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In the Supreme Court

85 670

Probate Jurisdiction

In the WILL of John Bee late of
"Avonville" No 30 Albert Street
Kew in the State of Victoria
Gentleman deceased

A F F I D A V I T

of

Executors



Crawford and Usher,
Proctors
Melbourne

In the Supreme Court of)
) In its Probate Jurisdiction
(the State of Victoria)

In the Will of John Bee late of
"Avonville" Number 30 Albert Street Kew
in the State of Victoria Gentleman

We The Honorable Walter Madden of No 454 Collins Street Melbourne
in the State of Victoria Managing Director of the National
Trustees Executors and Agency Company of Australasia Limited and
Robert Camm of Fellowes Street Kew in the said State State School
Teacher severally make oath and say

And first I the said Walter Madden for myself say

1. That I am the Managing Director of the National Trustees
Executors and Agency Company of Australasia Limited carrying on
business at No 454 Collins Street Melbourne in the said State of
Victoria

And we the said Walter Madden and Robert Camm severally say

1. That We are informed and believe that the above-named John
Bee died on the Seventeenth day of November 1902 at Albert Street
Kew aforesaid

2. The said deceased left a Will bearing date the Fifteenth day
of May One thousand nine hundred and two which is as We believe
the last Will and Testament of the said deceased and which is
unrevoked

3. By his said Will the testator appointed the National
Trustees Executors and Agency Company of Australasia Limited and
Robert Camm executors thereof

4. The paper writing hereunto annexed marked "A" is the true
last Will and Testament of the said deceased as We verily believe

5. The said Will was executed in the presence of Fanny Rayward
of 36 Albert Street Kew Married Lady and William Charles Cromie of
298 The Avenue Royal Park Clerk

6. The said Company and Robert Camm are seeking to obtain
Probate of the Will of the above-named John Bee deceased

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

8. The said deceased left real estate in the State of Victoria not exceeding in value the sum of Two thousand five hundred and ninety five pounds and personal property in the said State not exceeding in value the sum of One thousand six hundred and ninety nine pounds three shillings and sevenpence making together the sum of Four thousand two hundred and ninety four pounds three shillings and sevenpence

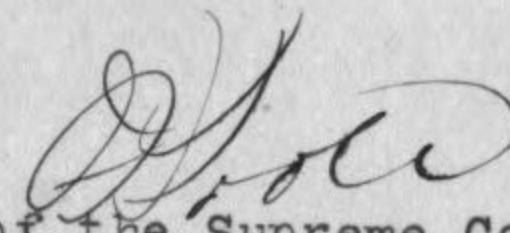
9. That if the said Company and the said Robert Camm obtain Probate they will well and truly collect and administer according to law to the best of its and his knowledge and ability the property lands and hereditaments goods chattels and credits of the said deceased at the time of his death which at any time after shall come to the power or control hands or possession of the said Company and the said Robert Camm as his Executors or of any other person or persons for them and that they the said Company and the said Robert Camm 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 the said Company or the said Robert Camm or to the hands or possession of any other person or persons for it or him and the same so made the said Company will execute and seal with its proper corporate seal and the said Robert Camm will sign with his 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 the said Company and the said Robert Camm will make or cause to be made a true and just account of the administration of the estate which the said Company and the said Robert Camm have undertaken as to

their receipts and disbursements and as to what portion is retained by them and what portion remains uncollected and the same so made the said Company will execute and seal with its proper corporate seal and the said Robert Camm will sign with his proper handwriting and the said Company and the said Robert Camm 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

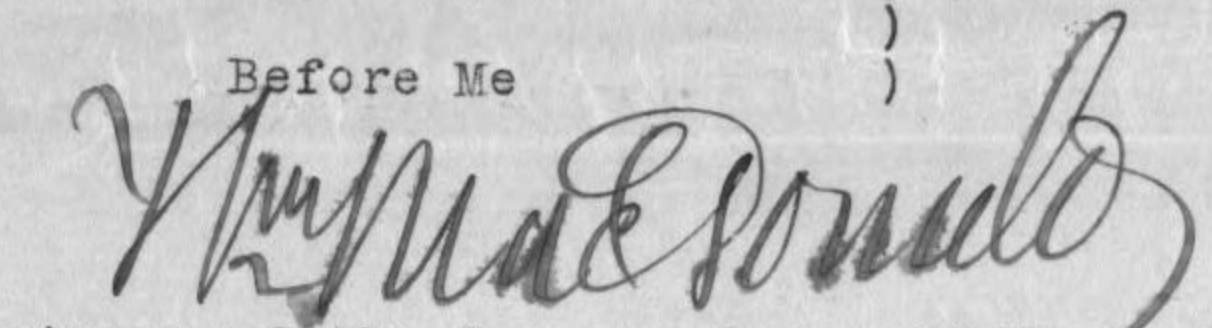
Severally Sworn by the above named)
deponent Walter Madden at Melbourne)
in the State of Victoria this 17th
day of December 1902

Before Me


A Commissioner of the Supreme Court of Victoria for taking Affidavits

Severally Sworn by the abovenamed)
deponent Robert Camm at Melbourne)
in the State of Victoria this 17th
day of December 1902

Before Me


A Commissioner of the Supreme Court of Victoria for taking Affidavits

"A"

This is the paper writing marked "A" and referred to in the annexed affidavit, as the true last Will and Testament
Sworn by the deponent Walter Madden Before me this 17th day of December 1901

This is the paper writing marked "A" and referred to in the annexed affidavit, as the true last Will and Testament
Sworn by the deponent Robert Camm Before me this 17th day of December 1901

J. H. Macdonald
The Commissioner

This is the last Will and Testament
of me

John Bee of Cronville No 30 Albert Street Kew in the
State of Victoria Gentleman I appoint the National Trusts
Executors and Agency Company of Australasia Limited
of No 54 Collins Street Melbourne and Robert Camm of
Fellows Street Kew aforesaid State School Teacher (hereinafter
called "my said trustees") Executors and Trustees of this my Will
and I declare that the said Company may execute any of
the trusts or powers herein contained by its officers I give and
bequeath to my son ^{Walter John Bee} my silver watch and my baton and
any of my pictures (except the photograph hereinafter
mentioned) in my dining room he may desire to have
And in the event of my said son not desiring to have any
of the said pictures I give and bequeath same to my
granddaughter Fanny Lillian Camm wife of the said
Robert Camm I give and bequeath the large photograph
of my Sunday morning class to my old friend Samuel
William Lambie of Derby Street Kew Music Teacher I give
and bequeath to the said Fanny Lillian Camm my tea and
coffee service and the address presented to me and my late wife
by the Officers Teachers and scholars of the Wesleyan Sabbath
School Cecil Street South Melbourne also my pictures in my
drawing room and any of my photographic negatives she
may care to possess Also to all the rest residue and remainder
of my estate both real and personal I devise and bequeath
same unto my said trustees upon trust that my said trustees
shall sell call in and convert into money the same with
discretionary power to postpone for such period as to them
shall seem expedient such sale calling in or conversion and
shall stand possessed of the moneys arising from such sale
calling in and conversion upon trust firstly as soon after
my death as possible to expend thereout the sum of seven
hundred pounds (£700) in purchasing from the Equitable
Life Assurance Society of the United States whose office is at
Collins Street Melbourne an annuity to be payable quarterly

Witnesses

Fanny Payward
W. H. L. L. L.

John Bee

in favor of my said son Walter John Bee and I declare that the receipt of the said Society for the said sum of seven hundred pounds shall be a full and sufficient discharge for my said trustees therefor whose liability shall thereupon cease and my said trustees shall not be obliged to see to the application of such annuity. Provided that until such annuity shall be purchased my said trustees shall pay out of my estate to the said Walter John Bee the sum of five pounds per month to be computed from the date of my death and I direct that if the income shall not be sufficient for the purpose then the said sum of five pounds per month shall be paid out of the capital And secondly to pay the following legacies free from probate or other duties: - To the Melbourne Hospital forty pounds (£40) To the Methodist Central Mission Melbourne forty pounds (£40) To the Wesleyan Home Mission Melbourne forty pounds (£40) To the Wesleyan Foreign Mission Melbourne forty pounds (£40) To the Queen's College Melbourne University forty pounds (£40) And I declare that the receipts of the Treasurers for the time being of the said Institutions for the respective legacies bequeathed to them shall be full and valid discharges to my said trustees To the said Robert Hamm two hundred pounds (£200) To Mrs Bickford the wife of the Reverend E. T. Bickford twenty pounds (£20) for the Boys Methodist Mission of New York To Mrs Jane Aldridge of Dorset England twenty pounds (£20) To my housekeeper Helen Charlton twenty pounds (£20) And to divide the residue into thirty equal parts and pay and divide same as follows namely: - To Alfred Bee Hopkins of No 58 Winchomb Street Cheltenham England Grocer Executor of the Will of my late sister Mary Ann Stephens for the use and benefit of her estate four parts, To Ellen Bee daughter of my said son Walter John Bee of Perth Western Australia four parts, To Mary Frances Bee wife of my said son Walter John Bee of Perth aforesaid four parts to be held by her in trust for her daughter Minnie Bee who is dumb, To the said Fanny Lillian Hamm four parts, To the said Alfred Bee Hopkins for himself absolutely two parts, To the said

Witnesses

Fanny Rayward
W. Chasbromie

John Bee

Alfred Bee Hopkins in trust for the children of his late
brother William Henry Hopkins two parts, To Richard
Webb senior of Perth aforesaid Draper two parts, To Richard
Webb junior of Perth aforesaid two parts, To Ernest John Webb
of Perth aforesaid two parts, To Roland William Webb of Perth
aforesaid two parts and to Arthur Edwards Bee of Perth
aforesaid two parts And I declare that the receipts of the said
Alfred Bee Hopkins and Mary Frances Bee for the moneys
bequeathed to them in trust shall be full and valid discharges
to my said trustees and my said trustees shall not be
bound or concerned to enquire as to the application or
non-application of such moneys In witness whereof I the
said John Bee have to this and the two previous sheets of
this my Will herunto set my hand this fifteenth
day of May one thousand nine hundred and two

Signed by the said John Bee and by him declared
to be his last Will and Testament in the presence
of us both present at the same time who in his
sight and presence at his request and in the
presence of each other have herunto subscribed
our names as witnesses

John Bee

Fanny Rayward

36 Albert St

Kew. Married Lady

W Charles Cromie

298 The Avenue

Royal Park

Clerk