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103784

In the Supreme Court

OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will

of Abraham Emanuel

late of No. 6. Carlisle St. Street St Kilda

in the State of Victoria Music Teacher

deceased

Affidavit of Publication of Notice and of Searches.

MASTER-IN-EQUITY'S OFFICE FILED 3 OCT. 1907 MELBOURNE

MASTER-IN-EQUITY'S OFFICE MELBOURNE 1061 109-7

A. D. Michie
New Courts Chambers
423 Chancery Lane
Melbourne

Harston, Partridge & Co., Printers, Melbourne

In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA

IN THE Will of Abraham Emanuel

late of No. 6. Carlisle Street St Kilda

in the State of Victoria Music Teacher deceased

I Archibald Donnelly Michie of

No 423 Chancery Lane Melbourne

in the State of Victoria Barrister and Solicitor

make oath and say—

1. That the following advertisement duly appeared in the Age newspaper published in Melbourne on the Eighteenth day of May one thousand nine hundred and seven — 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 last Will and Testament of the above named Deceased

   may be granted to Archibald Donnelly Michie of New Courts Chambers No 423 Chancery Lane Melbourne Solicitor and Conveyancer one of the Executors named in and appointed by the said Will leave being reserved to Charles De Sasce, previously of Flinders Lane Melbourne but now of Durban in South Africa umbrella maker the other X

   Dated this Eighteenth day of May 1907

   ~~Archibald Donnelly Michie~~

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 is 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 The Executor named in the above notice and that Henry Chapman one of the Witnesses of the said Will died at Durban South Africa over two years ago, the other witness's residence at the date of the Will was 3. Donald Street Prahran — that this application is of serious urgency to save the assets of the Testator

SWORN at Melbourne in the State of Victoria this 9th day of October One thousand nine hundred and Seven.

A. D. Michie

Before me

[signature]

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

X: Executor appointed by the said Will to come in and prove the same

Archibald D. Michie
Solicitor and Conveyancer
423 Chancery Lane Melbourne

103784

Copy Will

This is the last Will and Testament of me Abraham Emanuel of Havelock Street St Kilda in the Colony of Victoria Music Master I appoint Charles DeSasce of Flinders Lane Melbourne Umbrella Maker and Archibald Donnelly Michie of Oxford Chambers Bourke Street Melbourne Solicitor Executors and Trustees of this my Will. I direct my Executors and Trustees to expend twenty five pounds out of the proceeds of the sale of my Real estate on my funeral and for the creation of a memorial stone over my grave. I bequeath the following legacies To my son Emanuel Emanuel of Sydney in the Colony of New South Wales my watch and chain. To my son Moses Emanuel my walking stick To my son Benjamin Emanuel of Toowoomba New South Wales my monthly dated clock and all my wearing apparel. To my youngest daughter Carrie Mendelsohn my turquoise and gold bangle and to my granddaughter Mrs Charles DeSasce all my music. I devise to my executors and Trustees all my real estate in trust to convert the same into money and after payment of any mortgages on the same to divide the proceeds of such property equally amongst my children I declare that the said Archibald Donnelly Michie shall be entitled to charge and to be paid for all professional work and services in connection with the trusts hereof and in connection with my estate notwithstanding his being an Executor and Trustee of this my Will and lastly I revoke all previous Wills and Testamentary dispositions heretofore made by me. In Witness Whereof I the said Abraham Emanuel have hereunto set my hand this Eighth day of June one thousand nine hundred and seven. A. Emanuel

Signed by the said Abraham Emanuel as and for his last Will and Testament in the presence of us both being present at the one time who at his request and in his presence and in the presence of each other have hereunto subscribed our names as Witnesses the words "granddaughter Annie" in the fourteenth line having been first struck out and the words "Granddaughter Connie" having been inserted between the thirteenth and fourteenth lines previous to the execution hereof by the said Testator. Henry. Chapman 2 Clerks to A.D. Ernest J. Downe } Michie Solicitor Melbourne

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IN THE SUPREME COURT.

OF VICTORIA.

PROBATE JURISDICTION.

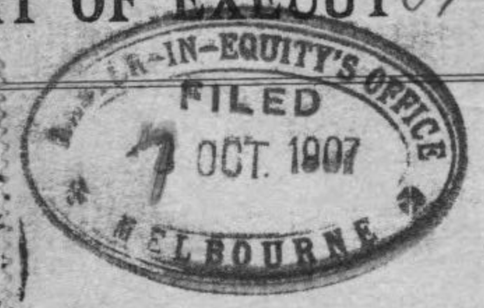
IN THE WILL Abraham Emanuel

late of No 6: Carlisle Street St Kilda

in the State of Victoria Music Teacher

deceased.

AFFIDAVIT OF EXECUTOR



F. D. Mackie
New Courts Chambers
423. Chancery Lane
Melbourne

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL late of No 6 Carlisle Street St Kilda formerly of Harelock Street in the State of Victoria Music Master deceased.

I Archibald Donnelly Clerk of New Court to Chambers 423. Chancery Lane ~~Barrister~~ in the City of Melbourne in the State of Victoria Solicitor

~~of~~ ~~in the State of Victoria~~

make oath and say—

1. That I am seeking to obtain Probate of the Will of the above-named Abraham Emanuel deceased and I am of the full age of twenty-one years.

2. The said deceased died on the Sixth day of May One thousand nine hundred and Seven

3. The said deceased was not married at the time of his death.

4. The said deceased left a Will bearing date the Eighth day of June One thousand nine hundred 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 Charles De Saxe formerly of Flinders Lane and now of South Yarra Melbourne Manufacturer and me this deponent executors 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 Henry Chapman and Ernest Downe my Managing Clerk and an assistant then in my employ

If the statement is not filed with this affidavit particulars of the estate will have to be set out.

9. The said deceased left no real estate in the State of Victoria ~~not exceeding the value of~~ or elsewhere but he left personal property in the said State not exceeding the value of Fifty pounds

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 me as his executor 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 Melbourne in the State of Victoria this fourth day of October One thousand nine hundred and seven

A. D. Ruchie

Before me

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

103784

In the Supreme Court

OF THE STATE OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will
of Abraham Emanuel
late of 116. Carlisle Street Stokdg
in the State of Victoria Music Teacher
deceased.

PRAECIPE.

On application to the Registrar to grant
Probate

Messrs. D. Mackie
New Courts Chambers
423. Chancery Lane
Melbourne

Harston, Partridge & Co., Printers, Melbourne