

374

36/374

In the Supreme Court of
the Colony of Victoria

In the Probate Jurisdiction

In the Will of Simon Buckleby
deceased

Applicant of Executive
and Executor



Brahman & Swan
14 Collins St West
Melbourne

In the Supreme Court of }
the Colony of Victoria }

In its Probate Jurisdiction

In the Will of Simon Buchholz late of
Grey Street Saint Kilda in the Colony of
Victoria Merchant deceased

We Julia Buchholz of Grey Street Saint Kilda in the
Colony of Victoria Widow and Simon Cohen formerly of Ballarat
in the said Colony but now of Grey Street Saint Kilda aforesaid
Merchant severally make oath and say:

1 That we are seeking to obtain Probate of the last will
and Testament of Simon Buchholz late of Grey Street Saint Kilda
in the Colony of Victoria Merchant deceased

2 That if we obtain Probate we will well and truly collect
and administer according to law to the best of our knowledge and
ability the property lands and hereditaments goods chattels and
credits of the said deceased at the time of his death which
at any time after shall come to the power or control hands
or possession of us as his Executive and Executor or of any
other persons or person for us. That we 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 us or to the hands or possession of
any other persons or person for us and the same so made will
sign with our respective 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 we will make or cause to be made a just and
true account of the administration ^{of the Estate} which we have undertaken
as to our receipts and disbursements and as to what portion is

retained by us and what portion remains uncollected and the same so made will sign with our respective handwriting and will exhibit and deposit or cause to be exhibited and deposited the same account in the said Office of the Master in Equity within fifteen Calendar months next ensuing the order granting Probate

The above named Deponents Julia Buchholz
and Simon Cohen were severally sworn at
Melbourne in the Colony of Victoria this
Seventh day of December one thousand
eight hundred and eighty seven Before me

Julia Buchholz
S. Cohen

Westley

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 Jurisdiction

In the Will of James
Parchley deceased

Affidavit

of —
—
Louis Macnaman



Braham
14 Collins Street
Melbourne

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

In the Will of Union Buchholz
late of Grey Street Saint Kilda
in the Colony of Victoria Merchant
deceased

I Louis Waxman of N^o. 14 Collins
Street West in the city of Melbourne in the Colony of
Victoria attested clerk to Mr. David Braham
of the same place one of the Solicitors of this
Honorable Court make oath and say

1. That an advertisement appeared in the Argus
newspaper published in the City of Melbourne
aforesaid on the sixteenth day of November one
thousand eight hundred and eighty seven in the
words and figures following (that is to say)

In the Supreme Court of the Colony of Victoria. In its
Probate Jurisdiction. In the Will of Union Buchholz
late of Grey Street St. Kilda in the Colony of Victoria
Merchant deceased. Notice is hereby given that
after the expiration of fourteen days from the
publication hereof application will be made to
this Honorable Court in its Probate Jurisdiction
that Probate of the Last Will and Testament
of the above-named Union Buchholz
deceased may be granted to Julia Buchholz
of Grey Street St. Kilda aforesaid Widow and
Union Chew formerly of Ballarat in the said
Colony but now of Grey Street St. Kilda aforesaid
Merchant the Executor and Executrix named in
and appointed by the said Will. Dated the
fifteenth day of November 1887. Braham and Prain

14 Collins - Street West Melbourne proctors for the
said Executrix and Executor

2. That on the Thirteenth day of December instant
I searched in the proper office for a Will of the above
named Union Buchholz deceased pursuant to the
provisions of The Administration Act 1872 and of
the Rules made thereunder by their Honors the Judges
of this Honorable Court namely that of the Registrar
General of the said Colony being the office for the time
being authorized to have the custody of deposited
wills and found that no Will of the above-named
deceased remained deposited there.

Sworn at Melbourne
in the Colony of Victoria
this 13th day of Dec^r. A.D. 1887
Before me

Louis Naiman

J. P. Barry

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

In the ^{36/374} Supreme Court
of the Colony of Victoria

In the Probate Jurisdiction

On the Will of Simon Rowland,
deceased

Richard of Louis
Maxman



Braham
14 Collins St
Melbourne

FILED
15 DEC 1887
EQUITY'S OFFICE
MELBOURNE

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

Du the Will of Simon Buchholz late
of Grey Street Saint Kilda in the
Colony of Victoria Merchant deceased

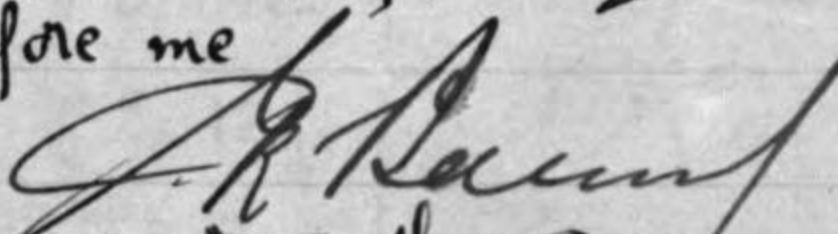
D. Louis Waxman of No. 114 Collins Street
West in the city of Melbourne in the Colony of Victoria
attiled clerk to Mr. David Graham of the same place
Solicitor of this Honorable Court make oath and say:-

1. That I have this day searched in the proper
file and found that no caveat has been lodged
in this matter

I sworn at Melbourne in the
Colony of Victoria this 15th
day of December A.D. 1887

Before me

Louis Waxman


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

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In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Queen Buckleby
deceased

Affidavit

of
Mr. W. S. Shannon



Bushman



W. S. Shannon

In the Supreme Court
of the Colony of Victoria }

In its Probate Jurisdiction

In the Will of Simon Buchholz late
of Grey Street Saint Kilda in the
Colony of Victoria Merchant deceased

I Thomas Thomson of No 15 Queen Street
in the City of Melbourne in the Colony of
Victoria Clerk to Fritz Neusteket of the same
place Mercantile Broker make oath and say
as follows

1. That the alterations in the Will of the
above named Simon Buchholz deceased referred
to in my affidavit sworn in this matter on
the Seventh day of December instant and filed
on the Eighth day of December instant as having
been made by the said deceased in my
presence are as follows namely the striking
out of the words "I bequeath" in the fourth
line of the first page of the said Will the
whole of the words in the fifth sixth seventh
eighth ninth tenth and eleventh lines of the
said first page the words "I bequeath unto my"
in the eighteenth line of the said first page the
whole of the words in the nineteenth twentieth
twentyfirst twenty second twenty third twenty fourth
twentyfifth twenty sixth twenty seventh twenty eighth and
twenty ninth lines of the said first page and the
insertion of the words "I bequeath" on the thirteenth
line of the said first page the striking out of the
words " and to pay to my said son Solomon Buchholz

"a further legacy" in the last line of the second page of the said Will and the striking out of the words "of one thousand pounds" in the first line of the third page of the said Will

Sworn at Melbourne in
the Colony of Victoria this
14th day of December
1887. Before me

W. J. Thomson

W. J. Thomson

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 Prerogative Jurisdiction

In the will of Simon Buchholz
deceased

Michael of
Norman Norman



William H. Smith
111 Collins Street West
Melbourne

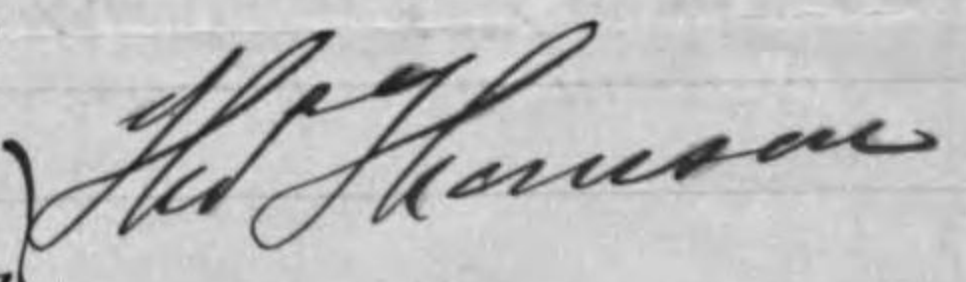
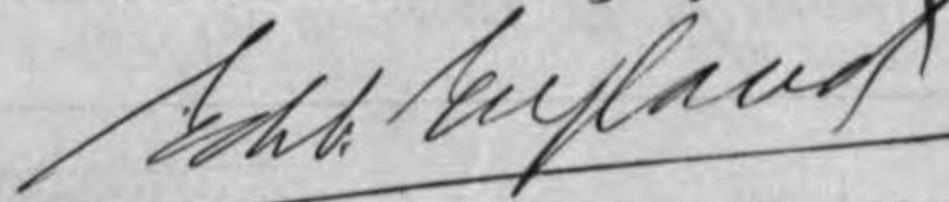
In the Supreme Court,
of the Colony of Victoria } In its Probate Jurisdiction

In the will of Simon Buchholz late of Grey Street
St. Kilda in the Colony of Victoria Merchant deceased

I Thomas Thomson of No. 15 Queen Street in the City of
Melbourne in the Colony of Victoria Clerk to Fritz Neustetel
of the same place Mercantile Broker make oath and say as follows

1. That I knew and was well acquainted with the above named
Simon Buchholz
2. That on the nineteenth day of April One thousand eight
hundred and eighty six the said Simon Buchholz came to my
desk in the office of the said Fritz Neustetel and told me he was
going to make some alterations in his will and wished me to
witness them and the said Simon Buchholz then and there
struck out the portions of the lines in the first page the
last line of the Second page and the First line of the
Third page of the paper writing now produced and shown to
me marked with the letter A which now appear to be struck
out and wrote the words "altered 19 day April 1886
S Buchholz" appearing at the foot of the said document
and said to me put down your name and the date
and your occupation which I then did writing the
figures and words "19/4/86 Witness to signature Thos
"Thomson Storeman for Mr. Neustetel" appearing at
the foot of the said document

Sworn at Melbourne in the Colony of
Victoria this twentieth day of December
One thousand eight hundred and eighty seven
Before me

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

36/374
In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Simon
Buchholz deceased

Inventory



Braham Strani
11 Collins Street West
Melbourne

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

In the Will of Simon Buchholz late of
Grey Street St. Kilda in the Colony of
Victoria Merchant deceased

An Inventory by Julia Buchholz the Executrix
and Simon Cohen the Executor of all and singular
the property lands and hereditaments goods chattels and
credits of the above named Simon Buchholz deceased
which have come to their hands possession or knowledge
or to the hands or possession of any other person or
persons for them

The Share and interest of the said Simon Buchholz of and in the capital and profits of the business of Hardware Merchants carried on by him and Simon Cohen and Henry Alfred Cohen in partnership together at Sturt Street Ballarat and Post office Place and Welsford Buildings Melbourne under the firm of "J Cohen Sons & Coy"	4106	17	6
545 Shares in Perthins Brewery Company Limited (old issue)	981	"	"
100 Shares in Perthins Brewery Company Limited (new issue)	120	"	"
40 Shares in Lindseys Brewery Company Limited	64	"	"
20 Shares in National Bank of New Zealand	120	"	"
38 Shares in Durham and Lord Byron Gold Mining Coy	33	"	"
150 Shares in New Beehive Gold Mining Company	112	10	"
100 Shares in Rose of Denmark Gold Mining Company	90	"	"
200 Shares in Federal Coffee Palace Company Limited	125	"	"
100 Shares in North Broken Hills Silver Mining Coy (old Company)	70	"	"
100 Shares in Gravets New Chum Gold Mining Company Limited	5	5	"
100 Shares in New Garden Gully Gold Mining Company	2	10	"
850 Shares in New Golden Bar Amalgamated Gold Mining Coy	nil		

Forward £5830. 2. 6

200 Shares in Essendon Brick Company Limited
 100 Shares in Cumberland No 1 Gold Mining Coy Queensland
 100 shares in North Midas Gold Mining Company

5830	2	6
10	"	"
5	"	"
2	10	"

All that piece of land being part of Crown allotment Twenty one at North Elwood Parish of Prahran County of Bourke having a frontage of Sixty six feet to Spray Street by a depth of Two hundred and eighty feet to Ormond Road being lots Eleven and Twelve on Plan of Subdivision N^o 699 lodged in the office of Titles

234	"	"
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All those pieces of land being parts of Crown Portion Two hundred and fifteen Bat Saint Kilda Parish of Prahran as per valuation by Messrs Fraser & Coy Limited annexed to Statement for Duty

2932	"	"
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£ 9013 " 12 " 6

Julia Buckholz
 S. Chen

D^r

Liabilities & Assets

(Balance Sheet referred to in Statement)

C^r

1887 Dec	2 nd	To Union Bank of Australia	\$ 4371 18 11	Melbourne
		Bills Payable	\$ 4071 5 7	
		Open Accounts A. Ledger	\$ 1299 18 1	
		Do Do 'b' Do	\$ 1115 8 .	
		Do Do 'Ballarat' Do	\$ 575 10 7	
		J. Cohen Capital	\$ 4664 9 5	
		J. Cohen Balance	\$ 1683 4 3	
		J. Cohen Intst on Balance	\$ 92 11 3	
		J. Ruckholz Capital	\$ 4106 17 6	
		H. Cohen Capital	\$ 1949 11 9	
			<u>22930 15 4</u>	

1887 Dec	2 nd	By Stock 'Melbourne'	\$ 13376 15 7	Melbourne
		Open Accounts A. Ledger	\$ 4356 7 5	
		Bills Receivable	\$ 186 11 9	
		Warehouse Fixtures etc	\$ 90 1 6	
		Cash in hand	\$ 2 5 1	
		Stocks 'Ballarat'	\$ 3593 3 .	Ballarat
		Open Accounts Ballarat Ledger	\$ 2152 8 6	
		Union Bank of Australia	\$ 132 2 6	
		Bills Receivable	\$ 30 . .	
		Cash in hand	\$ 11 . .	
			<u>23930 15 4</u>	

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J. Cohen & Sons & Co

36/374
In the Supreme Court
of the Colony of Victoria
In its Probate Jurisdiction

In the Will of Simon
Buchner, deceased
App^r & W^ors Balance for Duty
24. Dec. £5637. 5 - 2
M^o & C^o
Halden
3/5/88
and Affidavit verifying
same



Brahams & Joram
111 Collins Street West
Melbourne
784. 11. 2.

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

In the Will of Simon Buchholz late of Grey
Street St. Kilda in the Colony of Victoria
Merchant deceased

We Julia Buchholz of Grey Street St. Kilda in the
Colony of Victoria Widow and Simon Cohen formerly
of Ballarat in the said Colony but now of Grey Street
St. Kilda aforesaid Merchant severally make oath and say

1. That the abovenamed Simon Buchholz departed this
life on the Second day of November One thousand eight
hundred and eighty seven
2. That Probate of the Will of the said Simon Buchholz
deceased was on the Fifteenth day of December One
thousand eight hundred and eighty seven granted to us
as the Executive and Executor of the said deceased
3. That the Statement hereunto annexed marked with
the letter "A" is to the best of our knowledge information
and belief true and correct in all and every the items
particulars values and amounts therein contained and
set forth
4. That the total value of the real and personal estate
of the said deceased does not as we verily believe amount
to more than Five thousand three hundred and forty
seven pounds two shillings and eight pence after
payment of all debts due and owing by him at the
time of his death
5. That the said Simon Buchholz left the deponent
Julia Buchholz his Widow his two sons Louis
Buchholz and Samuel Buchholz and his two daughters
Emma Schwartz and Fanny Buchholz him surviving
6. That under and by virtue of the said will of the

said Simon Buchholz the said Julia Buchholz
Louis Buchholz Samuel Buchholz Emma Schwartz
and Fanny Buchholz are the only persons entitled
to share in his property ~~Julia Buchholz~~

The above named Deponents Julia
Buchholz and Simon Cohen were
severally sworn at Melbourne in the
Colony of Victoria this ~~twentieth~~ day
of April One thousand eight hundred
and eighty eight

J. B. Hen

Before me



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

1/2

36/14

In the Supreme Court
of the Colony of Victoria

In the Probate Jurisdiction

In the Will of Simon
Rushbrooke deceased.

Official of Mr
William Lewis Smith



Braham & Mann
117 Collins Street West
Melbourne

In the Supreme Court }
of the Colony of Victoria }

In its Probate Jurisdiction

In the Will of Simon Buchholz late
of Grey Street Saint Kilda in the Colony
of Victoria Merchant deceased.

William Lamb Smith of Number nineteen Queen Street in
the City of Melbourne in the Colony of Victoria Auctioneer make oath
and say as follows:-

1. That by the instructions of the Executrix and Executor of the
Will of the above named Simon Buchholz deceased I have valued
all those pieces of land forming portion of the real estate belonging to
the said deceased at the time of his death being parts of Crown portion
two hundred and fifteen B. at Saint Kilda Parish of Prahran delineated
and colored red on the plan herunto annexed marked A.

2. That a copy of my said valuation is herunto annexed
marked B

3. That the said valuation is true and correct in all and every
the particulars therein contained and set forth

4. That the said total value of the said pieces of land on the
second day of November one thousand eight hundred and eighty seven
did not exceed the sum of Two thousand nine hundred and thirty
two pounds.

Sworn at Melbourne in the Colony
of Victoria this twenty ninth day of
March one thousand eight hundred
and eighty eight Before me.

W. G. M. S.

W. G. M. S.

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

B.

Fraser & Co Limited

Public Brokers & Auctioneers

Cable address. - Resarf.

19 Queen Street

Melbourne 29. Nov 1887.

We have carefully inspected the Freehold -
Property situate at St Kilda East belonging
to the Estate of the late S. Buckholz Esq and
value the same as follows.

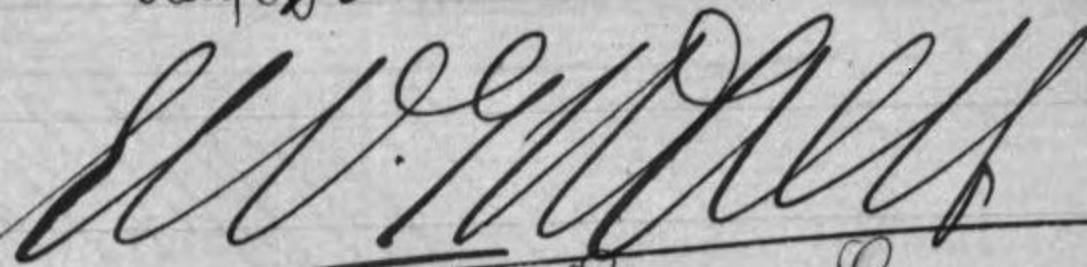
Balaclava Road Land.	73. ft 2 in.
x 150 ft. Value	£878. —
Julia Avenue Land	
407 ft. 10 x 131 ft 2 in Value.	1630.
106 ft. x 41 ft 7 in "	424
	<u>2932.</u>

Say Two thousand nine hundred and
thirty two pounds 1/4.

Fraser & Company Limited
Wm Lamb Smith, Managing
Director.

To the Executors
of the late S. Buckholz Esq.

This is the copy valuation marked B referred to in
the annexed Affidavit of William Lamb Smith sworn
before me this 29 day of March 1888



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

A.

