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Phillips

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Gordon Duncan



Chas. H. Pyne, LL.B.  
SOLICITOR & C.  
BENALLA.

This is the paper writing made. A refers to in paragraph five of the affidavit of James Bonnum sworn before me this 26<sup>th</sup> day of April 1907  
Thos. D. Deridon

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

I, Gordon Duncan of Devenish in the State of Victoria Licensed Victualler hereby revoke all testamentary writings heretofore executed by me and declare this to be my last Will made and executed on the Second day of December in the Year of Our Lord One thousand nine hundred and five. I bequeath to my son Gordon Duncan my gold watch and chain. I devise my real estate in Carrier Street Benalla to my twin daughters Frances Alice Boulthard and Mabel Margaret Clark in equal shares. I devise and bequeath my Hotel property both real and personal at Devenish unto my executors in trust that they shall lease the said Hotel property during the life time of my wife either for a term of years or from year to year as may be deemed advisable by them and shall pay to my said wife Emma Anne Duncan during her life two thirds of the rental and other revenue derived by them in connection with the said Hotel provided always that they shall never pay her less than thirty shillings a week and the other third or less than a third should the two thirds not amount to thirty shillings a week they shall expend in repairing maintaining insuring etcetera the said Hotel property. And on the death of my said wife they shall sell the said Hotel property both real and personal and shall pay out of the proceeds of the sale to my sons Charles Joseph Duncan and Robert Laws Duncan the sum of twenty pounds sterling each (the smallness of the amount is owing to the fact that they are well to do) and to my grand-daughter Lulu Wilkinson the sum of twenty pounds sterling should she be living at the time of distribution but if not the said twenty pounds shall revert to the estate. And the residue of the proceeds of the said sale they shall divide equally in manner following.

- ① One ninth share to my daughter Ann Middleton Briggs of West Australia
  - ② One ninth share to my daughter Helen Waller of Blunell Victoria
  - ③ One ninth share to my daughter Elizabeth Osborn of West Australia
  - ④ One ninth share to my son James Duncan of West Australia
  - ⑤ One ninth share to my son Gordon Duncan of Daysdale New South Wales
  - ⑥ One ninth share to my daughter Jessie McHarry of Seymour Victoria
  - ⑦ One ninth share to my son William Duncan of Melbourne Victoria Seaman
- Should any of my seven abovesaid children predecease me his or her or their one ninth share or shares shall be divided between his or her or their lawful children in equal shares or should any of my abovesaid seven children predecease me and die childless then his or her or their one ninth share or shares shall revert to my estate
- ⑧ One ninth share to my daughter Frances Alice Coulthard
  - ⑨ One ninth share to my daughter Mabel Margaret Clark
- Should either of my abovesaid daughters Frances Alice Coulthard and Mabel Margaret Clark predecease me her share should she die childless shall be equally divided between her husband and her surviving twin sister but should either die and leave lawful children before my death then her share shall be equally divided between her children or the whole of her share shall go to her child if only one. Should both of my said twin daughters

predecease me and leave no children then their shares shall revert to my estate. The residue of my estate both real and personal shall be divided between my wife and my twin daughters Frances Alice Coulthard and Mabel Margaret Clark each to take one third. Should any of them predecease me her or their share or shares shall go to the survivor or be equally divided between the survivors. I hereby appoint "The Trustees Executors and Agency Company Limited" Melbourne executors to this my Will. In witness whereof I have hereunto set my hand the day and year first hereinbefore written.

**Signed** by the said testator:  
Gordon Duncan as his last Will in the presence of us present at the same time who at his request in his presence and in the presence of each other have hereunto subscribed our names as witnesses

Gordon Duncan

John William Wellwood  
Storekeeper  
Devonish

George Newstead  
Station Master  
Devonish