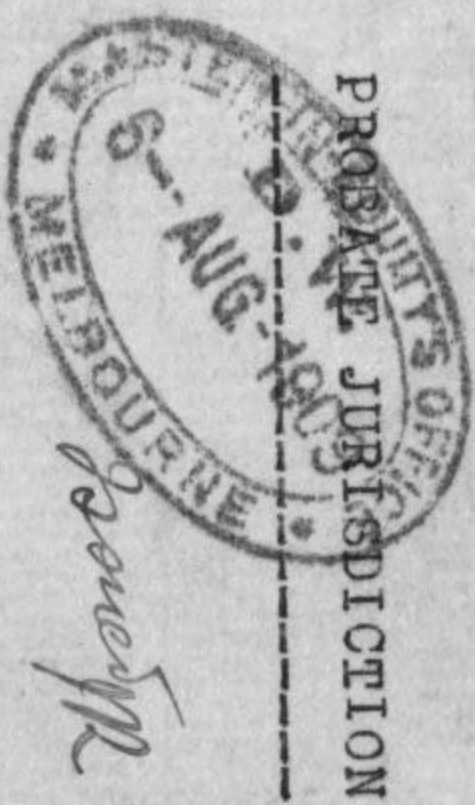


867

111867
IN THE SUPREME COURT)
of Victoria.



IN THE ESTATE of ROBERT JAMES
late of Richfield Estate Mordia-
lloc in the State of Victoria,
Farmer deceased intestate.

... ..

O R D E R

for

LETTERS OF ADMINISTRATION

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

Harwood & Pincott

IN THE SUPREME COURT)
of Victoria.)

PROBATE JURISDICTION

IN THE ESTATE of ROBERT JAMES late of
Richfield Estate Mordialloc in the
State of Victoria Farmer deceased
intestate.

Before the Registrar.

The Twenty first day of August 1905.

UPON APPLICATION this day made by the Proctors for the
Applicant and upon reading the several affidavits of John James
and Benajmin Barton Ramage respectively sworn and filed herein
THIS COURT DOTH ORDER that Letters of Administration of the
Estate of the above named Robert James deceased be granted to
John James of Richfield Estate Mordialloc aforesaid Farmer the
eldest son and one of the next of kin of the said deceased.

BY THE COURT

Wm Macdonald
Registrar of Probates



In the Supreme Court of Victoria

Probate jurisdiction

111867

In the Estate of Robert James
late of Richfield Estate Northcote
in the State of Victoria deceased
Intestate

Letters of Administration

Testify that the sum of Seven
Pounds Five Shillings
and four pence
for duty on these Letters of
Administration has been paid

J. B. P. a/c

Office underwritten of

At 1060

6/3/11

Recd
Ly. 5
6/3/06

Harwood & Pincell
Solicitors
Geelong

In the Supreme Court
of Victoria }

In the Probate Jurisdiction

In the Estate of Robert James late of Richfield Estate
Mordialloc in the State of Victoria Farmer deceased
Intestate

Be it known that on the Twenty first day of
August in the year of our Lord One thousand nine
hundred and five Letters of Administration of the Estate of Robert
James late of Richfield Estate Mordialloc in the State of Victoria
Farmer deceased Intestate who died on the twelfth day of June
One thousand nine hundred and five and who had at
the time of his death real estate within the jurisdiction
sworn not to exceed in value Three thousand three hundred
pounds and personal estate within the jurisdiction sworn
not to exceed in value Three hundred and fifty one pounds
seventeen shillings were granted to John James of Richfield
Estate Mordialloc aforesaid Farmer the eldest son and one of
the next of kin of the said deceased he having been first sworn that
he would well and truly collect and administer according to
law the estate of the said Robert James deceased and would
exhibit and deposit in the office of the Master in Equity a true
and perfect inventory of the said estate within three months
of the order granting Administration and a true and just
account of his administration of the said estate within
fifteen months of the said order

Given at Melbourne this Sixth day of
August in the year of our Lord One thousand
nine hundred and ~~five~~ nine

DW
6/8/09

(LS)

W^m Macdonald
Registrar of Probates

111867

In the Supreme Court
OF THE STATE OF VICTORIA

In the PROBATE JURISDICTION

IN THE ESTATE of

Robert

James

late of

Fitzfield Park

Wodallie in Victoria former

deceased intestate

ORDER FOR
ACCEPTANCE OF
SURETY

Sands & McDougall Limited, Printers, Melbourne

Robert & Ducrest

Solicitors

Geelong

In the Supreme Court }
OF THE STATE OF VICTORIA }

IN THE PROBATE JURISDICTION

IN THE ESTATE of *Robert James*
late of *Richfield Estate Mordialloc*
in the State of *Victoria* in the Commonwealth of Australia
Farmer deceased intestate

BEFORE THE REGISTRAR

The *Sixth* day of *August* 19*09*

Upon application this day made by the proctor for the applicant
John James and upon reading the *Government Gazette*
of the 15th August 1873 page 1451 I do order that The Australian Alliance
Assurance Company of Melbourne be accepted as the Surety to the Bond for the
due administration of the above-mentioned Estate in lieu of the usual sureties



Wm Macdonald
Registrar of Probates

111867

IN THE SUPREME COURT.
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Estate of Robert James
late of Rusfield Estate Northcote
in the State of Victoria James —
deceased Heir at Law —

Affidavit of Publication of Notice
and of Searches.



HARWOOD & PINCOTT,
Geelong

Henry Franks & Co., Printers, Malop Street, Geelong, J.

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Estate _____ of Robert James _____
late of Richfield Estate Mordialloc _____

in the State of Victoria Farmer _____ deceased Intestate

I, Benjamin Barton Ramage, of 87 Queen Street, Melbourne
in the State of Victoria, Clerk to Harwood and Pincott of the same place Solicitors,
make oath and say—

1. That the following advertisement duly appeared in the Argus _____
newspaper published in Melbourne on the twelfth _____
day of July One thousand nine hundred and five 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 Letters of
Administration of the estate of Robert James,
late of Richfield Estate, Mordialloc, in the state
of Victoria, farmer, deceased, intestate, may be
granted to John James, of Richfield Estate
Mordialloc aforesaid, farmer, the eldest son and
one of the next of kin of the said deceased

Dated this 12th _____ day of July _____ 1905

Harwood and Pincott, 83 Yarra Street, Geelong, Proctors for the said John James

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 by the Registrar of Probates of this Court.

Sworn at Melbourne in the
State of Victoria this 17th day of
August One thousand nine hundred
and five
Before me

B B Ramage

[Signature]

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

111867

12/16/05
IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE ESTATE OF *Robert James*

late of *Richfield Estate Wernduallie*

in the State of Victoria *Barmer*
deceased intestate

Affidavit of Administrator *02*



HARWOOD & PINCOTT,
GEEELONG.

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE ESTATE OF Robert James late of Richfield Estate
Mordialloc in the State of Victoria Farmer deceased
Intestate

I John James _____
of Richfield Estate Mordialloc _____ in the State of Victoria
Farmer _____ make oath and say—

1. That the above-named Robert James _____
deceased died on the twelfth _____ day of June _____ One thousand
nine hundred and five _____ at St Annand Hospital St Annand
in the said State intestate.

2. That the said deceased left real estate in the State of Victoria not exceeding
in value the sum of Three thousand ^{three hundred} pounds _____

and personal property in the said State not exceeding in value the sum of
Three hundred and fifty one pounds seventeen shillings
making together the sum of Three thousand six hundred and
fifty one pounds seventeen shillings _____

3. The said deceased left him surviving six children only viz Charles
James, Robert James, Thomas James, George Edward
James, Arthur Bertram James and myself this
deponent _____

who are his only surviving next of kin entitled by law to share in his property
the said deceased having died a widower

4. That I am the eldest son _____

_____ of the said deceased and as such I claim to be entitled to
administration of his estate.

5. That I have made careful inquiry and search but am unable to find any will of
the said deceased.

6. 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 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 administrator 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 account in the said office of the Master-in-Equity within fifteen calendar months next ensuing the order granting administration.

SWORN at *Melbourne* in the State
of Victoria this *Seventeenth*
day of *August* One thousand
nine hundred and *five*

Before me

John James

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

111867

IN THE SUPREME COURT
OF VICTORIA.

In the Probate Jurisdiction.

IN THE ESTATE OF

Robert James

LATE OF *Frederick Edge Mordeall*
in Victoria formerly deceased & intestate



AFFIDAVIT
OF
JUSTIFICATION

OR

THE AUSTRALIAN ALLIANCE
INSURANCE COMPANY

AS

SURETY.



Douglas Limited, Printers, Melbourne.

Howard & Dunnett
Printers
Melbourn

In the Supreme Court
of Victoria.

In the Probate Jurisdiction.

IN THE ESTATE of *Robert James*
late of *Richfield Estate Mordialloc*
in the State of Victoria
in the Commonwealth of Australia *Farmer*
deceased intestate.

Thomas Bennett Roberts
3 ~~EDWARD SAMUEL WATSON~~ of Number 402 Collins Street in the City
of Melbourne in the State of Victoria *Acting* the MANAGER of THE AUSTRALIAN
ALLIANCE ASSURANCE COMPANY carrying on business at the same place
make oath and say:—

1. THAT The Australian Alliance Assurance Company being the Company
referred to in "*The Australian Alliance Assurance Company's Act 1867*" (31 Vic. No. 305)
and whose office is situate at 402 Collins Street aforesaid is a Company or Guarantee
Society duly approved of by His Excellency the Governor under the provisions of
Section 16 of the Act Number 1060 and of the Rules of the Supreme Court.

W 2. That I am the duly appointed *Acting* Manager of the said Company.

3. That the said Company is possessed of property in Victoria of the value of
Three thousand six hundred and fifty one pounds
seventeen shillings
over and above what is sufficient for the payment of all its just debts and liabilities
respectively.

4. That such property or assets of the said Company consist of subscribed capital
of Two hundred and fifty thousand pounds of which the sum of One hundred and
twenty-five thousand pounds has been called and paid up and all of which is invested
in the State of Victoria on mortgage upon freehold lands and on other securities and
money deposited in Banks carrying on business in Melbourne.

5. That in addition to the said sum of One hundred and twenty-five thousand pounds the said Company has an uncalled capital of One hundred and twenty-five thousand pounds and also a reserve fund of Forty Thousand pounds which reserve fund is invested in Victoria and other States of Australia and in New Zealand upon similar securities to those referred to in the fourth paragraph hereof.

6. That I was present at a meeting of the Board of Directors of the said Company held on the Fifth day of August One thousand nine hundred and nine at Number 402 Collins Street Melbourne aforesaid when an order was made by the said Board authorising the execution of the Administration Bond hereto annexed and marked with the letter "A."

7. That the said Bond was duly executed and sealed in accordance with the Deed of Settlement of the said Company referred to in the said Settlement. The signatures "Fred. H. Wilson" "George Shaw" two of the Directors of the said Company and of "T. F. Roberts" ^{Acting} ~~Edw. S. Watson~~ the Manager of the said Company will legally bind the said Company.

8. The signatures of Frederick Hamilton Wilson and George Shaw and Edward Samuel Watson set and subscribed to the said Bond are of the proper handwriting of the said Frederick Hamilton Wilson and George Shaw two of the Directors of the said Company and of me this deponent.

SWORN at Melbourne in the State of
Victoria this Fifth
day of August One thousand
nine hundred and nine
Before me

T. F. Roberts

[Signature]

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

111867
IN THE SUPREME COURT.

OF VICTORIA.
Passed for duty *£2 fee*
PROBATE JURISDICTION,
59/8/95
Approved and allowed balance for duty

IN THE *Probate* —
of *Robert James* —
late of *Richfield Probate Mortuallor*
in the State of Victoria *James* —
deceased *Indicate*

STATEMENT AND AFFIDAVIT.



Recd. £7-5-4
6/3/06

Harwood & P. Smith
Proctors

Geelong

Harston, Partridge & Co, Printers, Melbourne.

I APPROVE OF THE WITHIN STATEMENT
AS ALTERED.

MASTER IN EQUITY.

28/8/05-



In the Supreme Court } OF VICTORIA.

PROBATE JURISDICTION.

IN THE estate
of Robert James
late of Richfield Estate Mordholoe
in the State of Victoria Farmer
deceased Inkestate

I John James
of Richfield Estate Mordholoe
in the State of Victoria Farmer make oath and say—

1. That the paper writing hereunto annexed marked "A" contains a true statement of all and singular the real and personal estate of or to which the above-named deceased was at the time of his death possessed or entitled, that the values thereof as therein set forth are the true and full values of the several particulars therein mentioned respectively and that the liabilities therein stated are justly due thereon and that the balance of One hundred and twenty pounds thirteen

shillings and eleven pence

therein appearing is the full net value of the said real and personal estate

2. That the said deceased did not within 12 months immediately preceding his death make any conveyance or assignment gift delivery or transfer of any estate real or personal purporting to operate as an immediate gift *inter vivos* whether by way of transfer delivery declaration of trust or otherwise*

3. That the said deceased did not at any time make any conveyance or assignment gift delivery or transfer of any estate real or personal relating to any property of which property *bona fide* possession and enjoyment had not been assumed by the donee immediately upon the gift and thenceforward retained by him to the entire exclusion of the deceased or of any benefit to him by contract or otherwise*

4. That the said deceased immediately preceding his death did not hold any property whatsoever as a joint tenant*

5. That the said deceased at the time of his death had not a general power of appointment by deed or will over any property whatsoever†

6. That the following are the particulars of the relationship to the said deceased of the persons beneficially entitled under the will of the said deceased namely— deceased's children
Charles James, Robert James, Thomas James, George
Edward James Arthur Bertram James and myself
this deponent

7. ‡ That the total net value of the estate of the said deceased in and out of Victoria does not exceed the sum of Two thousand pounds

SWORN at Melbourne in the State of Victoria
this Seventeenth day of August
One thousand nine hundred and five
Before me

John James
J. O. Macdonald
A Commissioner of the Supreme Court of Victoria for taking Affidavits.

* If he did, state save and except and give full particulars of the property and the value of same at deceased's death.

† If he had, state save and except and give full particulars of the property and the value of same at deceased's death.

‡ Where the widow and children or widow or children are entitled and the total net value of the estate does not exceed £2,000 it must be stated in the affidavit that the total value in and out of Victoria does not exceed that sum.

In the Supreme Court OF VICTORIA.

PROBATE JURISDICTION.

IN THE Estate of Robert James
late of Richfield Estate Mordialloc in the State of Victoria Turner
deceased Intestate

STATEMENT OF ASSETS AND LIABILITIES.

The assets must under the Rule gazetted on the 4th May, 1883, be set down under the following heads, viz.—PERSONAL ESTATE—Landed property held under lease or licence from the Crown—Rents—Crops—Live Stock—Farming Implements—Carriages &c.—Harness and Saddlery—Furniture—Watches, trinkets, jewellery, &c.—Money in hand or house—Money in Bank—Current account—Money in Bank on deposit—Interest—Debentures—Mortgages—Mortgages Interest—Life policies—Bonus—Shares—Dividends—Plant, &c.—Tools—Debts due to the estate—Stock in a shop or business—Goodwill—Interest in a deceased person's estate.

ASSETS—Real Estate

All that piece of land containing 165 acres 3 roods 36 perches or thereabouts being Crown Allotments 129 & 130 Parish of Lyndhurst County of Mornington on which is erected a broomed weatherboard dwelling house with all necessary outbuildings and which is entered in the rate books of the Shire of Dandenong at the capital value of £1800 but which was purchased by deceased at £20 per acres

3300 .

Personal Estate

Crops &c. - Hay 16 Chaff 40 Potatoes 53
Onions 16 10/-

105 10 .

Live Stock - 5 horses @ £20 each

100

Farming Implements carriages &c.

1 Lorry £33 Market Wagon £1 Spring Cart £5
1 seed drill £17 10/- 1 Reaper Binder £15 1 Disc harrow £14
1 set light harrows £3 2 single furrow ploughs £2 each
1 single furrow plough 39/- 8 single iron £12 6

45 .
36 .
7 .
2 12 6

1 farm roller £15/- 2 sufflers @ £12 6 each

3 12 .

1 wheel barrow hand truck 12/6 1 water trough 10/-

1 2 6

1 grindstone 7/6 sundry tools 27/6 250 chaff bags 37/6

3 12 6

Harness and Saddlery -

10

Furniture -

22 6

Money in Bank on Current Account

The Commercial Bank of Australia Ltd
Bourke Street Melbourne

15 7 .

Landed property held under lease or licence from the Crown, Rents, Watches, Trinkets, Jewellery, Money in hand or house, Money in Bank on fixed deposit, Debentures, Mortgages, Life Policy, Bonus, Shares, Dividends, Plant & Tools, Debts due to estate, Stock in a shop or business, Goodwill, Interest in a deceased persons estate, Interest in a partnership business

Total Real Estate

3300 .

Personal Estate

351 17 .

3651 17 0

In the foregoing prescribed form of statement the assets in the personal estate must be set down under the heads above set out. In any case in which no assets exist corresponding to any one of the said headings, such heading must nevertheless be set down with the word "Nil" against it. If there are any assets not coming properly under any of the said headings, such assets must be included in the said statement under a special heading describing the same.

I certify

"A"

This is the paper writing marked "A" referred to in the annexed Affidavit of John James
Sworn this Seventeenth day of August 1905
Before me W. H. Macdonald
A Commissioner of the Supreme Court of Victoria for taking Affidavits.

Liabilities

Secured

Thomas Charles Harwood, Frederic
Rupert Pincoff & Richard Ross
Loan £2000 secured by Instrument
of Mortgage registered No 213126
over deceased's real estate

2000

Interest thereon from 12.05 to 12.6.05 @ 4%
Neil Campbell & David J. Griffiths
Loan £500 secured by Instrument of
Mortgage registered No 225869 over
deceased's real estate & an undertaking
to give a Bill of Sale over the Personal
Estate

32 6 .

500

Interest thereon from 3.3.05 to 12.6.05 @ 5%

6 18 3

Cum gratia Smith & Melbourne Amount
secured by Pro. Note due 8 March 1905

211 13 3

Unsecured

Accounts due by deceased

John Albot Produce Merchant Dandenong
W. Keast & Co " Melbourne
Hannah Beazley Baker Sheltonham
A. Lambert Baker Mordialloc
J. W. Colburn Blacksmith
Griffiths Bros. Feather Merchants Melbourne

80 18 5

51 3 4

3 4 1

2 4 6

2 4 6

13 . .

Bright Hitches & Co. belong

9 12 4

Key Insurance Agent Mordialloc

5 8 5

Shire of Dandenong Rates

6 10 .

Wages due by deceased to his children

from 24 June 1902 to 12 June 1905 as under

John James @ 15/- per week

115 10 0

Charles " " "

115 10 0

Robert " " "

115 10 0

Thomas " " "

115 10 0

George Edward James @ 10/- per week

72 0 0

Arthur Berkham

72 0 0

Final Balance --- £726-13-11

Amount of Duty payable

For 1 first Schedule

Amount of Duty payable

For 2 first Schedule

Amount of Duty payable

For 3 first Schedule

Balance for Duty

28/8/05

120 13 11

115 10 -

115 10 -

115 10 -

72 -

72 -

3651 17 0

Officer to assess Duty

In the Supreme Court of Victoria

111867

Probate Jurisdiction

7537

In the Estate of Robert James

late of Richfield Estate

Meridialloc in the State of
Victoria Farmer deceased
Intestate.

Pracipe



Wm. J. Proctor
Wm. J. Proctor
30/8/12

33
Raywood & Pimott
Proctors
Geelong