

97 85

IN THE SUPREME COURT  
OF VICTORIA.

*W.P.*  
IN THE PROBATE JURISDICTION.

IN THE WILL of FRANCIS HISCOX  
late of 16 Thompson Street  
Abbotsford in the State of  
Victoria Widow deceased.

A F F I D A V I T

OF

ATTESTING WITNESSES.



ARTHUR PHILLIPS,  
60 Queen Street,  
Melbourne.

85

IN THE SUPREME COURT  
OF THE STATE OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL of FRANCES HISCOX late of 16  
Thompson Street Abbotsford in the State of  
Victoria Widow deceased .

I JAMES CRAWFORD HISCOX of 16 Thompson Street Abbotsford in  
the State of Victoria Investor make oath and say :-

1. That I am one of the attesting witnesses to the Will of  
the abovenamed Frances Hiscox deceased which Will is now produced  
and shewn to me marked with the letter "A".

2. That the words "nr: Melbourne" interlined after the word  
"Collingwood" in the second line of the said Will were so inter-  
lined before the execution of the said Will and in the eleventh  
line of the said Will the figures "25" were first written in and  
afterwards the word "Twenty" was written over the said figures be-  
fore the execution of the said Will.

SWORN at Melbourne in the State of  
Victoria this 24<sup>th</sup> day of  
February One thousand nine hundred  
and six.

*J. Crawford Hiscox*

Before me

*W. D. ...*

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

97 85

IN THE SUPREME COURT

OF VICTORIA.

*R. D. Phillips*

IN ITS PROPER JURISDICTION.

*20/2/06*

IN THE WILL of FRANCES HISCOX  
late of 16 Thompson Street Abbot  
sford in the State of Victoria  
Widow deceased.

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A F F I D A V I T  
\*\*\*\*\*

OF

E X E C U T O R.



ARTHUR PHILLIPS,  
60 Queen Street,  
Melbourne.

IN THE SUPREME COURT  
OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE WILL of FRANCES HISCOX late of  
16 Thompson Street Abbotsford in the State  
of Victoria Widow deceased.

I JAMES CRAWFORD HISCOX of 16 Thompson Street Abbots-  
ford in the State of Victoria Investor make oath and say :-

1. That I am seeking to obtain Probate of the Will of the above-named Frances Hiscox deceased reserving leave to George Henry Hiscox of Winchelsea in the said State of Victoria State School Teacher to come in and prove the said Will.
2. That the said deceased died on the Ninth day of August One thousand nine hundred and two at 16 Thompson Street Abbotsford aforesaid.
3. The said deceased left a Will bearing date the Twenty-fifth day of August One thousand eight hundred and seventy-nine which is as I believe the last Will and Testament of the said deceased and which is unrevoked.
4. By her said Will testator appointed me this deponent and the said George Henry Hiscox executors thereof.
5. The paper-writing hereunto annexed marked "A" is the true last Will and Testament of the said deceased as I verily believe.
6. The said Will was executed in the presence of Leonard W. Peake formerly of Richmond Cutter but now of Penola in the State of South Australia Auctioneer and me this deponent.
7. The said deceased left real estate in the State of Victoria not exceeding the value of One hundred and fifty pounds but left no personal property in the said State.

8. That to the best of my knowledge, information and belief, the said deceased did not within the space of two years preceding the date of her death convey or otherwise dispose of, for other than adequate valuable consideration any real or personal property of which she was seized or possessed.

9. 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 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 hand writing 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 hand writing, 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.

10. The delay in making application for Probate herein was due to the fact that the beneficiary under the Will was residing in the house comprising the said real estate at the time of the death of the deceased and has since continued to reside there and that her circumstances until recently did not warrant her



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IN THE SUPREME COURT OF VICTORIA

IN ITS PROBATE JURISDICTION

IN THE WILL of FRANCES HISCOX  
late of 16 Thompson Street Ab-  
botsford in the State of Vic-  
toria Widow deceased.

A F F I D A V I T

of

PUBLICATION AND SEARCHES.



ARTHUR PHILLIPS,  
60 Queen Street,  
Melbourne.

IN THE SUPREME COURT  
OF VICTORIA.

IN ITS PROBATE JURISDICTION

IN THE WILL of FRANCES HISCOX late  
of 16 Thompson Street Abbotsford in  
the State of Victoria Widow deceased.

I HECTOR ALEXANDER NUGENT of 60 Queen Street Mel-  
bourne Clerk to Mr. Arthur Phillips of the same place Solicitor  
make oath and say :-

1. That the following advertisement appeared in the  
"Argus" newspaper published in Melbourne on the Eighteenth  
day of January One thousand nine hundred and six.

" N O T I C E is hereby given that after the ex-  
" piration 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 Pro-  
" bate of the Will of FRANCES HISCOX late of 16 Thompson  
" Street Abbotsford in the said State Widow may be granted  
" to JAMES CRAWFORD HISCOX of 16 Thompson Street Abbots-  
" ford aforesaid Investor one of the Executors appointed  
" by the said Will leave being reserved to GEORGE HENRY  
" HISCOX of Winchelsea in the said State of Victoria  
" State School Teacher the other executor named in the  
" said Will to come in and prove <sup>the</sup> same.

D A T E D this Seventeenth day of January One  
" thousand nine hundred and six.

ARTHUR PHILLIPS

60 Queen Street, Melbourne.

Proctor for the Applicant."

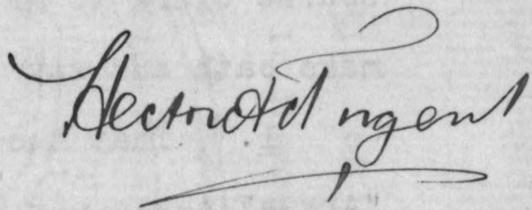
2. That I have since the death of the above-named de-  
ceased searched and find that no will of the said deceased is  
deposited in the office of the Registrar General.

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.

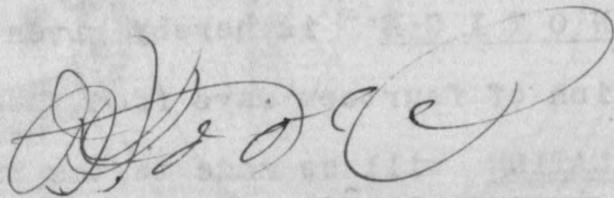
4. That no application for probate or administration in this matter has heretofore been made to or been granted by this Honorable Court or to or by the Registrar of Probates of this Court.

SWORN at Melbourne in the State  
of Victoria this *ninth* day  
of February One thousand nine  
hundred and six.

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Before me.



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

msb9

alpin will

date

interlineation at top

of will

~~add. true copy~~

10/10  
1/2

msb9  
alpin will  
date  
interlineation at top  
of will  
~~add. true copy~~

IN THE SUPREME COURT  
OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE WILL OF FRANCIS HISCOX  
late of 16 Thompson Street  
Abbotsford in the State of Vic-  
toria Widow deceased.

P R A E C I P E

for

P R O B A T E



ARTHUR PHILLIPS,  
60 Queen Street,  
Melbourne.

*246 2 all within*

*[Faint handwritten notes on the left page]*