

This is the Plan marked A referred to in the annexed  
affidavit of William Lamb Smith sworn before me  
this 29 day of March 1888

*W. G. P. M. G.*

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

374  
In the Supreme Court of the  
Colony of Victoria

In the Probate Jurisdiction

In the will of Simon  
Buchholz deceased

Applicant of Mr  
Simon Cohen



Braham & Braham  
14 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.

I Simon Cohen of Grey Street Saint Kilda in  
the Colony of Victoria Merchant make oath and say  
as follows

1. That I am one of the Executors of the above named  
Simon Buchholz deceased and was a partner with him  
under the deed of partnership now produced and shewn  
to me marked 'A'
2. That the said Simon Buchholz did not as provided  
by the fourth clause of the said deed contribute the sum of  
Five thousand pounds towards the capital of the partnership  
but brought in the sum of Four thousand pounds only at  
the times and in manner shewn in the paper writing  
herunto annexed marked 'B'
3. The said Simon Buchholz has not in the said account  
been charged with any interest upon the sum of One  
thousand pounds the unpaid balance of his said capital  
of Five thousand pounds as provided by Clause Five of  
the said Deed nor has he been credited with any profits  
in respect of the said sum of One thousand pounds
4. The said account correctly shews the amount due  
by the said partnership to the said deceased at the time  
of his death namely the sum of Four thousand one hundred  
and six pounds seventeen shillings and six pence
5. That in part three of the Statement for duty filed  
herein the sum of Two thousand pounds therein specified as  
a debt due by the said deceased to S. Cohen Sons and

Company was erroneously stated therein as being due for unpaid capital

6. The said sum of Two thousand pounds is owing by the said deceased to the said firm in respect of Promissory notes endorsed and discounted by the said firm for and at the request of the said deceased with the Union Bank of Australia Limited particulars whereof are set forth in the paper writing now produced and shewn to me marked "C"

7. In giving instructions for the said Statement for duty I considered and believed that the said deceased's capital was liable to have deducted therefrom the said sum of Two thousand pounds the amount of the said Promissory notes and that the said sum should consequently be treated as a liability to the said firm in manner shewn in the said Statement.

8. The said Promissory notes are now held by the said Bank which holds no security therefor other than the said firm's endorsement.

Sworn at Melbourne in the Colony of  
Victoria this 14th day of May one  
thousand eight hundred and eighty eight  
Before me

J. Cohen

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

"B"

M<sup>o</sup> Simon Buckholz

(in account with)

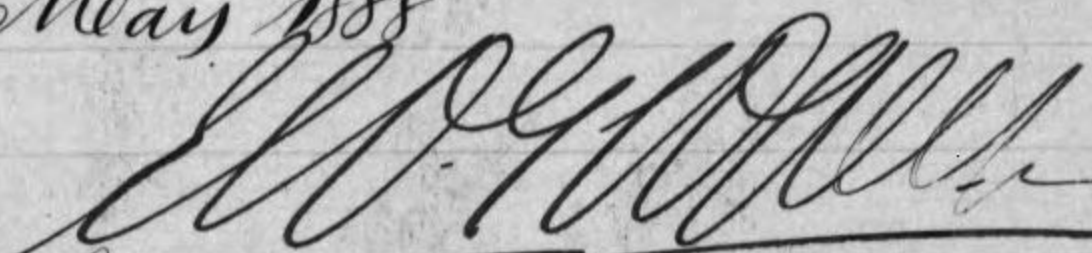
S. Cohen Sons & Co

D.

C.

	To Cash	522	5	6	<sup>1884</sup> Mch 22	By P/N due 25 June /84	1000	"	"
	" Goods	34	3	8	Apl 28	" " " 31 Oct "	1000	"	"
	" Balance	4106	17	6	May 26	" " " 29 Nov "	1000	"	"
					Feb 11	" Cash	243	15	"
					Mch 10	" "	756	5	"
						" Share of Profit	663	6	8
		<u>4663</u>	<u>6</u>	<u>8</u>			<u>4663</u>	<u>6</u>	<u>8</u>
	Melbourne					S. Cohen Sons & Co			
	November 1884					per Wm H. Fisher			

This is the paper writing marked B referred to in the  
annexed affidavit of Simon Cohen sworn before me this  
third day of May 1888



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

re Simon Buchholz deed  
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" C "

| Date of Promissory Notes | Maker          | Payee          | When due                  | Amount |   |   |
|--------------------------|----------------|----------------|---------------------------|--------|---|---|
| 1884                     |                |                | 1884                      |        |   |   |
| April 28                 | Simon Buchholz | I Cohen & Sons | 31 <sup>st</sup> October  | 1000   | 0 | 0 |
| May 26                   | Simon Buchholz | I Cohen & Sons | 29 <sup>th</sup> November | 1000   | 0 | 0 |

In the Supreme Court  
of the Colony of Victoria 3

In its Probate Jurisdiction

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

This is the paper writing marked "C" produced and shewn to Sir John Cohen  
at the time of swearing his affidavit in this matter Before me this 11<sup>th</sup>  
day of May 1888

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