

374

In the Supreme Court
of Victoria.

Probate jurisdiction.

In the Will of Edward
Drewry, Overbury late
of Melbourne Gentleman
deceased.

Inventory.

42



W. N. BELL AND SONS
PRINTERS, MELBOURNE.

67*374

IN THE SUPREME COURT.
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will
of *Edward Gruny Chabut*
late of *Levathur*
in the Colony of Victoria *Heil Newman*
deceased

Affidavit of Publication of Notice and of

Searches.



Charles J. Penruzel
Agent for
Charles Blaettner

Harston, Partridge & Co., Printers, Chancery Lane.

In the Supreme Court. }
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will

of Edward Irving Overbury
late of Smeaton _____
in the Colony of Victoria Gentleman _____ deceased

I George Allen of No 50 William Street Melbourne
in the Colony of Victoria Law Clerk

make oath and say—

1. That the following advertisement duly appeared in the Argus

newspaper published in Melbourne on the

day of _____ 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

of _____

may be granted to _____

Dated this _____ day of _____

189

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.

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 thirteenth day
of April One thousand
eight hundred and ninety eight

Before me,

W. McDonald

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

Allen

67 * 374

IN THE SUPREME COURT
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE *Will* —
of *Edward Young Evelyn* late
of *Amecan* — in the Colony of
Victoria a *Gentleman* — deceased

AFFIDAVIT OF PUBLICATION OF NOTICE

X



MITCHELL, NEVETT & ROBINSON.
PROCTORS,
BALLARAT.

IN THE SUPREME COURT
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will _____ of Edward Irving Overbury
_____ late of Smeaton _____
in the Colony of Victoria Gentleman _____ deceased.

I Walter Henry Hannah of Ballarat _____
in the Colony of Victoria clerk to Messieurs Mitchell Nevett & Robinson
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 twenty sixth _____
day of February 1898 _____ 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 Edward Irving Overbury late of Smeaton in
the Colony of Victoria Gentleman deceased may
be granted to Isabella Anderson the elder of
Smeaton aforesaid gentlewoman and William
Anderson of "Loattha" Lydiard Street North Ballarat
in the Colony aforesaid a member of the
Legislative Assembly of the said Colony the executrix
and executor named in and appointed by the said Will.
Dated this twenty fifth day of February — 1898

Mitchell Nevett and Robinson
Lydiard Street Ballarat

W.W. Proctors for the said executrix and executor

SWORN at Ballarat — in the Colony
of Victoria this enth — day
of March — One thousand eight
hundred and ninety eight.
Before me

W.H. Hannah

James Gair Dornell.

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

67*374
IN THE SUPREME COURT

OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE WILL OF Edward Swung

Overbury

deceased

Affidavit of Execution of Will.



MITCHELL, NEVETT & ROBINSON.

PROCTORS,

BALLARAT.

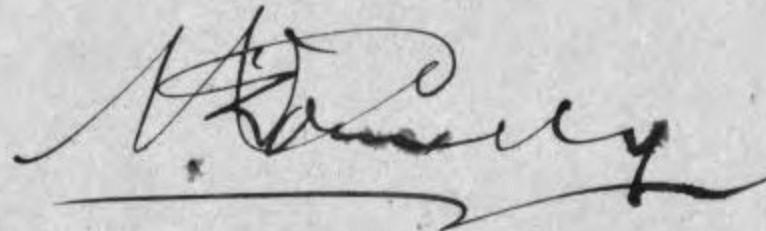
In the Supreme Court }
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

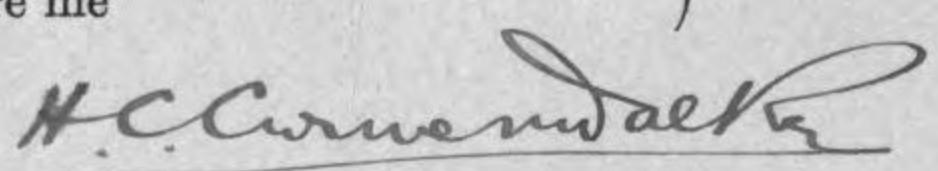
IN THE WILL OF Edward Irving Overbury
late of Smeaton _____
in the Colony of Victoria Gentleman _____
deceased.

I Martin Charles Donnelly of Smeaton _____
in the Colony of Victoria Mining Agent _____
make oath and say—

1. That Edward Irving Overbury _____
late of Smeaton _____ aforesaid Gentleman _____
made his Will bearing date the twenty eighth day of May — one thousand
eight hundred and ninety five _____ which is as I believe unrevoked
and thereby appointed Isabella Anderson ^{the elder} of Smeaton aforesaid
Gentlewoman and William Anderson of Ballarat in the
colony aforesaid a Member of the Legislative Assembly of the
said Colony _____ Executrix and executor thereof.
2. That the said Will was executed in the presence of me and one Robert Anderson
of Smeaton aforesaid Notary and
a Justice of the Peace



Sworn at Ballarat in the Colony
of Victoria this Twenty sixth day
of February One thousand
eight hundred and ninety eight
Before me



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

678*374
In the Supreme Court
of the Colony of Victoria.

In its Probate jurisdiction.

In the Will of Edward
Shoring, Overbury, late of
Smeaton Postleman
deceased. —

Supplementary Affidavit
of execution of Will, —



Matthew Edward Johnson
Rochas
Ballard

In the Supreme Court }
of the Colony of Victoria }

In its Probate Jurisdiction.

In the Will of Edward Irving Overbury
late of Smeaton in the Colony of Victoria
Gentleman deceased.

I Martin Charles Donnelly of Smeaton in the
Colony of Victoria being Agent make oath and say:-

1. Referring to my affidavit sworn on the twenty-sixth
day of February One thousand eight hundred and ninety-eight
and filed herein I say that at this deponent and
Robert Anderson the attesting witnesses to the execution
by the above-named Edward Irving Overbury deceased
of his Will were both present together at the same
time with the said Edward Irving Overbury when
he the said Edward Irving Overbury executed
his said Will.

Sworn at Ballarat in the
Colony of Victoria this twenty-third
day of April One thousand
eight hundred and ninety-eight
Before me



M.C. Donnelly

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

67*37⁴

IN THE SUPREME COURT

OF VICTORIA

IN ITS PROBATE JURISDICTION.

IN THE WILL OF *Edward* —

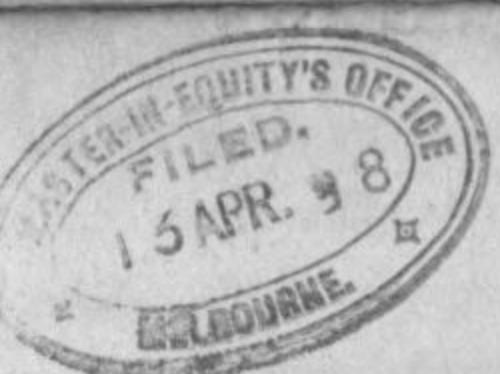
Irving Overbury —

late of *Ameslon* —

in the Colony of Victoria *Yarraville*

deceased

AFFIDAVIT OF EXECUTOR



mihell Newell & Colman

Chancery
Ballarat
Harston Partridge & Co., Printers, Chancery Lane.

In the Supreme Court }
OF VICTORIA.

IN ITS PROBATE JURISDICTION

IN THE WILL OF *Edward Irving Overbury* —

late of *Smeaton* —

in the Colony of *Victoria Gentleman* — deceased

I William Anderson.

of "Loatta" Lydiard Street North Ballarat in the Colony of Victoria
legislative assembly of the said Colony —
a Member of the, make oath and say —

1. That *I am* seeking to obtain Probate of the Will of the above named
Edward Irving Overbury — deceased.

2. The said deceased died on the *twenty third* — day of *February*
One thousand eight hundred and *ninety eight* at *Breswick in the*
colony aforesaid.

3. The said deceased left a Will bearing date the *twenty eighth* — day of
~~May~~ ^{five} — One thousand eight hundred and *ninety five* which is as *I*
believe the last Will and Testament of the said deceased and which is unrevoked.

4. By his said Will the said testator appointed *Isabella Anderson the*
Elder of Smeaton in the Colony aforesaid Gentlewoman and
me this deponent execatrix and —
executor thereof

5. The paper writing ^{now produced and shewn to me} ~~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~~

6. The said deceased left ^{no} real estate in the Colony of Victoria ~~not exceeding the~~
~~value of but left~~ —

~~and~~ personal property in the said Colony not exceeding the value of *Six hundred*
and fifty pounds —

7. 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.

Heirs 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 *his* death which at any time after shall come to the power or control, hands or possession of *me* as *his* 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.

SWORN at Ballarat in the Colony
of Victoria this seventh day
of april One thousand eight
hundred and ninety eight

William Anderson.

Before me

H. C. Curwen & A. K.

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

In the Supreme Court
67* 374
of the Colony of Victoria

Probate Jurisdiction

In the Will of Edward
Irving Overbury deceased

Procese.

application that Probate be
granted to Isabella Audason
the Elder and William
Audason the Executrix and
executor appointed by Will

533 Granted
11 25-4-98

Hughes Paunzel
agent for
Matthew Verett Hobson