

484

In the Supreme Court  
of the Colony of Victoria

In the Probate Jurisdiction  
52\*481

In the Estate of John  
James Ward late of  
Parramatta in the  
Colony of Victoria  
deceased Intestate

Attain  
of  
Jurisdiction



Joseph J. J. J. J.  
Proctor  
attest

In the Supreme Court }  
of the Colony of Victoria } In the Probate jurisdiction

In the Estate of John  
James Ward late of  
Pakenham in the Colony  
of Victoria Groom deceased  
Intestate

I Patrick O'Brien of Cowwarr in  
the Colony of Victoria Groomer make oath and say:-

1. That I am worth property in the Colony  
of Victoria of the value of three hundred  
and fifty two pounds over and above what will  
pay all my just debts and liabilities
2. That such property consists of freehold  
land in the parish of Toongabbie North County  
of Tanjil and being sections O<sup>1</sup> and O<sup>2</sup> respectively  
containing eighty acres each on the boundary  
of the Township of Cowwarr in the said Colony  
which section O<sup>1</sup> I value at the sum of two hundred  
pounds and which section O<sup>2</sup> I value at the  
sum of two hundred pounds
3. That I am not swayed in any other matter  
whatsoever

Sworn at Cowwarr in the } Patrick O'Brien  
Colony of Victoria this twenty first  
day of July 1893

Before me

Nidger Harvey  
A Commissioner of the Supreme Court of  
the Colony of Victoria for taking affidavits

In the Supreme Court  
of the Colony of Victoria

52\*484.

Probate Jurisdiction

In the Estate of John  
James Ward late of  
Fakenham in the  
Colony of Victoria  
deceased intestate

Applicant

— of —

Gurth



Joseph Thibierge  
Proctor  
Melbourne

In the Supreme Court  
of the Colony of Victoria } In the Probate jurisdiction

In the Estate of John James  
Ward late of Parkham  
in the Colony of Victoria  
Grocer deceased Intestate

I Edward Cummings of Cowwarr in  
the Colony of Victoria Blacksmith make oath and  
say:—

1. That I am worth property in the Colony  
of Victoria of the value of three hundred and fifty  
two pounds over and above what will pay all  
my just debts and liabilities.

2. That such property consists of one ~~one~~  
hundred and ninety nine acres two roods and  
twenty two perches or thereabouts of freehold  
land being section eighteen parish of

~~the~~ Toongabbie <sup>road</sup> County of Tangil at Winnindoo  
which I value at the sum four thousand pounds

3. That I am not swifty in any other  
matter whatsoever

~~the~~ Sworn at <sup>Cowwarr</sup> ~~Winnindoo~~ in the }  
Colony of Victoria this ~~twenty first~~ } E Cummings  
day of July 1893 }

Before me

Thidger Harvey

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

In the Supreme Court  
of the County of Victoria

Robert Brown  
vs  
the Estate of John

4/8/93  
In the Estate of John

James Ward - late of  
Parramatta in the County  
of Victoria Proces  
deceased Administrators

52:484

Official

of

Administrators



Joseph Subjunct  
Proctor  
Victoria

In the Supreme Court  
of the Colony of Victoria } In the Probate jurisdiction

In the Estate of John James  
Ward late of Pakenham  
in the Colony of Victoria  
Grocer deceased Intestate

I Ellen Ward of Cowwarr in the Colony of  
Victoria Widow make oath and say:-

1. I am seeking to obtain Administration of the Estate of the above named John James Ward deceased of whom I am the lawful widow
2. The said deceased died on the twelfth day of April one thousand eight hundred and ninety three at the Melbourne Hospital in the Colony aforesaid
3. The deceased left no real estate in the Colony of Victoria but left personal estate in the said Colony not exceeding in value the sum of three hundred and fifty two pounds
4. The deceased left him surviving only me this deponent and two children issue of his marriage with me namely Bernard Ward aged eighteen months or thereabouts and John James Ward aged two months or thereabouts and no other child or children and myself and the said two children are the only persons entitled to share in the estate of the said deceased
5. I have made careful search and enquiry to ascertain whether deceased left a will but have been unable to find any and I verily believe that the said deceased never made a will
6. To the best of my 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

✓ 7. That if I obtain administration 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 administratrix 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 administration 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 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 administration  
Sworn at ~~Cowwarr~~ in the  
Colony of Victoria this ~~twenty first~~ day of July 1893

Eden Hard

Before me

Thidger Harvey

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

In the Supreme Court  
of the Colony of Victoria

In the Probate Jurisdiction

In the Estate of John  
James Ward & the of  
Parkinham in the County  
of Victoria Goods deceased  
Intestate

52\*484

Affidavit

of

Testimonials and Searches



Joseph J. J. J. J.  
Proctor  
Melbourne

In the Supreme Court of the Colony of Victoria } In the Probate Jurisdiction

In the Estate of John James Ward late of Pakenham in the Colony of Victoria Grocer deceased Intestate

I James Bunt Stewart clerk to our Joseph FitzGerald of 108 Queen Street Melbourne in the Colony of Victoria Proctor make oath and say:-

1. There appeared in the "Argus" newspaper published in the City of Melbourne on the twenty first day of June one thousand eight hundred and ninety three a notice of which the following is a copy:-

WJ  
" After fourteen days from the  
" publication hereof application will  
" be made to the Supreme Court in  
" the Probate Jurisdiction that Letters  
" of administration of the Estate  
" of John James Ward late of Pakenham  
" in the Colony of Victoria grocer deceased  
" Intestate may be granted to Ellen  
" Ward of Lowmore in said Colony widow  
" of the said deceased  
" Dated this twenty first day of June 1893  
" Joseph FitzGerald 108 Queen Street  
" (Corner Little Collins Street) Melbourne  
" Proctor for the said Ellen Ward

2. I have since the death of the above

deceased searched in the office of the Registrar General of the Colony of Victoria and find that no will of the said deceased is there deposited

3. I have this day searched in the proper office of this Honourable Court and find that no caveat has been lodged in this matter  
Sworn at Melbourne in the  
Colony of Victoria this 24<sup>th</sup>  
day of July 1873

J. Burt Stewart

Before me  
*Wm. McDonald*  
Commissioner of the Supreme  
Court of the Colony of Victoria for  
taking affidavits.

24th 1893  
In the Supreme Court  
of the Colony of Victoria  
*John Robert Haycock*

*John Robert Haycock*  
7th 7/93  
Probate Jurisdiction

In the Estate of John  
James Ward late of  
Parkhurst in the County  
of Victoria Grocer  
deceased, intestate  
52\*484

Official  
of

Administratrix



*John Robert Haycock*  
105 Queen Street  
Melbourne

In the Supreme Court }  
of the Colony of Victoria } In the Probate Jurisdiction

In the Estate of John  
James Ward late of  
Parkenham in the Colony  
of Victoria Grocer  
deceased Intestate

I Ellen Ward of Cowwarr in the Colony  
of Victoria Widow make oath and say:-

1. I am seeking to obtain administration  
of the Estate of the above named John James  
Ward deceased of whom I am the lawful widow
2. The said deceased died on the twelfth  
day of April one thousand eight hundred and  
ninety three at the Melbourne Hospital in  
the Colony aforesaid
3. The deceased left no real estate in the  
Colony of Victoria but left personal estate  
in the said Colony not exceeding in value  
the sum of three hundred and fifty two pounds
4. The deceased left him surviving only me  
his deponent two children issue of his  
marriage with me namely Bernard Ward  
aged eighteen months or thereabouts and  
John James Ward aged two months or  
thereabouts and no other child or children  
and myself and the said two children are the  
only persons entitled to share in the estate  
of the said deceased
5. I have made careful search and  
enquiry to ascertain whether deceased

left a will but have been unable to find any and I verily believe that the said deceased never made a will

6. To the best of my 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

7. That if I obtain administration 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 administratrix 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 administration 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 accounts in the said office of the Master in Equity within fifteen calendar months next ensuing the order granting administration

Sworn at Bow-warr in

the Colony of Victoria this is  
Fourth (4<sup>th</sup>) day of July 1893

Ellen Ward

Before me

George W. M. M. -

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

In the Supreme Court  
of the Colony of Victoria  
Probate Jurisdiction  
52\*484  
In the Estate of John  
James Mordaunt late of  
Parkhurst in the County  
of Victoria deceased  
deceased intestate

Affidavit

of —

Surgey



James Mordaunt

In the Supreme Court  
of the Colony of Victoria & In the Probate Jurisdiction

In the Estate of John James  
Ward late of Parkham  
in the Colony of Victoria  
Grocer deceased Intestate

I Patrick O'Brien of Cowwarr in  
the Colony of Victoria Grazier make oath  
and say:-

1. That I am worth property in the Colony of  
Victoria of the value of three hundred and fifty  
two pounds over and above what will pay  
all my just debts and liabilities.
2. That such property consists of freehold  
land in the parish of Toongabbie North County  
of Tanjil and being sections 0' and 0<sup>2</sup> respectively  
containing eighty acres each on the boundaries  
of the Township of Cowwarr in the said Colony  
which section 0' of land I value at the sum of  
£~~Two~~ <sup>Two</sup> hundred pounds and which section 0<sup>2</sup>  
I value at the sum of ~~Two~~ <sup>Two</sup> hundred pounds.
3. That I am not sworn in any other matter  
whatsover

Sworn at Cowwarr in the  
Colony of Victoria this 4<sup>th</sup>  
day of July 1893

Patrick O'Brien

Before me

George Wood.

Commissioner of the Supreme Court of the  
Colony of Victoria for taking affidavits.

2  
Comm for  
Value declared

In the Supreme Court  
of the Colony of Victoria

52\*484

In the Probate Jurisdiction

In the Estate of  
John James Ward  
late of Parkenham in  
the Colony of Victoria  
deceased Intestate

Affidavit  
of

Surety



Joseph Henry Smith  
Proctor  
Melbourne

In the Supreme Court,  
of the Colony of Victoria } In the Probate Jurisdiction

In the Estate of John  
James Ward late of  
Parkenham in the Colony  
of Victoria Grocer deceased  
Intestate —

I Mary Harkin of Corwar in the  
Colony of Victoria Grainger <sup>Widow</sup> make oath and say:

1. That I am worth property in the Colony  
of Victoria of the value of Three hundred  
and fifty two pounds over and above  
what will pay all my just debts and  
liabilities.
2. That such property consists of the sum  
of Four Hundred & fifty pounds  
placed by me on fixed deposit  
in the Colonial Bank of Australia  
at Traralgon in the said Colony for one  
year from the First day of February.  
One thousand eight hundred and ninety three  
at Four pounds per centum per annum
3. That I am not surety in any other  
matter whatsoever

Sworn at Corwar  
in the Colony of Victoria  
this 4<sup>th</sup> day of  
July 1893

Mary Harkin

Commissioner  
for taking Declarations

Before me

George Wood.

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

In the Supreme Court  
of the Colony of Victoria  
In the Probate Jurisdiction  
52\*484  
In the Estate of John  
James Macdonald late of  
Fosterham in the County  
of Victoria Governor  
deceased Intestate

Edwards  
of  
Trustee in & for the



Joseph John Gervais

In the Supreme Court  
of the Colony of Victoria } In the Probate Jurisdiction

In the Estate of John  
James Ward late of  
Pakenham in the Colony  
of Victoria deceased  
Intestate

James Burt Stewart -  
John Robertson, clerk to Mr Joseph  
Fitzgerald of 108 Queen Street Melbourne in  
the Colony of Victoria Solicitor make oath  
and say:-

1. That the following advertisement duly  
appeared in the Argus newspaper published  
in the City of Melbourne on the twenty first  
day of June one thousand eight hundred and ninety three  
"After fourteen days from the publication hereof application will  
"be made to the Supreme Court of Victoria in the Probate Jurisdiction that  
"Letters of Administration of the Estate of John James Ward late of Pakenham  
"in the Colony of Victoria grocer deceased intestate may be granted  
"to Ellen Ward of Bourwarre in said Colony widow of the said deceased  
"Dated this twenty first day of June 1893.

"Joseph Fitzgerald 108 Queen Street (corner Little Collins  
"Street) Melbourne Proctor for the said Ellen Ward

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

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 sixth day of  
July 1893 Before me

J Burt Stewart

James B. Stewart  
a Commissioner of the Supreme Court of Victoria for taking affidavits

In the Supreme Court of  
the Colony of Victoria

---52\*484---

In the Probate Jurisdiction

5  
IN THE ESTATE of JOHN JAMES  
WARD late of Pakenham in the  
Colony of Victoria Grocer  
deceased Intestate -

APPLICATION that LETTERS of  
ADMINISTRATION of the Estate  
of above named deceased be  
GRANTED to ELLEN WARD the  
Widow of the said deceased -

*Granted*  
*14/7/93*  
*[Signature]*

225  
238

Joseph FitzGerald  
Proctor  
Melbourne

Cowarr

1<sup>st</sup> July 1893

J Fitzgerald Esq  
Solicitor  
Melbourne

Dear

Your packet  
containing fresh affidavits  
received on Saturday.  
Mr Lane mentioned when  
sending the first papers  
that Mr Wood should  
be a Commissioner of the  
Supreme Court; before  
he would be qualified to  
witness them. We ask-  
ed him if he was & he  
replied in the affirmative.

52\*484

In the Supreme Court

of the Colony of Victoria

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In the Probate Jurisdiction

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*5*  
In the Estate of John James  
Ward late of Pakenham in  
the Colony of Victoria  
Grocer deceased Intestate

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APPLICATION that Letters  
of Administration of the  
Estate of above named  
deceased be granted to  
Ellen Ward the Widow of  
said deceased

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*Granted*

*4/8/93*

*381*

*WJ*

Joseph FitzGerald  
Proctor

Melbourne