

401

201401

IN THE SUPREME COURT
OF VICTORIA

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PROBATE JURISDICTION.

15

IN THE *Will of* *Anna Adelaide*
of *Anna Adelaide Emily Berry*
late of *3 Kembla St. Hawthorn*
in the State of Victoria *Married woman*
deceased

ORDER
FOR

Probate

[Handwritten signature]
9/6/20

Michael A. Gardner
Solicitor
Melbourne

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN the Will of *Irma Adelheid Jenny Berry*
late of *3 Kembla St. Hawthorn*
in the State of Victoria *married woman* deceased

BEFORE THE REGISTRAR.

THE *Second* day of *June* 1925

UPON APPLICATION this day made by the Proctor for the applicant and upon reading the several affidavits of *Frank Ernest Copeland and Frederick Baden Langford*

respectively sworn and filed herein & the will of the above-named deceased filed herein

THIS COURT DOTH ORDER that Probate of the Will of the said *Irma Adelheid Jenny Berry* deceased be granted to *Frank Ernest Copeland*

of *246 Bourke St. Melbourne*
in the State of Victoria *accountant*
the executor appointed thereby

BY THE COURT

M. W. Kelly

Registrar of Probates.

In the Supreme Court }
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL OF *Irma Adelheid Jenny Berry*
late of 3 Kembla St Hawthorn in the State of Victoria married woman
deceased

BE IT KNOWN that on the *second* day of *June* —
in the year of our Lord One thousand nine hundred and *twenty-five*
the will (a true copy of which is hereunto annexed) of *Irma Adelheid Jenny*
Berry
late of *3 Kembla St. Hawthorn in the State of Victoria married woman*
deceased who died on the *twenty-first* day of *April*
One thousand nine hundred and *twenty-five* and who had at the
time of her death real estate within the jurisdiction sworn not to exceed
in value *One hundred pounds*

If no "real estate" or no "personal estate" same must be stated.

and personal estate within the jurisdiction, sworn not to exceed in value *One thousand*
eight hundred and three pounds, three shillings and seven pence
was proved by *Frank Ernest Copeland of 246 Bourke St Melbourne*
in the State of Victoria, accountant

the execut^{OR} named therein, he having been first sworn that he would
well and truly collect and administer according to law the estate of the said
Irma Adelheid Jenny Berry 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 his administration of the said estate within fifteen months of the
said order.

[Signature]
[Signature]

Given at Melbourne this *13th* day of

June in the year of our Lord One thousand
nine hundred and *twenty-five*

[Signature]

W.B.P.
9/6/25
Thos. Kelly
Registrar of Probates.

201401

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION

IN THE WILL of IRMA ADEIHEID
JENNY BERRY

late of 3 Kembla Street Hawthorn

in the State of Victoria, married woman
deceased.



AFFIDAVIT OF EXECUTOR.



WEIGALL & CROWTHER,
459 Chancery Lane,
MELBOURNE.

Solicitors for the applicant.

Harston, Partridge & Co. Pty. Ltd., Printers, Melb.

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of IRMA ADELHEID JENNY BERRY

late of 3 Kembla Street Hawthorn

in the State of Victoria married woman

deceased

I, FRANK ERNEST COPELAND

of 246 Bourke Street Melbourne
accountant

in the State of Victoria

make oath and say—

1. That I am seeking to obtain Probate of the Will
of the above-named Irma Adelheid Jenny Berry deceased
and am of the full age of twenty-one years.

2. The said deceased died on the twenty first day of April
One thousand nine hundred and twenty five

QMB 3. The said deceased ^{left a husband} ~~was --- married~~ at the time of her death.

4. The said deceased left a Will bearing date the ninth day of
March One thousand nine hundred and twenty three
which is as I believe the last Will and Testament of the said deceased and which is
unrevoked.

5. That the testatrix was of the full age of twenty-one years at the date of the
execution of the said Will. and did not marry since that date

6. By her said Will the said testatrix appointed me this deponent sole

executor thereof.

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

8. The said Will was executed in the presence of GEORGE O'DELL CROWTHER
whose present residence is at St. George's Road Toorak in the said
State and of CHARLES DAVID HUTTON whose present residence is at 50
Jolimont Road Jolimont in the said State.

9. The said deceased left real estate in the State of Victoria not exceeding the value of One hundred pounds and personal property in the said State not exceeding the value of One hundred and eighty three pounds three shillings and eleven pence

*Inventory or Copy statement

as set out in the* Inventory now produced and shown to me and marked "B"

10. That if I obtain probate I will well and truly collect and administer according to law to the best of my 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 me as her executrix or of any other person or persons for me that I 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 me or to the hands or possession of any other person or persons for me 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 I will make or cause to be made a true and just account of the Administration of the estate which I have undertaken as to my receipts and disbursements and as to what portion is retained by me 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 same account in the said office of the Master-in-Equity within fifteen calendar months next ensuing the order granting Probate.

mm 11. That the ~~said deceased was at the time of her death a~~ husband of the said deceased was at the time of her death a British subject by birth.

12. The Certificate of title of the land included in the said Inventory as owned by the said deceased and the Savings Bank account also included therein are in the sole name of the said deceased.

SWORN at Melbourne in the State

mm of Victoria this *thirtieth* day of ~~June~~ *May* One thousand nine hundred and twenty five.

Before me

J. E. Copeland
James J. Russell

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

1118 645

201401

**In the Supreme Court
OF VICTORIA.**

PROBATE JURISDICTION.

IN THE *Will*

of *Jenna Adelheid Jenny Betty*

late of *3 Kembla St. Hawthorn*

in the State of Victoria *Married woman*

deceased



**Affidavit of Publication of Notice
and of Searches.**



In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA.

IN THE Will of Irma Adelheid Jenny Berry
late of 3 Kembla St Hawthorn
in the State of Victoria married woman deceased

I Frederick Baden Langford
of 43 Wellington St Kew
in the State of Victoria, law clerk
make oath and say—

1. That the following advertisement duly appeared in the newspaper published in Melbourne on the ^{Argus} fifteenth day of May, one thousand nine hundred & twenty-five 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 will (dated the ninth day of March one thousand nine hundred and twenty three) of Irma Adelheid Jenny Berry late of 3 Kembla Street Hawthorn in the said State Married Woman deceased may be granted to Frank Ernest Copeland of 246 Bowke St Melbourne in the said State Accountant the sole executor named in and appointed by the said will

Dated the fourteenth day of May one thousand nine hundred and twenty-five

Weigall & Crowther, 459 Chancery Lane, Melbourne,
Solicitors for the applicant

2. That I have since the death of the deceased searched and find that no Will of the above-named deceased is deposited in the office of the Registrar-General.
3. That I have this day searched in the proper office of this Honorable Court and find that no caveat has been lodged in this matter.
4. That no application for probate or administration in this matter has heretofore been made to or been granted by this Court or the Registrar of Probates of this Court.

5. That I am a clerk in the sole & permanent employ of Messrs Weigall & Crowther only, solicitors 459 Chancery Lane Melbourne, the solicitors acting generally in this application

SWORN at Melbourne in the
State of Victoria this 14th day of
June One thousand nine
hundred and twenty-five

Before me

F. B. Langford

[Signature]

201401

DATED _____ 1923

W
I
L
L

- of -

MRS. I. A. J. BERRY

WEIGALL & CROWTHER,
Solicitors,
459 Chancery Lane,
METROURNE.

COPY

"A"

O'D.C. (THIS IS THE LAST WILL AND TESTAMENT of me IRMA ADELHEID JENNY BERRY of
I.B. (- 5 Kemble -
C.D.H. (26-Berkely Street Hawthorn married woman I APPOINT FRANK ERNEST COPELAND

of 246 Bourke Street Melbourne Accountant executor and trustee of this
my will After payment thereof of all my just debts funeral and testa-
mentary expenses including State and Federal probate duty I GIVE DEVISE
AND BEQUEATH all the rest and residue of my real and personal property
whatsoever and wheresoever situate and over which I have any power of
appointment or disposal unto my said trustee UPON TRUST for such of my
children as shall attain the age of twenty-one years or being a daughter
or daughters shall attain that age or marry before attaining that age
and if more than one in equal shares share and share alike AND LASTLY
REVOKING all prior wills and testamentary dispositions heretofore made
by me I DECLARE this to be my last will and testament IN WITNESS WHEREOF

I have hereunto set my hand this - 9th day of March
one thousand nine hundred and twenty-three.

SIGNED by the said IRMA ADELHEID JENNY BERRY)
the testatrix and by her declared to be her)
last will and testament in the presence of)
us both present at the same time who at her)
request in her sight and presence and in -)
the sight and presence of each other have)
hereunto subscribed our names as witnesses)

IRMA BERRY

O'Dell Crowther

Solr Melb.

C. D. Hutton

Clerk to Weigall & Crowther
Solrs Melbourne.

201401

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL

of IRMA ADELEHED JENNY BERRY
late of 3 Kembla Street Hawthorn
in the State of Victoria married woman
deceased



INVENTORY.



MEIGALL & CROWTHER,
459 Chancery Lane,
MELBOURNE.

Solicitors for the Applicant.

Harston, Partridge & Co. Pty. Ltd., Printers, Melb.

" B "

In the Supreme Court

OF VICTORIA.
(PROBATE JURISDICTION)

This is the inventory marked " B " produced and shewn
to Frank Ernest Copeland
at the time of swearing his Affidavit herein, sworn this
thirtieth day of June 19 25.
Before me,

S Percy J Russell

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

IN THE WILL of IRMA ADELHEID JENNY BERRY

late of 3 Kembla Street Hawthorn

in Victoria married woman deceased.

INVENTORY OF ASSETS.

	£	s.	D.
REAL ESTATE			
Lot 17 on Plan of Subdivision Number 6550 lodged in the Office of Titles being part of Crown Portion 84 at Blackburn Parish of Nunawading County of Bourke particularly described in Certificate of Title Volume 4661 Folio 932129	100	-	-
CARRIED FORWARD	£ 100	-	-

BROUGHT FORWARD £ 100 - -

PERSONAL ESTATE.

Land held under any lease or licence ...	Nil £			
Improvements	"			
Rents	"			
Crops	"			
Live Stock	"			
Farming Implements	"			
Carriages, &c.	"			
Harness and Saddlery	"			
Furniture		70	12	6
Salary or Wages	Nil			
Pensions	"			
Compensation on retirement or loss of } office }	"			
Watches, Trinkets, Jewellery, &c. ...		17	11	6
Other Personal Effects, Clothing, &c. ...	Nil			
Money in hand or house	"			
Money in Bank or Building Society, } Current Account }	State Savings Bank, Auburn Lough	62	15	11
Money in Bank or Building Society, } Deposit }	Third Extended Starr-Bowkett Building Society	32	4	-
Interest on same	Nil			
Debentures	"			
Bonds	"			
Mortgages	"			
Interest on Money, Debentures, Bonds, } Mortgages, &c., to date of death }				
Life Policies	"			
Bonuses	"			
Shares	"			
Dividends	"			
Plant, &c.	"			
Tools	"			
Debts due to the Estate	"			
Interest in a Partnership Business ...	"			
Goodwill	"			
Interest in a Deceased Person's Estate				
Stock in Shop or Business	"			
	TOTAL ASSETS £	283	3	11

JM Dated this 30th day of ~~June~~ ^{May} 1925

J. E. Copeland

201-401

Executor's
Fifteen months *af.*
July 11. 1926

FOR THE ESTATE OF THE LATE
IRMA A. J. BERRY

F. E. Copeland, J.A.
EXECUTOR

248-252 BOURKE STREET.
MELBOURNE.



201-401

246 Bourke Street,
Melbourne.

NOTE -

As the beneficiaries are well provided for by their father (widower of the deceased) there has been no necessity to realise the effects, jewellery, piano etc. and same are being held in trust for the beneficiaries.

Similarly, there being no charges to income except in respect of rates on the real estate, the said income is being allowed to accrue.

The executor and trustee has not made and does not intend to make any charge for commission on the realisation or administration of the estate.

FOR THE ESTATE OF THE LATE
IRMA A. J. BERRY

July 21st 1926.

J. E. Copeland J. J. D. A.
EXECUTOR

EXECUTOR'S FIFTEEN MONTHS ACCOUNT

in re the ESTATE of IRMA ADELHEID JENNY BERRY DECEASED. *April 21. 1925*

C O R P U S A C C O U N T .

<u>1925</u>			<u>1925</u>		
June 29	To Petty Cash :-		April 21	Balance for Probate	282 3 11
	Certificate re Land	1 0			
	Cash Book	2 6			
	Rubber Stamp	3 6			
	Legal Forms	3 6			
	Postage	1 0			
	Valuation Fee				
	Legal Expenses				
July 23		11 6			
<u>1926</u>		1 11 6			
July 21	Balance	12 4 9			
		267 16 2			
		<u>£282 3 11</u>			<u>£282 3 11</u>

C A S H A C C O U N T .

			Income	Corpus	Bank				Income	Corpus	Bank
<u>1925</u>						<u>1925</u>					
Apr 21	To Corpus			62 15 11	62 15 11	June 29	By Petty Cash:		11 6		
Jun. 27	" Interest	8 2			8 2		" Valuation fee		1 11 6	2 3 0	
Jul. 1	" "	4 1			4 1	July 23	" Weill & Cr. Leg. Expenses		12 4 9	12 4 9	
" 23	" Starr Bowkett		32 4 0	32 4 0			" Water Rate		1 0 0	1 0 0	
<u>1926</u>						<u>1926</u>					
Jun. 15	" Interest C.W. Loan	1.8. 0			1 8 0	Feb. 13	" 5 1/2% 1936 C.W. Loan		80 0 0	80 0 0	
July 1	" Int. State Savings Bk.	1 16 1			1 16 1	June 20	" State Sav. Bk. Custody Fee		1 0		1 0
						July 7	" Municipal Rates		12 6		12 6
							" Balance		3 2 10	7 10	2 15 0
									<u>£3 16 4</u>	<u>£94 19 11</u>	<u>£98 16 3</u>

S T A T E M E N T O F A S S E T S .

at July, 21st, 1926.

Land at Blackburn	100 0 0	
Piano	55 0 0	} held in trust for education of beneficiaries.
Books and Music	1 15 0	
Clothing	13 17 6	} Unsaleable.
Jewellery	17 11 6	} Held in trust as keepsakes for beneficiaries.
5 1/2% C.W. Loan 1936	80 0 0	
State Savings Bank	2 15 0	
	<u>£270 19 0</u>	
		Corpus £267 16 2
		Income 3 2 10
		<u>£270 19 0</u>

FOR THE ESTATE OF THE LATE
IRMA A. J. BERRY

J. E. Copeland J.P.
EXECUTOR.

201401

In the Supreme Court

OF THE STATE OF VICTORIA.

3142

PROBATE JURISDICTION.

IN THE Will

of Irma Adelheid Jenny Berry
late of 3 Kembla St Hawthorn

in the State of Victoria married woman

deceased



PRÆCIPUE.



25 pounds
27/2/37

Weigall & Crowther
Solicitors
45 & Chancery Lane
Melbourne

Harston, Partridge & Co. Pty. Ltd., Printers, Melb

27-4-37