

101617

IN THE SUPREME COURT.
OF VICTORIA.

PROBATE JURISDICTION.

IN THE

Will of Andrew

William Brown

late of

Sumner Street - Ballarat -

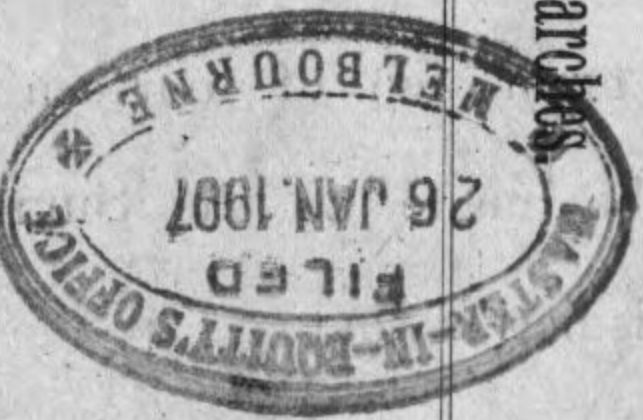
in the State of Victoria

deceased.

deceased.

Affidavit of Publication of Notice and of

Searched



Lord Ashmole & Co. Sydney
for Messrs & Co.

Harston, Partridge & Co., Printers, Melbourne.

Proctor *Ballarat*

In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA.

IN THE

Will of Andrew William Bruun

late of

Drummond Street Ballarat

in the State of Victoria

Professor of Music deceased

I Percy Goodale Lansdown of 128 Queen Street Melbourne

in the State of Victoria clerk to Messrs Ford Aspinwall and De Bruin of same place Solicitors

make oath and say—

1. That the following advertisement duly appeared in the *Argus* newspaper published in Melbourne on the *fifth* day of *January one thousand nine hundred and seven* namely

" Notice is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of the State of Victoria in its Probate Jurisdiction that *Probate of the Will* of *Andrew William Bruun late of Drummond Street Ballarat in the said State Professor of Music deceased*

" may be granted to *The Ballarat Trustees Executors and Agency Company Limited of Camp Street Ballarat* aforesaid the Executor named in and appointed by the said Will

" Dated this *fourth* day of *January* 1907 *Wentland and Gray Oxford Chambers Lydiard Street Ballarat Proctors for the said Company*

2. That I have since the death of the deceased searched and find that no Will of the above-named deceased is deposited in the office of the Registrar-General.
3. That I have this day searched in the proper office of this Honorable Court and find that no caveat is 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.

SWORN at *Melbourne* in the
State of Victoria this *26th* day of
January One thousand nine
hundred and *seven*

Before me

P. G. Lansdown

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

101617
IN THE SUPREME COURT OF VICTORIA

PROBATE JURISDICTION

IN THE WILL OF ANDREW WILLIAM
BRUNN late of Drummond Street
Ballarat in the State of Victoria
a Professor of Music deceased

A F F I D A V I T

of Juliane C. Bruun



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IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL OF ANDREW WILLIAM BRUUN late of
Drummond Street Ballarat in the State of
Victoria Professor of Music deceased

I JULIANE CHRISTINE BRUUN of Drummond Street Ballarat in
the State of Victoria Widow make oath and say:-

1 - THAT I am the Widow of the abovenamed Andrew William Bruun
deceased

2 - THAT the sum of One thousand two hundred pounds deposited in
the Ballarat Banking Company Limited in the joint names of myself
and of the abovenamed deceased in four separate deposits of £300,
£270, £600 and £30 (referred to in the list attached to the state-
ment filed herein but not extended in to the money column thereof)
is my own money absolutely

3 - THE deposit of £600 represents the purchase money received
by me from one Esther Green of Ballarat Married Woman to whom I
sold for the said sum of £600 a piece of freehold land in Doveton
Street upon which is erected a building known as the "Orchestral
Hall" and I transferred such building and the land on which it is
stands to the said Esther Green on the Sixteenth day of March 1904

4 - I acquired the said "Orchestral Hall" and the land on which
it stands and also an adjoining piece of land in all 66feet by 165
feet by purchase and the Certificate of Title for same was issued
to me upwards of twenty five years ago namely on the Ninth day of
December 1881 and it still is in my possession. I got the money
to purchase the said "Orchestral Hall" and the said land on portion
of which it stands from savings made by me during many years of my
married life and from successful speculation in mining ventures
about the year 1880 when mining was brisk in Ballarat

5 - THE other three deposits above mentioned making together £600
represent the rentals from the said "Orchestral Hall" and from a
house next to it erected on land belonging to me and interest on

such rentals deposited from time to time and accumulated. The said "Orchestral Hall" was at one time and for a long time almost constantly let for meetings parties and dances and it returned extremely good interest on my capital outlaid thereon

6- THE said sum of £1200 did not nor did any part of it at any time belong to the said deceased but it is and always has been my own money gradually accumulated and the said deceased did not at any time receive any benefit or advantage from the said sum or any portion of it. The said deceased had for many years prior to his death ample means of his own and he did not interfere with my moneys

7 - The reason why the said deposits (£1200 in all) were put into the joint names of myself and deceased is that deceased requested me to do so although I scarcely approved of it but he seemed anxious about the matter and was not at the time in good health

I deemed it better to comply with his request and save him any trouble or worry particularly as I imagined that any attempt would be made to show that the money was not mine

8 - I say that the actual effect of the said sum of £1200 being put into the joint names of myself and the deceased was that if I had predeceased my said husband he would have received the said sum of £1200 and interest thereon by survivorship and therefore it would have been practically a gift from me to him which I am advised by my Solicitor would have been chargeable with duty as portion of my estate but that the said sum is not now chargeable with duty as part of the deceased's estate because it is not and never was part of his estate and it was never put by him into our joint names and he had no beneficial interest therein

SWORN at Ballarat in the State of
Victoria this *twenty third* day of
February A. D. 1907

Before me

J. J. McSweeney

A Commissioner of the Supreme Court of Victoria for taking affidavits

The Ballarat Trustees, Executors & Agency Company, Limited,

CAMP STREET, BALLARAT.

Fifteen Months' Account.

In the Supreme Court of the
STATE OF VICTORIA.

IN ITS PROBATE JURISDICTION.

In the Will of Andrew William Brunner late of Drummond St. Ballarat in the State of Victoria Professor of Music deceased.

I, JOHN GLASSON, MANAGER OF THE BALLARAT TRUSTEES, EXECUTORS & AGENCY COMPANY, LIMITED, do hereby certify that the following is a true and just account of the administration of the Estate of the above described deceased, appointed on the 25th day of February 1907 up to the date hereof.

Dated 27th May 1908

THE BALLARAT TRUSTEES, EXECUTORS
& AGENCY COMPANY, LIMITED

John Glasson
Manager

ASSETS.

All that piece of Land being Crown allotments 9 and 10 of Section 57 Township Parish of Ballarat County of Grenville having a frontage of 205 links to Drummond Street by a depth of 250 links upon which are erected	
1 Weatherboard house (brick wall) 7 rooms in which deceased resided valued for probate at	375
2 Brick & Weatherboard house 8 rooms. Brick and 2 Weatherboard valued for probate at	600
All that piece of land being part of crown allotment 14 Section 33 City and Parish of Ballarat having a frontage of 40 feet 2 inches to Drummond St. by a depth of 66 feet upon which is erected a groomed weatherboard house valued for probate at	200
All that piece of land being allotments 11 and 12 of Section 23 City and Parish of Ballarat having a frontage of 200 links to Lyon St. and 250 links to Erie St. upon which is erected	
1 Weatherboard house containing 6 rooms valued for probate at	400
2 do do " 6 " Lyon St. do.	275
3 do do " 6 " " do.	200
4 do do " 7 " Erie St. do.	300
5 do do " 6 " " do.	275
All that piece of land being crown allotment 5 Section 23.	
carried forward	£2625

DISTRIBUTION.

Queenstown Trustees' costs re indemnity on transfer of 500 Shares to Mr. Brunner $3\frac{3}{4}\%$ Stamp duty $7\frac{1}{2}\%$ costs money order 6/- Nevett & Nevett costs $1\frac{1}{2}\%$	5	2
Cost of postal notes to pay fees re Westport Coal Shares transferred	5	2
Wauliss & Gray various costs & fees paid re sealing probate in New Zealand	17	9 7
Fee paid to Government Statist for certificate of death		7 6
Probate Duty & fee on order paid to Victorian Government	295	4 5
Mining Registrar fee paid to register company proprietor of residence area		2
Postage & Duty Stamps fee to register fifteen months account &c	1	5
Commission $2\frac{1}{2}\%$ on £6280.2.7 as Executor	159	10
Assets of the Estate taken over by Mr. Julian Christine Brunner the Widow		
Household furniture and effects valued for probate at	66	19
Jewellery consisting of Gold Watch & Chain valued for probate at	10	
Ballarat Banking Company Fixed Deposit due 1st July 1907	100	
do Interest on Fixed Deposit 100 from 1st July 1906 to 22nd Dec 1906	1	13 4
200 Shares in the Ballarat Banking Co Ltd valued for probate at	1600	
50 Shares in the Westport Coal Company of New Zealand		
carried forward	£2257	18 0

Brought forward	2625	
City and Parish of Ballarat having a frontage of 50 links to Lyon St by a depth of 250 links upon which is erected 3 roomed weatherboard house valued for probate at	175	
All that piece of land being part of Crown Allotment 17 Section 7 City and Parish of Ballarat having a frontage of 28 feet 5 inches to Dawson St by a depth of 165 feet upon which is erected a 3 roomed weatherboard house and stable valued for probate	275	
All that piece of land being lots 1, 2 & 3 of Subdivision 1469 of Crown portion 125 of Brunswick Parish of Jitta Jitta County of Bourke 60 feet to Albion St by a depth of 125 and 115 feet valued for probate	50	
All that piece of land being Residence area situate No 314 Drummond St South Ballarat having a frontage of 33 feet by a depth of 165 feet upon which is erected 3 roomed weatherboard cottage valued for probate at	200	
All that piece of land held under License No 191 situate 310 Drummond St being allotment 6 sec 63 Parish of Ballarat County of Grenville frontage 75 links by 250 deep valued at	250	
Kent rent from 20th Dec 06 to 22 nd Dec @ 7/9	2	2
Moss " " 3 " to 22 nd " @ 8/-	1	18
McGolarick " " 2 " to 22 nd " @ 9/9	1	7 10
Hair " " 15 " to 22 nd " @ 13/3	15	3
Sheldon " " 20th Nov 06 to 22 nd " @ 9/3	2	2
Klein " " 8 Dec " to 22 nd " @ 7/9	15	6
Hunkin " " 5 " to 22 nd " @ 10/9	1	5 11
Bethess " " 18 " to 22 nd " @ 8/-	4	6
Muir " " 6 " to 22 nd " @ 14/3	1	12 6
Household furniture valued for probate	66	19
Jewellery consisting of Gold watch & chain value for probate	10	
Ballarat Trustees Executors & Agency Company Limited cash in possession of the company at time of death	22	12 7
Ballarat Banking Company Fixed deposit due 7th Febry 07	100	
do do do interest on Fixed Deposit £ 100.		
@ 4% from 7th Febry 05 to 22 nd Dec 1906	1	10
Ballarat Banking Company Fixed Deposit due 27th Febry 1907	500	
do do do Interest on Fixed Deposit 500		
carried forward	£ 4285	9 0

Brought forward	2257	18 0.
Melbourne Register valued for probate at	350	
Cheque to M ^{rs} Bruns for	676	10 3
Value of property retained to pay monetary Bequest after M ^{rs} Bruns Death	3575	
carried forward	£ 6859	8 3

Brought forward	4285	9	0
@ 4% from 27th August to 22 nd Decr 1906.	6	8	3
Ballarat Banking Company Fixed Deposit due 1st July 1907	100		
do do do Interest on fixed Deposit 100.			
@ 3 1/2% from 1st July 06 to 22 nd Decr 1906.	1	13	4
Ballarat Banking Coy 7% Dividend on 200 shares proportion from 30th June 06 to 22 nd December 06.	26	12	
Ballarat Banking Co. 200 7% shares valued for probate @ £8	1600		
West Port Coal Company of New Zealand 50 shares Melbourne Register value for probate at £7	350		
Savings Bank amount withdrawn	5	2	
Refund of excess of probate duty	1	11	2
Cheque from Mr Quinn to pay debts and Testamentary expenses paid by the Executor	477	9	4
	£ 6859	8	3

Brought forward

6859 8 3

£ 6859 8 3

The Common Seal of The Ballarat Trustees Executors & Agency Company, Limited, was affixed hereto in the presence of

John Macfiod
Frank Stewart

DIRECTORS

101. 617

In the Supreme Court of the
State of Victoria

In its private jurisdiction

In the case of Success William

Successor late of Edmund Alfred

Ballarat in the State of

Victoria Proprietor of Abnair

deceased

Stephen North's Account



THE BALLARAT TRUSTEES EXECUTORS
& AGENCY CO. LIMITED.

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In the Supreme Court

of Victoria

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Probate Jurisdiction

In the Will of Andrew
William Bruun late of
Drummond Street Ballarat in
State of Victoria Professor of Music
deceased

Gracipe for Probate



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Ford & Mivall & De Gruchy
Solicitors & Conveyancers

Proctors

Ballarat