

In the Supreme Court of
the Colony of Victoria

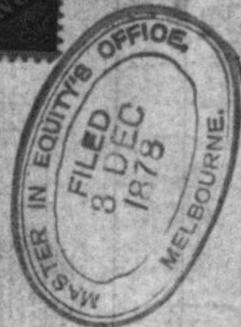
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484

In its Probate Jurisdiction

In the Will of Mary Jago
late of Ascot Vale in the
Colony of Victoria Widow
deceased

Affidavit
of the Executors



Crisp Lewisana Hedderwick

In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Mary Jager late of North
Street Ascot Vale near the City of
Melbourne, in the Colony of Victoria
Widow deceased

We Ernest Auguste Jager of Ascot Vale, in the Colony
of Victoria Professor of Music, William Hamelton of
Number three Charlotte Terrace Roselyn Street West
Melbourne, in the said Colony School Teacher severally
make oath and pay

1 That the above named Mary Jager departed this life
on or about the thirteenth day of May, one thousand
eight hundred and seventy eight

2 That she made and executed her last Will and Testament
which bears date the third day of April one thousand
eight hundred and seventy eight and thereby appointed
us these Deponents the Executors thereof and the subscribing
witnesses thereto are Robert Edward Lewis of Melbourne
the aforesaid ~~executor~~ Solicitor and Arthur Joshua Stead of
Melbourne aforesaid Clerk to Erskine Lewis and Heddewick
of the same place Solicitors

3 That the said will is unrevoked and it is hereunto
annexed and marked with the letter "A"

4 That the said deceased at the time of her death was
possessed or entitled to property within the Colony
of the value of one thousand and three hundred and fifty
pounds, ^{or thereabouts} ~~consisting~~ ^{consisting} of Real Estate of the value of four hundred
and fifty pounds, and of personal estate of the

value of Nine hundred and four pounds.

5 That we are seeking to obtain probate of the said will of the deceased as the Executors thereof

6 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 her death, which at any time after shall come to the power or control hands or possession of us as ^{the} 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 hands 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 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 hands 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 by the Deponent Ernesto Augusto Jager at Melbourne in the Colony of Victoria before me this 26th day of November 1878

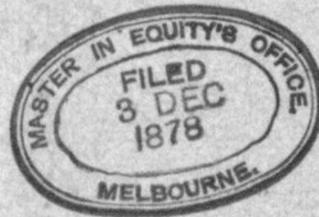
A Commissioner of the Supreme Court of the Colony of Victoria for taking affidavits

Sworn by the Deponent William Hamilton at Melbourne in the Colony of Victoria before me this 27th day of November 1878

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

Dated the day of 1878

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Will
of
Mrs. Mary Jager



Crosby Lewis & Meddewick

Of other the funds shares or securities In Trust for all the Children
or any the child of the said Viola May Jager who being sons or a
son shall attain the age of twenty one years or being daughters or a
daughter shall attain that age or many and if more than one in
equal shares And I hereby declare that if there shall be no child
of my said grand-daughter Viola May Jager who being a son shall
attain the age of twenty one years or being a daughter shall attain
that age or many Then from and after the death of my said
Grand daughter Viola May Jager and such default or failure of children
as aforesaid then I direct my said Trustees or the survivor of them or
the Trustees or Trustee for the time being to pay over or transfer the
said Debentures and shares or other the funds shares or securities to
my son the said Ernest Auguste Jager absolutely and his heirs or
executors administrators and assigns And after payment of all my
just debts funeral and testamentary expenses I give devise and
bequeath the rest residue and remainder of my real and personal
Estate unto and to the use of my son the said Ernest Auguste Jager
absolutely and his heirs executors administrators and assigns And I
hereby declare that the receipt of the Trustees or Trustee for the time
being acting in the execution of any of the trusts hereof for the purchase
money of property sold or for any moneys funds shares or securities
paid or transferred to them or him in pursuance hereof or of any of the
trusts hereof shall effectually discharge the purchaser or purchasers or
other the person or persons paying or transferring the same therefrom
and from being concerned to see to the application thereof And I
hereby declare that if the said Trustees hereby appointed or any of
them shall die in my lifetime or if they or any of them or any
Trustee or Trustees to be appointed as hereinafter is provided shall
after my death die or desire to be discharged or refuse or become
incapable to act then and so often the said Trustees or Trustee (and
for this purpose every retiring or refusing Trustee shall be considered
a Trustee) may appoint a new Trustee or new Trustees in the place of
the Trustee or Trustees so dying or desiring to be discharged or refusing
or becoming incapable to act And upon every such appointment the
said Trust premises shall be so transferred that the same may
become vested in the new Trustee or Trustees jointly with the surviving
or continuing Trustees or Trustee or solely as the case may require
and every such new Trustee shall (as well before as after the said trust
premises shall have become so vested) have the same powers authorities
and discretions as if he had been hereby originally appointed a Trustee

Witnessed

Robt. E. Lewis
Edw. Wm. D. Stand

Mary Jager

And I declare that the Trustees for the time being of this my will shall respectively be chargeable only with such moneys as they respectively shall actually receive and shall not be answerable for each other nor for any Banker Broker or other person in whose hands any of the trust moneys shall be placed nor for the insufficiency or deficiency of any stocks funds shares or securities nor otherwise for involuntary losses And that the said Trustees for the time being may respectively reimburse themselves out of the trust premises all expenses incurred in or about the execution of the aforesaid trusts and powers And I appoint the said Ernest Augustus Jager and William Hamilton ~~as~~ ~~as~~ ~~as~~ Executors and Trustees of this my will **In witness** whereof I have to this and the two preceding sheets of paper hereunto set my hand this third day of April in the year of our Lord one thousand eight hundred and seventy eight.

Signed and acknowledged by the said Testatrix as and for her last will and Testament in our presence who at her request in her presence and in the presence of each other have hereunto subscribed our names as witnesses

Mary Jager

Robt. E. Jager
Esq. or Melbourne

Wm. D. Seal

Clerk to Creek Lewis & Headrick
John
Melbourne