

362

✓ 119362

IN THE SUPREME COURT



Probate Jurisdiction

In the WILL of GOTTFRED AUGUST

BORSCHMANN _____ late of
Beechworth _____
in Victoria RETIRED CIVIL SERVANT
deceased.

ORDER FOR

PROBATE. _____

A handwritten signature in ink.

13/4/11

a/Beckett & Chomley,
Solicitors, Melbourne,
AGENTS for
Mackay & Norman, Proctors,
Beechworth & Yackandandah.

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

In the Supreme Court } IN THE PROBATE JURISDICTION.
OF VICTORIA.

IN THE WILL _____
late of GOTTFRED AUGUST BORSCHMANN _____
in Victoria Retired Civil Servant _____ deceased

BEFORE THE REGISTRAR.

THE 4th day of April 19 11.

UPON APPLICATION this day made by the proctors for the
applicant and upon reading the several affidavits of ALVINA BORSCHMANN,
and Reginald William Bailey

respectively sworn

and filed herein THIS COURT DOTH ORDER that PROBATE of the

Will of the above named GOTTFRED AUGUST BORSCHMANN, *in the said Will called Gottfred*

~~the above named~~ _____ deceased be granted to

ALVINA BORSCHMANN (in the said Will sometimes wrongly called
Alvina Borschman) of Beechworth aforesaid Widow the executrix
named in and appointed by the said Will, Hermann Borke late of
Beechworth aforesaid Miner the executor named therein having
predeceased the testator.

BY THE COURT

[Signature]

Registrar of Probates.



119362

In the Supreme Court

OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL OF GOTTFRED AUGUST
BORSCHMANN late of Beechworth
in Victoria Retired Civil --
Servant deceased .

PROBATE.

I CERTIFY THAT the sum of £5.18.4
the Duty hereon has been paid

Wm. F. Newell M. A.

Commissioner of Stamps
114 : 6 : 11

a/Beckett & Chomley,
Solicitors, Melbourne,
AGENTS for
Mackay & Norman, Proctors,
Beechworth

and

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

In the Supreme Court
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL OF GOTTFRED AUGUST BORSCHMANN _____
late of Beechworth _____
in Victoria, Retired Civil Servant _____ deceased

BE IT KNOWN that on the 14th day of April
in the year of our Lord One thousand nine hundred and eleven
The Will _____ (a true copy whereof is hereunto annexed) of
GOTTFRED AUGUST BORSCHMANN, ^{in the said Will called Gottfred} _____ late of Beechworth in the
State of Victoria Retired Civil Servant _____
deceased, who died on the Thirtyfirst -- day of January ---
One thousand nine hundred and eleven ^{had} and who at the time of his
death real estate within the jurisdiction sworn not to exceed in value

If no Real Estate or
no Personal Estate
same must be stated.

One hundred and fifty pounds -----
and personal estate within the jurisdiction sworn not to exceed in value

Four hundred and twenty six pounds fifteen shillings and
one penny -----
was proved by ALVINA BORSCHMANN (in the said Will sometimes
wrongly called Alvina Borschman) of Beechworth aforesaid Widow
the executrix named in and appointed by the said Will Hermann
Borke late of Beechworth aforesaid Miner the executor named
therein ~~the execut~~ named therein ~~he having been first sworn~~
having predeceased the testator she having been first sworn
that she would well and truly collect 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 her administration of the said estate within
fifteen months of the said order

Given at Melbourne the 14th day of
April in the year of our Lord One thousand
nine hundred and eleven.

J. Parker
Registrar of Probates.

DW
13/4/11



119362

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION

IN THE WILL of GOTTFRED))

— AUGUST BORSCHMANN —
late of Beechworth —

in the State of Victoria Retired -
— Civil Servant deceased.
deceased.

AFFIDAVIT OF EXECUTION

A. Beckert
Solicitor
Agents for
Mackay & Norman, Proctors,
Beechworth

and
Yackandandah.

Cuthbert & Co., Law Stationers, Chancery-lane, Melb.



In the Supreme Court

OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of GOTTFRED AUGUST BORSCHMANN _____
late of Beechworth _____
in the State of Victoria Retired Civil Servant _____ deceased

I ALVINA BORSCHMANN of Beechworth in the State of Victoria Widow
_____ make oath and say—

1. That I seeking to obtain Probate of the Will _____
of the above-named Gottfred August Borschmann _____ deceased
and am of the full age of twenty-one years.

2. The said deceased died on the Thirty first day of January _____
One thousand nine hundred and eleven. _____

3. The said deceased was married at the time of his death.

4. The said deceased left a Will bearing date the Fifteenth day of
June _____ One thousand eight hundred and eight^{four} which
is as I believe the last Will and Testament of the said deceased and
which is unrevoked.^(a)

(a) Set out Co-
dicils if any
and date there-
of.

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 Hermann Borke of
Beechworth in the State of Victoria miner since deceased and me-
this deponent executor and executrix thereof.

~~execut~~ thereof

7. The Paper writing hereunto annexed marked "A" is the true last
Will and Testament of the said deceased as I verily believe.

(b) Here set out fully the present place of residence of the witnesses and state that it is so.

8. The said Will was executed in the presence of ^(b) John Ross Smith then of Beechworth in the State of Victoria Lunatic Asylum Warder now deceased and John Riggs then of Beechworth aforesaid Lunatic Asylum Warder now of 143 Nicholson Street Abbotsford in the said State -- Retired Civil Servant.

9. That the said deceased left real estate in the State of Victoria not exceeding the value of One hundred and fifty pounds _____

and personal property in the said State not exceeding the value of Four hundred and twenty six pounds fifteen shillings and one penny _____

making together the sum of ^(c) Five hundred and seventy six pounds ^{shillings and one penny} fifteen particulars whereof are fully set out in statement filed herein, ^

(c) If the Statement is filed herewith state particulars whereof are fully set out in Statement filed herein; if not particulars of estate to be set out distinguishing realty from personalty.

as per Statement marked "B" shown to me at the time of swearing this my affidavit.

10. 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 executrix 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 caused 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 Beechworth in the State
of Victoria this 17th
day of March One thousand
nine hundred and eleven

Before me

Arthur Ross Smith

A. Ross Smith

A COMMISSIONER OF THE SUPREME COURT OF THE STATE OF VICTORIA FOR
TAKING AFFIDAVITS.

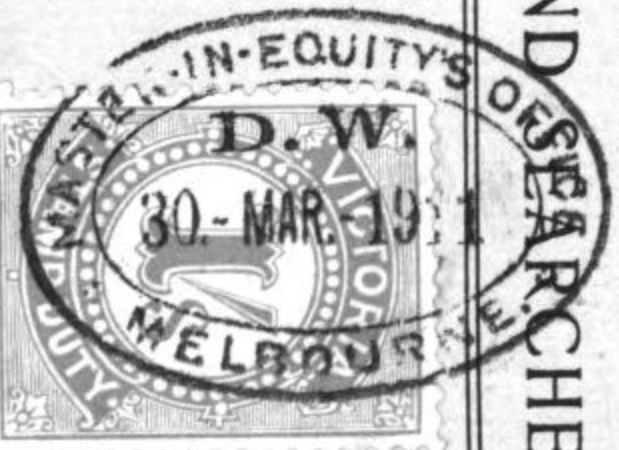
119362

In the Supreme Court
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL of GOTTFRED AUGUST
BORSCHMANN late of Beechworth
in the State of Victoria --
Retired Civil Servant deceased.

**AFFIDAVIT OF
PUBLICATION OF NOTICES
AND SEARCHES.**



a/Beckett & Chomley,
Solicitors, Melbourne,
AGENTS for
Mackay & Norman, Proctors,
Beechworth & Yackandandah.

Cuthbert & Co, Law Stationers, Chancery-lane, Melb.



In the Supreme Court

OF VICTORIA.

IN THE PROBATE JURISDICTION.

Elab
IN THE WILL of GOTTFRED AUGUST BORSCHMANN late of Beechworth
in the State of Victoria Retired Civil Servant deceased.

I Reginald William Bailey of Hawthorn Road Caulfield
in the State of Victoria
make oath and say

1. THAT the following advertisement duly appeared in the "Argus" _____
Newspaper published in Melbourne _____ on the Twenty third ----- day of
February 1911 _____ namely :-

✓ Elab
NOTICE is hereby given, that after the expiration of fourteen days
from the publication hereof application will be made to the Supreme
Court of Victoria in its Probate Jurisdiction that Probate of the
last Will and Testament of GOTTFRED AUGUST BORSCHMANN (in the said
Will erroneously called Goddfred August Borschman) late of Beech-
worth in the State of Victoria Retired Civil Servant deceased may
be granted to Alvina Borschmann in the said Will sometimes wrongly
called Alvina Borschman) of Beechworth aforesaid Widow the executrix
named in and appointed by the said Will Hermann Borke late of Beechworth
aforesaid Miner the executor named therein having predeceased the
testator.

Dated this 21st day of February 1911.

MACKAY & NORMAN, Beechworth and Yackandandah, Proctors for the
applicant.

2. THAT I have since the date of the death of the above-named 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.

3. THAT I have this day searched in the proper office of the Master in
Equity of this Honorable Court and find that no caveat has been lodged in this
matter

4. 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.

✓ Elab
5. That I am a Clerk in the sole and permanent employ^{only} of Messrs a'Beckett
and Chomley Solicitors Melbourne Agents for Mackay and Norman Beechworth
and Yackandandah the Proctors for the applicant herein.

SWORN at Melbourne in the State
of Victoria this 30th day of March
One thousand nine hundred and eleven.

Before me

E. A. Butler

R. W. Bailey

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

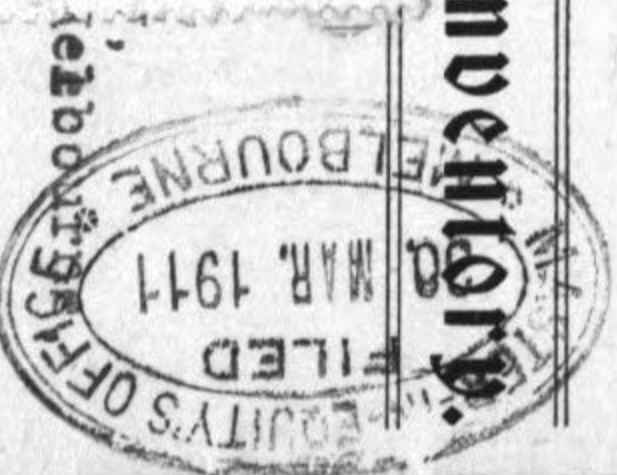
119362

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will _____ of
Gottfried August Borschmann late
of Beechworth _____
in the State of Victoria Retired Civil
Servant _____
deceased.

Statement of Inventory.



a'Beckett
Solicitors
Agents
Mackay & Norman, proctors,
Beechworth,
and
Yackandandah.

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

"B"

This is the Statement marked "B" referred to in the affidavit of Alvina Borschmann _____

Sworn before me the 17 day of March 1911

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

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL _____

of GOTTFRED AUGUST BORSCHMANN _____

late of Beechworth _____

in the State of Victoria Retired Civil Servant — deceased

STATEMENT OR INVENTORY OF ASSETS.
REAL ESTATE.

ALL THAT piece of land in the State of Victoria containing by admeasurement 2 roods and 22 perches or thereabouts situated in the Parish of Beechworth County of Bogong being Crown Allotment 6 of Section F^{two} on which is erected a 6 roomed weather board house with iron roof Valued @

150	0	0
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PERSONAL ESTATE.

Landed Property held under Lease or License from the Crown

	Nil			
Improvements	Nil			
Rents	Nil			
Live Stock	Nil			
Farming Implements	Nil			
Carriages	Nil			
Harness and Saddlery	Nil			
Furniture in house at deceased's death		40	0	0
Watches, Trinkets, Jewellery, etc. silver watch & chain old		1	10	0
Other personal effects Clothing &c		1	0	0
Money in hand or house			6	0
Money in Bank or Building Society, Current account :-				
Amount in Government Savings Bank Beechworth at date of death		101	18	4
Money in Bank or Building Society, deposit :- Amount on deposit in the Bank of New South Wales Beechworth				
Deposit receipt No. M/8318 for 2 years @ 3½% due 2nd August 1911		154	14	5
Interest on same				
Deposit receipt No. M/8620 for 2 years @ 3½% due 30th December 1912		120	9	9
Interest on same				
Debentures	Nil			
Mortgages	Nil			
Mortgages Interest	Nil			
Amount of Government Pension due to deceased at date of death		4	8	0
Interest on same				
Life Policies	Nil			
Bonuses	Nil			
Dividends	Nil			
Plant	Nil			
Tools	Nil			
Debts to Estate	Nil			
Interest in partnership business	Nil			
Goodwill	Nil			
Interest in a deceased person's estate	Nil			
Stock in shop or business	Nil			

Alvina Borschmann £426 15 1

119362
In the Supreme Court
of the State of Victoria

PROBATE JURISDICTION.

In the Will _____ of
GOTTFRED AUGUST BORSCHMANN
late of Beechworth in the State of
Victoria Retired Civil Servant
_____ deceased

Præcipe.

THAT

of the Will _____ of the abovesaid
Gottfried August Borchmann deceased

be granted to ADVINA BORSCHMANN in
the said Will sometimes wrongly
called Alvina Borschmann --
Beechworth aforesaid widow the
executrix named in and appointed
by the said Will, Hermann Borke
late of Beechworth aforesaid --
Minor the executor named therein
having predeceased the testator.

A'Beckett & Chomley,
Solicitors, Melbourne,
Agents for
Mackay & Norman,
Beechworth, and
Yackandandah,
Proctors for the Applicant.