138409

In the Supreme Court
of Victoria

Probate Jurisdiction

In the will of John Alcock
late of White Hills Bendigo
in Victoria Retired Cab Pro-
prietor deceased

ORDER FOR GRANT

OF PROBATE.

Quick & Rymer
Bendigo

Proctors for the applicants

IN THE SUPREME COURT)
) In the Probate Jurisdiction
of Victoria)

In the will of John Alcock late of White Hills Bendigo in Victoria Cab Proprietor deceased

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BEFORE THE REGISTRAR

The fifteenth day of May 1915

UPON APPLICATION this day made by the proctor for the applicants and upon reading the several affidavits of Emma Elcott William Hedley Plumtree Jonathan Knight and Leonard Newton.

respectively sworn and filed herein THIS COURT DOTH ORDER that Probate of the Will of the abovenamed John Alcock deceased be granted to Emma Elcott of White Hills Bendigo aforesaid widow and William Hedley Plumtree of Mitiamo (formerly of White Hills Bendigo aforesaid) in the said State Church of England Clergyman the executrix and executor appointed by the said will

BY THE COURT

Harker

Registrar of Probates



138404

In the Supreme Court
of Victoria

In the Probate Jurisdiction

In the will of John Alcock
late of White Hills Bendigo
in the State of Victoria Re-
tired Cab Proprietor deceased

Copy

P R O B A T E

I certify that the sum of
Thirty four pounds ten shillings
and ten pence the duty hereon
has been paid

Thos Peatwebb
Commissioner of Taxes
22.6.15.

Quick & Rymer
Pall Mall
Bendigo

IN THE SUPREME COURT)
of victoria)

In the probate Jurisdiction

In the Will of John Alcock late
Of White Hills Bendigo in Victoria
Retired Cab Proprietor deceased

BE IT KNOWN that on the fifteenth day of May in the year of our Lord one thousand nine hundred and fifteen The Will (a true copy whereof is hereunto annexed) of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased who died on the eighteenth day of March One thousand nine hundred and fifteen and who at the time of his death had real estate within the jurisdiction sworn not to exceed in value the sum of two hundred pounds and personal estate within the jurisdiction sworn not to exceed in value the sum of Six hundred and seventy seven pounds and seven pence was proved by Emma Elcott of White Hills Bendigo aforesaid widow and William Hedley Plumtree of Mitiamo (formerly of White Hills Bendigo aforesaid) in the said State Church of England Clergyman the executrix and executor named therein they having been first sworn that they would well and truly collector and administer according to law the estate of the said 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 probate and a true and just account of their administration of the said estate within fifteen months of the said order.

GIVEN AT Melbourne this twenty third day of June in the year of our Lord One thousand nine hundred and fifteen.

W E P
18/5/15

J Carter
Registrar of Probates

138404

In the Supreme Court

of Victoria

Probate Jurisdiction

In the will of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased.

AFFIDAVIT OF EXECUTRIX

AND EXECUTOR



Quick and Ryder

Pall Mall

Bendigo

IN THE SUPREME COURT)
)
of Victoria)

Probate Jurisdiction

In the will of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased

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WE Emma Elcott of White Hills Bendigo in the State of Victoria Widow and William Hedley Plumtree of Mitiamo (formerly of White Hills Bendigo aforesaid) in the said State Church of England Clergyman severally make oath and say -

1- That we are seeking to obtain Probate of the will of the abovenamed John Alcock deceased and we are of the full age of twenty one years.

2- The said deceased died on the eighteenth day of March one thousand nine hundred and fifteen.

3- The said deceased was not married at the time of his death.

4- The said deceased left a will bearing date the third day of November one thousand nine hundred and fourteen which is as we believe the last Will and Testament of the said deceased and which is unrevoked.

5- The testator was of the full age of twenty one years at the date of the execution of the said will.

6- By his said will the said testator appointed us the abovenamed deponents executrix and executor thereof.

7- The paper writing now produced and shown to us marked "A" is the true last Will and testatment of the said deceased as we verily believe.

8- The said Will was executed in the presence of Vernon Rymer then and now of Pall Mall Bendigo aforesaid then and now Barrister and Solicitor and Jonathan Knight then and now of White Hills Clerk to Messieurs Quick and Rymer of Pall Mall Bendigo aforesaid

Barristers and Solicitors.

9- That the said deceased left real estate in the State of Victoria not exceeding the value of two hundred pounds and personal property in the said State not exceeding the value of ~~Two hundred pounds~~ Six hundred and seventy seven pounds and sevenpence

making together the sum of Eight hundred and seventy seven pounds and sevenpence as per statement marked "B" shown to us at the time of swearing this our affidavit.

10- 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 os us as his executrix and executor 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 handswriting 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 handswriting 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 enusing the order granting Probate.

11- That the following advertisement duly appeared in the

Bendigo Advertiser newspaper published in Bendigo aforesaid on the first day of April one thousand nine hundred and fifteen namely - "After fourteen days from publication hereof application will be "made to the Supreme Court of Victoria that Probate of the last "will and Testament of John Alcock late of White Hills Bendigo "retired cab proprietor deceased may be granted to Emma Elcott "of White Hills Bendigo aforesaid widow and William Hedley Plum- "tree of Mitiamo (formerly of White Hills Bendigo) Church of "England clergyman the executrix and executor appointed by the said "will of the said deceased. Dated this thirty first day of March "1915. Quick and Rymer Halsbury Chambers 81 Pall Mall Bendigo "proctors for the said executrix and executor"

12- That the said Bendigo Advertiser newspaper circulates at White Hills in the Bendigo District where deceased resided up to the time of his death.

13- That the said deceased resided at White Hills Bendigo aforesaid for fifty years previous to and up to the date of his death.

SWORN by the above named deponent Emma Elcott at Bendigo in the State of Victoria this 28th day of April one thousand nine hundred and fifteen. Before me

Emma Elcott

J. Brust

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

SWORN by the abovenamed deponent William Hedley Plumtree at Williams in the State of Victoria this 30th day of April. 1915. Before me

William Hedley Plumtree.

H. J. Brown

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

138404

In the Supreme Court
of Victoria

In the Probate Jurisdiction

In the Will of John Alcock
late of White Hills Bendigo
in the State of Victoria
Retired Cab proprietor de-
ceased

AFFIDAVIT OF SEARCHES





Quick & Rymer
Solicitors
Bendigo

IN THE SUPREME COURT)
)
of Victoria)

In the Probate Jurisdiction

In the Will of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased

---

I LEONARD NEWTON of 65 Chapel Street St. Kilda in the State of Victoria Law Clerk ——— make oath and say -

1- That I have since the date of the death of the abovenamed deceased searched in the Office of the Registrar General of the State of Victoria and find that no will of the said deceased is deposited there.

2- That I have this day searched in the propef office of the Master in Equity of this Honorable Court and find that no caveat has been lodged in this matter.

3- That no application for probate or administration in this matter has heretofore been made to or been granted by this Court or the Registrar of Probates of this Court.

4- That I am a clerk in the sole and permanent employ of Richard Henry Rodda only of 430 Little Collins Street Melbourne in the said State Proctor and Town agent for Messieurs Quick and Rymer of Pall Mall Bendigo aforesaid Proctors who are acting generally in the above application.

SWORN at Melbourne in the State of Victoria this eleventh day of May one thousand nine hundred and fifteen.

L. d'Ercole

Before me

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

138404

IN THE SUPREME COURT

of Victoria

Probate Jurisdiction

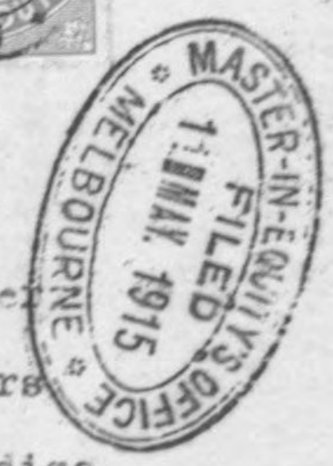
In the will of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased

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AFFIDAVIT VERIFYING

EXECUTION OF WILL





Quick & Rymer

Solicitors

Bendigo.

IN THE SUPREME COURT)
)
of Victoria)

In the Probate Jurisdiction

In the Will of John Alcock
late of White Hills Bendigo
in the State of Victoria Retired
Cab Proprietor deceased.

I Jonathan Knight of Ragland Street White Hills Bendigo in the State of Victoria Clerk to Messieurs Quick and Rymer of Pall Mall Bendigo aforesaid Barristers and Solicitors make oath and say -

1- That I was present at Pall Mall Bendigo aforesaid with Vernon Rymer of Pall Mall Bendigo aforesaid Barrister and Solicitor on the third day of November one thousand nine hundred and fourteen and did see the abovenamed John Alcock execute the will dated that day and now produced and shown to me and marked with the letter "A" by signing his name thereto and the said Vernon Rymer and I this deponent did immediately thereafter at the request of the said John Alcock in his presence and in the presence of each other (all being present together at the same time) subscribe our names thereto as the witnesses attesting the due execution thereof.

2- The signature "John Alcock" appearing at the foot of the said Will is of the proper handwriting of the abovenamed John Alcock deceased and the signatures "Vernon Rymer" and "J. Knight" set and subscribed to the said will as of the persons attesting the due execution thereof are of the proper handwriting of the said Vernon Rymer and of me this deponent respectively.

3- The words "Bull Street" in the seventh line counting from

were struck out

the top of the second page of the said will and the words "Quick &" were interlined to come in between the words "to" and "Rymer" in the twenty eighth line counting from the top of the second page of the said will were struck out and interlined respectively previous to the execution of the said will as aforesaid and the words struck out were initialled by the said Vernon Rymer and me this deponent respectively.

SWORN at Bendigo in the State of Victoria this 28th day of April one thousand nine hundred and fifteen.

J. Knight

Before me

J. B. Busch

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

138404

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.
Approved and allowed balance for duty.

IN THE WILL _____

of John Alcock _____

late of White Hills Bendigo

in the State of Victoria Retired Cab Proprietor _____
deceased

Copy

Statement and Affidavit.



Quick & ~~Rymer~~
Bendigo

Cuthbert & Co., Law Stationers, Chancery Lane, Melb.

Liabilities.—The name and address of the person to whom each account is due, the amount, and "what for," must in every case be set forth; and the security, if any. As to mortgages, state the amount and the interest due to date of death separately, and whether registered or not; and, with regard to the interest, the rate per cent., and dates when payable and the security. With regard to money lent without security, evidence with some corroboration must be produced to show the debt is owing.

Where a debt is claimed to be due to the husband or wife or any other member of the deceased's family a full explanation should be given and corroborative evidence of the debt should be annexed.

Statute-barred debts should not be included.

"B"

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE **WILL** of **John Alcock**

late of **White Hills Bendigo**

in the State of Victoria **Retired Cab Proprietor** deceased

We Emma Elcott of White Hills Bendigo in the State of Victoria Widow and William Hedley Plumtree of Mitiamo (formerly of White Hills Bendigo aforesaid) in the said State Church of England Clergyman severally make oath and say—

and list marked B

H.S.W. 9.4.15

1. That the paper writing hereunder 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 liabilitiies therein stated are justly due thereon, and that the balance of £877-0-7 therein appearing is the full net value of the said real and personal estate.

If in any of the cases in paragraphs 2, 3, 4, 5, 6, 7, 8 or 9 the contrary be the fact, the deponent should state "Save and except &c.," and give the full particulars of the asset and the value thereof at the date of death.

2. That the said deceased did not within twelve 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 did not, subsequent to the 16th day of December, 1870, make any settlement containing trusts or dispositions to take effect or which should or might take effect upon his death.

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

6. That the said deceased did not at any time transfer or cause to be vested in himself and any other person jointly, any property of any kind to which he had been absolutely entitled.

7. 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.

8. That at the time of his death the said deceased did not nor did any person on his behalf hold in Victoria any life policy payable in any other State or country, or any mortgage over property situate in any other State or country, or any debenture or security of any other State or country, or of any foreign corporation or company, or any scrip for shares in any foreign corporation or company.

When the person beneficially entitled is a relative the degree of relationship must be stated.

9. That the following are the persons or institutions beneficially entitled under the will of the said deceased, viz., Bendigo Gold District General Hospital Incorporated £20, Sister - Elizabeth West £10, Niece - Martha Bishop £5, Niece - Mary Ann Bishop £5, Emma Elcott and Katharine Elcott Residue of estate no relation.

SWORN by the abovenamed deponent Emma Elcott at Bendigo in the State of Victoria this 28 day of April 1915 Before me

Emma Elcott

See below.

10. H.S.W. Burst
A Commissioner of the Supreme Court of Victoria for taking affidavits

Sworn by the abovenamed deponent William Hedley Plumtree at Mitiamo in the State of Victoria this 30th day of April 191 5 Before me

William Hedley Plumtree.

H. S. Brown

A Commissioner for taking Affidavits.

10.—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.

"A"

STATEMENT OF ASSETS AND LIABILITIES.

ASSETS—Real Estate.

(Set out particulars very full State by whom valued; give Land Tax values. If recently purchased produce contract).

All those pieces of land being allotments nine and fifteen
Section five at White Hills Bendigo containing two roods
on which is erected four roomed brick dwelling used by
deceased as a residence
Also feed house and stable thereon
All very old buildings and in bad condition
Rated by City Council of Bendigo at £19.

Valued by Executors at 200

Carried Forward £ 200 0 0

ASSETS—Personal Estate.

Brought Forward	200	0	0
Landed Property held under Lease or License from the Crown, (Set out same as Real Estate ; give Land Tax Values and show Improvements. In computing the value give its value as Freehold less the balance to be paid to make it Freehold). nil			
Improvements nil			
Rents nil			
Crops (By whom Valued &c.) nil			
Carried Forward £	200	0	0

Brought Forward £	200	0	0

Live Stock, (By whom Valued and number of each kind).

nil

Farming Implements (Specify and give separate Values and by whom valued).

nil

Carriages (Separate Values and by whom).

nil

Harness & Saddlery (By whom Valued &c.)

nil

Furniture

(If the Value over £100 an Inventory must accompany this with price placed against each article. The List should be signed by the person making it. When possible the Valuation should be made by an Auctioneer and accompany the List).

	10	0	0
Carried Forward £	210	0	0

Brought Forward £	210	0	0
Watches, Trinkets Jewellery (If over £50 Valuation required). nil			
Other personal effects, clothing, &c. nil			
Money in hand or house nil			
Money in Bank or Building Society, Current account (State name of Bank). nil			
Money in Bank or Building Society, deposit as per list marked B	667	0	7
Interest thereon at per cent. from to date of death.			
Debentures (Due Dates and Market Values). nil			
Salary or Wages due nil			
Pension, to date of death nil			
Compensation (On retirement or loss of office). nil			
Mortgages (Each to be set forth separately also Interest to date of death). nil			
Mortgages interest nil			
Carried Forward £	877	0	7

LIST "B"

IN THE SUPREME COURT)
of Victoria)

Probate Jurisdiction

In the will of John Alcock late of White Hills Bendigo in the State of Victoria Retired Cab Proprietor deceased

Deposit in Bendigo Mutual Permanent Land and Building Society Bull Street Bendigo due 1st June 1915 £100.	100	0	0
Interest thereon from 1/12/14 to date of death 18/3/15 @ 5% 108 days	1	9	7
Deposit in Bendigo Mutual Permanent Land and Building Society due 1st December 1915 £400	400	0	0
Interest thereon from 1/12/14 to date of death 18/3/15 @ 5% 108 days	5	18	4
Deposit in Bendigo Mutual Permanent Land and Building Society due 17th October 1918 £100	100	0	0
Interest thereon from 17/10/14 to date of death 18/3/15 @ 5% 151 days	2	1	4
Money in Savings Bank Bendigo	56	0	0
Interest thereon to date of death		1.11.4	
	667.0.7		

This is the List marked B referred to in the annexed affidavit of Emma Elcott and William Hedley Plumtree sworn by the said Emma Elcott before me this 28th day of April 1915.

H S V Bussot

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

This is the List marked "B" referred to in the annexed affidavit of Emma Elcott and William Hedley Plumtree sworn by the said William Hedley Plumtree before me this 30th day of April 1915.

H. J. Brown

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

LIABILITIES.

(For Instructions see back).

NIL

Summary of Estate ... ...

Assets	877	0	7
Liabilities	-	-	-
Balance for Duty	877	0	7

Statement marked B

This is the ~~paper writing marked 'A'~~ referred to in the annexed affidavit of Emma Elcott and William Hedley plumtree

Sworn before me the 28th day of April 1915
by the abovenamed deponent Emma Elcott

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

This is the Statement annexed to an Affidavit sworn before me this 30th day of April 1915 by the abovenamed deponent William Hedley Plumtree

A Commissioner of the Supreme Court of Victoria for taking Affidavits

138404

In the Supreme Court
of the State of Victoria

Probate Jurisdiction

In the Will of John Alcock
late of White Hills Bendigo
in the State of Victoria
Retired Cab Proprietor de-
ceased

P R A E C I P E

that

Probate of the will of the
abovenamed John Alcock deceas-
ed be granted to Emma Elliott
of White Hills Bendigo aforesaid Widow and William Hedley
Plumtree of Mitiamo (formerly of White Hills Bendigo
aforesaid) in the said State
Church of England Clergyman
the executrix and executor
appointed by the said Will.

Quick & Rymer
Pall-Mall
Bendigo

Proctors for the applicants.