

832

59*832

IN THE SUPREME COURT.
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will
of *Elsie Stenberg* late
of *106½ Romaine St. Melbourne* in the Colony
of Victoria *Widow* deceased

Affidavit of Publication of Notice and of
Searches.



As per W. Sturge
Proctor
by Chancery Lane
Melbourne

Harston Partridge & Co., Printers, Chancery Lane.

In the Supreme Court }
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will

of Eliza Fagberg

late of Number 667 Canning Street Carlton

in the Colony of Victoria Widow

deceased

I John Henry Tait of The Hutte Enfield Street St. Kilda

in the Colony of Victoria Managing Law Clerk

make oath and say—

1. That the following advertisement duly appeared in the Argus newspaper published in Melbourne on the twenty fourth day of December 1895 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 Colony of Victoria in its Probate Jurisdiction that Probate of the last Will and Testament of Eliza Fagberg late of Number 667 Canning Street North Carlton in the Colony of Victoria - Widow deceased

may be granted to Charles John Fagberg of Number 111 Brunswick Street North Fitzroy Farmer Laborer one of the executors appointed by the said Will, James Morrison of Cunningham Street South Yarra in the said Colony Gentleman the other executor thereby appointed having renounced Probate thereof

Dated this twenty third day of December 1895
Alfred William Fergie, 84 Chancery Lane Melbourne
Indictor for the said Executor

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.

Sworn at Melbourne in the Colony of Victoria this third day of February - One thousand eight hundred and ninety six

John H. Tait

Before me, *W. Macdonald*

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

59*833
In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza
Fagberg late of Number 667
Canning Street Carlton in the
Colony of Victoria Widow deceased

Affidavit

of

Attesting Witness



Wm. H. Fergus
Proctor
84 Chancery Lane
Melbourne

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza Fagberg late
of Number 667 Canning Street Carlton
in the Colony of Victoria Widow
deceased.

I George Reaby of Swanston Street Melbourne
in the Colony of Victoria Boot Importer make oath
and say:-

- 1 That I was present with one Samuel Bennett
of Green Street Richmond in the Colony of Victoria
Ironmonger's Assistant and whose name appears
at the foot of the Will now produced and shewn
to me at the time of being sworn to this my
Affidavit marked A and that I did see Eliza
Fagberg above described deceased execute the said
Will by her signing the same and that I and the
said Samuel Bennett then and there at her
request in her presence and in the presence of each
other thereto subscribed our names as witnesses
- 2 That the following alterations and interlineations
were made in the said Will previous to its being
executed by the said Testator as aforesaid viz:-
The word "and" interlined between the word "give"
and the word "devise" contained in the seventh
line from the commencement of the said Will.
The words "S. Yarra" interlined between the fifteenth
and sixteenth lines from the commencement
of the said Will.

3 That the attestation clause appearing on the
said Will duly appeared and was written on the
said Will previous to me this deponent and the
said Samuel Bennett subscribing our names as witnesses

Sworn at Melbourne in the
Colony of Victoria this third
day of February 1896 Before me

Geo Reaby

A West

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

59*832
In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza
Fagberg late of Hunter
66th Canning Street Carlton
in the Colony of Victoria
Widow deceased. —

Affidavit

Verifying execution of Documents



Alfred H. Sengue
Solicitor
At Chambers Lane
Melbourne

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza Fagberg
of Number 667 Canning Street
Carlton in the Colony of Victoria
Widow deceased.

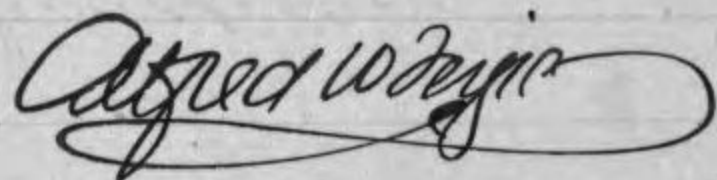
I Alfred William Fergie of Number 84
Chancery Lane Melbourne in the Colony of
Victoria Solicitor make oath and say: -

- 1 That I was present and did see James
Morrison named in and described in the
Renunciation herewith annexed marked A, and
whose signature appears at the foot thereof
execute the said annexed Renunciation. -
- 2 That the signature "James Morrison" which
appears at the foot of the said Renunciation
is the proper handwriting of the said James
Morrison
- 3 That on witnessing the execution of the
said annexed Renunciation by the said James
Morrison I then and there signed my name
at the foot of the same as attesting witness
thereof and that the signature "Alfred W. Fergie"
which also appears at the foot of the said
annexed Renunciation is my proper handwriting

Sworn at Melbourne in the Colony

of Victoria this third day of

February, 1896 Before me



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

59*832
In the Supreme Court
of the Colony of Victoria

In the Probate Jurisdiction

In the Will of Eliza
Fagberg late of Number
667 Canning Street
Carlton in the Colony of
Victoria Widows deceased

Renunciation

of
Probate

Alfred W. Terque
Proctor
44 Chancery Lane
Melbourne

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza Fagberg
late of Number 667 Canning Street
Carlton in the Colony of Victoria
Widow deceased.

To all to whom these presents shall come I
James Morrison of Cunningham Street South Yarra
in the Colony of Victoria Gentleman send greeting
Whereas Eliza Fagberg late of Number 667 Canning
Street Carlton in the Colony of Victoria Widow deceased
made and published her last Will and Testament
bearing date the seventeenth day of December one
thousand eight hundred and ninety four and
thereby appointed Charles John Fagberg and me
the said James Morrison Executors of her said
Will And whereas the said Eliza Fagberg departed
this life on or about the nineteenth day of December
one thousand eight hundred and ninety five
without having altered or revoked her said Will
And whereas I the said James Morrison have
never in any way acted and have wholly refused
to act in proving and executing the said Will
and desire to renounce all and every my right
title and interest in or unto the Probate and
execution of the said Will and Administration
of the Estate of the said Testatrix Now these
presents witness that I the said James Morrison
have from the decease of the said Eliza Fagberg
disclaimed and renounced and by these presents

do fully and absolutely disclaim and renounce
all my right title and interest in and to the
Probate and execution of the said Will or to
Letters of Administration with the same annexed
and also my right to administer the said estate of the
Testator in conjunction with the said Charles
John Fagberg the other Executor named in and
appointed by the aforesaid Will. And I hereby
appoint Mr. Alfred William Fergie of Number
84 Chancery Lane Melbourne in the said
Colony my Proctor to file this Renunciation
in the proper office of the Supreme Court
of the Colony of Victoria. In witness whereof
I the said James Morrison have hereunto
set my hand and seal this twentieth day of
January one thousand eight hundred and
ninety six.

Signed sealed and delivered
by the said James Morrison
in the presence of

James Morrison

Alfred W. Fergie
Solicitor
84 Chancery Lane Melbourne

This is the paper writing marked A referred
to in the annexed Affidavit of Alfred
William Fergie sworn before me this third
day of February 1896

J. J. G. G.
A Commissioner of the Supreme Court of
Victoria for taking Affidavits

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Eliza
Fagberg late of Number
167 Canning Street Carlton
in the Colony of Victoria
Widow deceased.

Procipe that Probate of
the Will of the above named
Eliza Fagberg deceased
may be granted to Charles
John Fagberg of Number
111 Brunswick Street North
Fitzroy in the said Colony
Farm Laborer one of the
Executors named in and
appointed by the said Will
James Morrison of ~~the~~ Cunningham
Street South Yarra in the said
Colony Gentleman the other Executor
named in and appointed by the
said Will having renounced
Probate thereof

164

Alfred W. Fergie
Proctor 84 Chancery Lane