

In the Supreme Court  
of Victoria.

In the Probate Jurisdiction

In the Will  
of James Morrison  
late of Tongata

in  
Victoria Territory deceased

Applicant of Executors



Ernestly Brooks & Dalry  
for Cecil St. Baughman  
Solicitors in Law, Stationers, & Stationery, 100, Market  
Street, Melbourne

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

In the Will of James  
Noonan ~~~~~ late of ~~~~~  
Tongala ~~~~~ in Victoria

Farmer deceased ~

We James Noonan Junr of Tongala in  
Victoria Farm Laborer, and John Cahill of  
Tongala aforesaid in the said Colony Harbor  
jointly and severally make oath and say: -

1. That we are seeking to obtain probate of the will ~  
of the abovenamed James Noonan ~ deceased

2. That the said deceased died on the twenty second day  
of February one thousand eight hundred and ninety eight at  
the Ecluea Hospital Ecluea in the said  
Colony of Victoria ~

3. The said deceased left a Will bearing date the twelfth  
day of February one thousand eight hundred and ninety eight.  
which is as we believe the last Will and Testament of the said  
deceased and which is unrevoked as we believe

4. By his said will ~ the said Testator appointed  
us these deponents ~~~~~

~~~~~ Executors ~ thereof

5. The paper writing hereunto annexed marked "A" is the  
said last Will of the deceased as we ~ verily believe

6. The said Will was executed in the presence of David  
Christie of Millewa Chambers High Street Ecluea  
aforesaid, accountant, and Christopher Thomas  
Halliday of Percy Street Ecluea aforesaid in  
the said Colony Law Clerk ~

7. The said Testator left real estate in the Colony of Victoria  
not exceeding in value the sum of One thousand and  
two pounds ~~~~~ " ~~~~~ "

and personal property in the said Colony not exceeding in  
value the sum of One hundred and fifty three pounds  
and six pence making together the sum of One  
thousand one hundred and fifty five  
pounds and six pence ~

8. That if we obtain probate we will well and truly collect and administer according to law to the best of our 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 us as his Executors or of any other person or persons for us that we 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 us or to the hands or possession of any other person or persons for us and the same so made will sign with our 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 Probate And further that we will make or cause to be made a true and just account of the Administration of the Estate which we have undertaken as to our receipts and disbursements and as to what portion is retained by us and what portion remains uncollected and the same so made will sign with our 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 Probate.

(C) If any such conveyance or transfer was made dependent to state date thereof name of transferee amount or nature of consideration and description of property.

9. That to the best of our knowledge information and belief the said deceased did not within the space of two years preceeding 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.

Solemnly and severally sworn by the deponents James Noonan Junr and John Cahill at Melbourne in the Colony of Victoria the fourth day of March one thousand eight hundred and ninety eight. Before me ~

James Noonan Junr  
John Cahill

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

Witnesses

I have herewith set my hand this  
 twelfth day of February and the same  
 right hand and seal of my  
 signature by the same that is  
 at and for his legal full power  
 and authority in the premises  
 of us both present at the  
 same time who are lawfully  
 present in his right and  
 power and in the full  
 presence of each other  
 to make and

Dated 12<sup>th</sup> Feb 1898

Will

W<sup>m</sup> James Moran



Bohler & Campbell  
 Proctor  
 Colver

Wm James Moran  
 of  
 the County of ... State of ...  
 do hereby certify that the  
 foregoing is a true and correct  
 copy of the original of the  
 same as the same is on file  
 in my office.

"A"

This is the last will and testament.

This is the paper writing wanted A referred  
to in the annexed joint and several  
affidavit of James Norman and John  
Babiel sworn the fourth day of March 1895  
before me  
A. Houghton

of me  
James Norman of Fargala in the  
Colony of Victoria Farmer I give  
unto and to the use of my three  
daughters Margaret, Johanna Maria  
and Fanny my eighteen milking  
cows now on my farm to be divided  
between them as they shall mutually  
agree upon and in the event of their  
failing to agree as to which they shall  
each take then I direct my executors  
hereinafter named to sell the same  
and divide the moneys to be realized  
from the sale of the same equally  
between my said daughters as to  
the residue of my estate whether  
real or personal I devise the same  
to my three sons James, Frank and  
Michael in equal shares to be sold  
and divided between them at the  
youngest attaining the age of twenty  
one years and in the meantime I  
direct that my said sons shall work  
my said farm under the management  
of my said son James and that they  
shall divide the profits equally between  
them I appoint as executors and  
trustees of this my will my said son  
James and John Babiel of Fargala  
aforesaid Farmer. I revoke all former  
wills at any time heretofore made by  
me and declare this to be my last  
will and testament. In Witness whereof

I have hereunto set my hands this  
twelfth day of February one thousand  
eight hundred and ninety eight.

Signed by the said testator  
as and for his last will  
and testament in the presence  
of us both present at the  
same time who at his  
request in his right and  
presence and in the right  
and presence of each other  
have hereunto subscribed  
our names as attesting  
witnesses

James M. Brown

Ward & Mink, Milwaukee Chamber Cochran,

C. J. Halliday

Law Clerk

Percy A. Cochran