

In the Supreme Court of
the Colony of Victoria

Ecclesiastical Jurisdiction

829. X^o

In the Will of Sarah
Swanwell late of Rich-
mond in the Colony of
Victoria Widow deceased

Affidavit of Executor.

Dunbar
Proctor

In the Supreme Court
of the Colony of Victoria

Under Ecclesiastical Jurisdiction

In the Will of Sarah Swannell late of
Richmond in the Colony of Victoria
Widow, deceased.

I Matthew William Hawkins of Trinity Street
North Melbourne in the City of Melbourne in the
Colony of Victoria Gentleman make oath and
say.

1. That I believe the annexed paper writing to
be the true last Will, and Testament of Sarah
Swannell late, of Richmond in the Colony of
Victoria Widow, deceased.
- 2 That I will pay all her debts and Legacies
as far as the property left by her will extends
and the Law bind me so to do.
- 3 That I will exhibit, a full, and true
inventory of all her property together with
a true account of my administration
thereof into the Registry of this Honorable
Court when lawfully required
- 4 That I believe her property does not
exceed in value six hundred pounds.

Sworn at Melbourne, aforesaid
this eleventh day of April
in the year of our Lord, one
thousand eight hundred and
fifty nine Before me

M. W. Hawkins
—

Myself
A. Commissioner for taking affidavits

Will
of
Sarah Swannell
Widow.

This is the Last Will and Testament
 of Sarah Swannell, of Richmond in the
 County of Bourke Widow I direct that all my
 just debts, funeral and Testamentary expenses be
 paid and satisfied as soon as conveniently may be
 after my decease. I give and devise unto my
 Daughter Louisa Swannell my Piano, absolutely
 I give devise and bequeath unto my Executors
 hereinafter named All other my personal estate
 and Effects of what nature soever Upon trust to
 sell and convert into money all such part thereof as
 shall not consist of money and stand possessed of
 the monies to arise from such sale and conversion
 in thirteen equal parts or shares upon the trusts
 following. As to two thirteenth parts or shares
 thereof In trust for each of my children herein
 after named, that is to say. my Sons Frederick
 Swannell and Thomas Charles Swannell and my
 Daughters Mary Eliza Swannell, Sarah Elizabeth
 the Wife of Matthew William Hawkins. Louisa
 Swannell and Julia Clementina Swannell to be
 respectively an Interest vested in such of them
 as have attained twenty one years immediately
 at my decease. And in case my said Daughter
 Julia Clementina shall not have attained that
 age or been married then I direct my said
 trustees to lay out and invest her Share in
 Government or real Securities Railway Debentures

This is the last Will and Testament of me the undersigned Sarah Swannell of Richmond in the County of Bourke Widow
 written and signed by me in the presence of the witnesses hereunto subscribed and attested by me on the 10th day of October 1889

Attest
 Thomas Swannell

Attest
 Thomas Swannell

or Shares of or in any Public Company and permit her to receive the Dividends and Interest thereof during her minority. And as to the remaining thirteenth part or share thereof I direct my said Trustees to lay out and invest the same as before directed in the case of my said Daughter Julia Clementina and that they do stand possessed thereof and the dividends and Interest to arise therefrom Upon trust for the maintenance and education of my Granddaughter Ellen Louisa the Daughter of my Son George Street Swannell deceased during her minority or until she shall marry ~~with the consent of her Guardians.~~

Sarah Swannell
Provided always that in the event of ^{the death} either of my said Children or Grandchild without attaining a vested interest in this my Will I direct that his or their share form part of the residue of my Estate and be divided equally among my surviving Children. Provided also and I hereby declare that the Executors and Trustees of this my Will shall be charged and chargeable only with such monies as they or he shall actually receive by virtue of the Trusts hereby reposed in them or either of them notwithstanding his joining in any receipt or doing any other act for the sake of conformity and that they shall not be answerable for involuntary misfortune or loss which may happen in the execution of the aforesaid Trusts. And I declare that it shall be lawful for my said Trustees out of the money which shall come to their hands by virtue of the trusts of this my Will to reimburse themselves respectively and also to allow to each other all costs charges and expenses which they may be put to in the execution of the aforesaid Trusts.

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or in relation thereto. - And I appoint my said
Son Frederick Swannell - and my Son Law
Matthew William Hawkins to be the
Executors and Trustees of this my Will and I
appoint them Guardians of the Person and
Estate of my Daughter Julia Clementina Swannell
during her minority. In witness whereof
I the said Testatrix Sarah Swannell have to this
my last Will and Testament set my hand this
twenty second day of January in the year of our Lord
One thousand eight hundred and fifty nine

Signed by the said Testatrix Sarah
Swannell as and for her last Will and
Testament in the presence of us who
in her presence, at her request and in
the presence of each other, present at the
same time have herunto subscribed
our names as Witnesses thereto

Henry Austin
Brumack Street
Collingwood
Swannell
Melbourne

Witness

Sarah Swannell