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IN THE SUPREME COURT.  
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of *Lorenzo*  
*Della Costa* —

late of *Tamagutta Road*  
*near Rythwood* —  
in the State of Victoria Colonial  
*Wine Licensee* —  
deceased.

AFFIDAVIT OF EXECUTRIX



*Fanner & Fanner*  
for *J. B. Fanner*  
*Rythwood*

Harston, Partridge & Co., Printers, Melbourne.

*Proctor for the Executive*

In the Supreme Court}  
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of Lorenzo Della Costa —  
late of Tarnaqua Road near Inglewood —  
in the State of Victoria Colonial Wine Licensee deceased

I Fanny Rosina Mitchell of Tarnaqua  
Road near Inglewood —

of \_\_\_\_\_ in the State of Victoria

Married Woman

make oath and say —

1. That I am seeking to obtain Probate of the Will —  
of the above-named Lorenzo Della Costa — deceased  
and am of the full age of twenty-one years.

2. The said deceased died on the first — day of October —  
One thousand nine hundred and seven —

3. The said deceased was unmarried at the time of his death, being then  
a widower —

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

5. That the testator was of the full age of twenty-one years at the date of the  
execution of the said Will. —

6. By his said Will the said testator appointed me the said  
Fanny Rosina Mitchell his deponent sole

executrix thereof. —

7. The paper writing hereunto annexed 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 Frederick Edward  
Horan of Inglewood in the said State  
Barrister and Solicitor and Archibald Cunie  
of the same place his clerk —

9. The said deceased left real estate in the State of Victoria not exceeding the  
value of Two hundred pounds —  
and personal property in the said State not exceeding the value of Two hundred  
and fifty six pounds four shillings and six pence  
making together the sum of Four hundred and fifty six  
pounds four shillings and six pence particulars whereof  
are fully set out in the statement filed herein —

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 *his* death which at any time after shall come to the power or control hands or possession of *one* as *his* 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.

SWORN at *Inglewood* in the State  
of Victoria this *twentieth*  
day of *November* One thousand  
nine hundred and *seven*  
Before me

*Fanny. Rosina. Mitchell*

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

**In the Supreme Court**  
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE Will of George Della  
Costa late of Tarragulla  
Road near Brightwood  
in Victoria deceased  
Wine licensee deceased

**AFFIDAVIT OF  
PUBLICATION OF NOTICES  
AND SEARCHES.**



for D G Moran  
Englewood  
Farmer & Farmer  
Chocor for the Plaintiff

Cuthbert & Co., Law Stationers, 418 Swanery Lane.

In the Supreme Court  
OF VICTORIA.

IN THE PROBATE JURISDICTION

IN THE Will of Lorenzo Della Costa late of Tarnagulla  
Road near Inglewood in Victoria Colonial  
Wine Licensee deceased

I Charles Augustus Ryan of 443 Chancery Lane Melbourne  
in the State of Victoria Solicitors Clerk make oath and say  
1. That I am a Clerk in the permanent and sole employ only of Messrs Farmer and  
Farmer of 443 Chancery Lane Melbourne in the State of Victoria Solicitors and the Town  
Clerk and say I am for Frederick Edward Storan of Inglewood in the said State Solicitor  
and Proctor for the applicant herein

2. THAT the following advertisement duly appeared in the Age

Newspaper published in Melbourne on the fourteenth day of  
October 1907 namely :-

"after the expiration of fourteen days from  
the publication hereof Application will be made  
to the Supreme Court of Victoria, in its probate  
jurisdiction, that Probate of the last Will of Lorenzo  
Della Costa, late of Tarnagulla Road, near Inglewood,  
in Victoria, Colonial Wine Licensee, deceased, may  
be granted to Fanny Rosina Mitchell, of Tarnagulla  
Road aforesaid, married woman, sole executrix -  
appointed by the said Will. Dated this 12<sup>th</sup> day of -  
October, 1907. F. E. Storan, Inglewood, Proctor for the  
applicant."

3. THAT I have since the date of the death of the above-named deceased  
searched in the office of the Registrar-General of the State of Victoria and find  
that no will of the said deceased is deposited there.

4. THAT I have this day searched in the proper office of the Master in  
Equity of this Honorable Court and find that no caveat has been lodged in this  
matter.

5. 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.

SWORN at Melbourne in the State  
of Victoria this 29<sup>th</sup> day of November  
One thousand nine hundred seven

Before me

C. A. Ryan

In the Supreme Court  
of Victoria

Probate Jurisdiction

In the Will of Lorenzo  
Della Costa late of Tarnagulla  
Road near Inglewood in  
Victoria Colonial Wine  
Licensee deceased

~~Recd~~ Recipient

For Probating the Will of the  
abovenamed deceased  
Sammy Rosanna Mitchell of  
Tarnagulla Road near Inglewood  
in the state of Victoria Married  
Woman Executrix appointed  
by the said Will



*H. Farmer & Farmer*  
for  
H. E. Horan  
Solicitor  
Proctor for the applicant