in the Colony of  
Victoria Esquire deceased

Ernest Arthur Peters of Bank Place Melbourne in  
the Colony of Victoria Law Clerk make oath and say:-

That the following advertisement duly appeared  
in the Argus newspaper published in Melbourne on the  
thirtieth day of April one thousand eight hundred  
and eightyfour 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 Colony of Victoria in its Probate  
Jurisdiction that probate of the last Will and  
Testament of Theodotus John Turner late of Honey  
Park in the County of Bourke in the Colony of  
Victoria Esquire deceased may be granted to Sarah  
Jones Turner, Widow, James Price of the City of  
Melbourne Merchant and John Waterhouse Eggleston  
of the City of Melbourne aforesaid Solicitor the executor  
and executor named in and appointed by the will  
of the said deceased. Dated this twenty ninth day  
of April 1884 John W. Eggleston 60 Collins Street  
West, Melbourne Proctor for the said Executor and  
Executors

Sworn at Melbourne in the Colony of  
Victoria this Sixteenth day of July one  
thousand eight hundred and eightyfour

Ernest Peters

Before me

R. Bacon

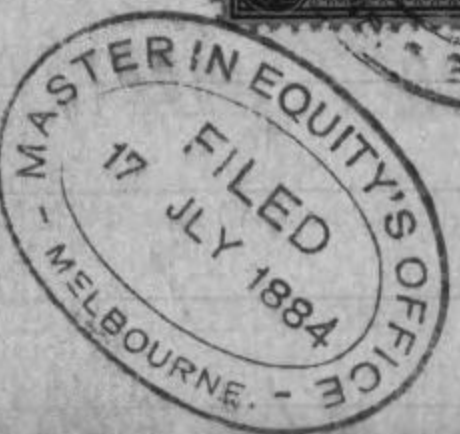
A Commissioner of the Supreme Court of the Colony of Victoria for taking affidavits

*In the Supreme Court  
of the Colony of Victoria*

*In its Probate & Administration*

*In the Will of Theodoros  
John Turner late of Stony  
Point in the County of Denham  
in the Colony of Victoria  
Esquire deceased*

*Attidavit  
of search*



*John W. Eggleston*

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

In the Will of Theodosius John  
Sumner late of Honey Park in the  
County of Bourke in the Colony of  
Victoria Esquire deceased

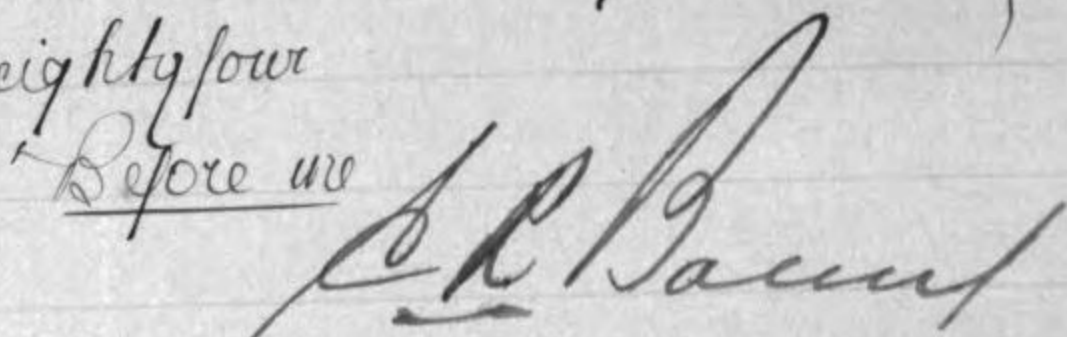
I Ernest Arthur Peters of Bank Place Melbourne  
in the Colony of Victoria Law Clerk make oath  
and say: —

1 That I have searched and find that  
no will of the abovenamed deceased is deposited  
in the Office of the Registrar General —

2 That I have this day searched in the  
proper office of this Honourable Court and find  
that no caveat is lodged in this matter —

Sworn at Melbourne in the Colony  
of Victoria this Seventeenth day of  
July one thousand eight hundred  
and eightyfour

Before me



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

