

581

202581

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

[Handwritten signature]
18/8/1905

IN THE W I L L OF GEORGE
TAYLOR STEPHENS formerly of
Queenscliff in Victoria Soldier
but of late of Lakes Entrance
in the State of Victoria Fisherman
deceased

ORDER

FOR

P R O B A T E E.

[Handwritten signature]
18/8/1905

C. J. McFARLANE & SON
420 Little Collins Street
MELBOURNE

Agents for/ **ARTHUR P. AGG,**
Bairnsdale.
Proctor for the Applicant.
Australian Printing and Stationery Co.,
435 Little Collins St., c/r. Bank Place, Melbourne.

202581

In the Supreme Court }
OF VICTORIA

IN THE PROBATE JURISDICTION.

IN THE W I L L of GEORGE TAYLOR STEPHENS formerly of
Hobson Street Queenscliff in the State of Victoria Soldier but
late of Lakes Entrance
in Victoria Fisherman deceased

BEFORE THE REGISTRAR.

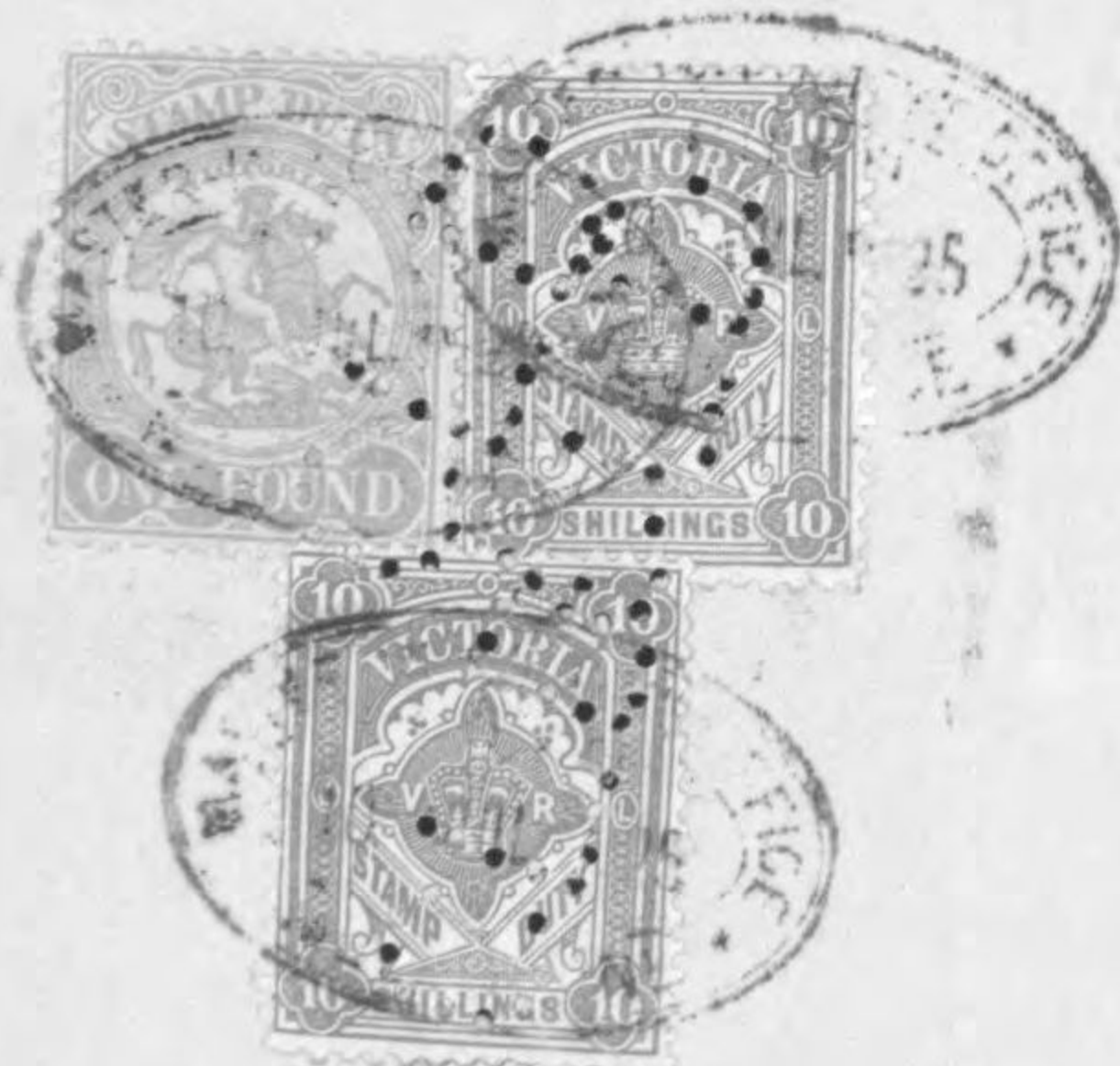
THE 30th day June 19 25.

UPON APPLICATION this day made by the Proctor for the applicant and
upon reading the several affidavits of Mary Elizabeth Stephens, Leslie Dycer
Stephens, John Leonard Shaw and Donald McIvor Cook respectively

sworn

and filed herein THIS COURT DOTH ORDER that Probate of the Will

the above-named George Taylor Stephens deceased be granted to
Mary Elizabeth Stephens formerly of Hobson Street Queenscliff in
the State of Victoria but now of Lakes Entrance in the said State
the widow of the said deceased and the sole executrix named in and
appointed by his said will.



BY THE COURT

K. W. Kelly

Registrar of Probates.

202581

In the Supreme Court

of Victoria.

IN THE PROBATE JURISDICTION.

IN THE WILL OF GEORGE TAYLOR

STEPHENS formerly of Hobson
Street Queenscliff in Victoria
Soldier but late of Lakes
Entrance in the said State
Fisher deceased.

PROBATE.

I certify that the sum of *Nine pounds
four shillings + one penny*
the Duty hereon has been paid.

M. MURPHY.

Deputy Commissioner of Taxes.

17 / 8 / 1925.

ARTHUR P. AGG,
Bairnsdale
Proctor for the Applicant.

Australian Printing and Stationery Co.,
435 Little Collins Street, Melbourne.

In the Supreme Court

OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL OF GEORGE TAYLOR STEPHENS formerly of Hobson Street Queenscliff in the State of Victoria Soldier but late of Lakes Entrance in the said State Fisherman deceased.

BE IT KNOWN that on the *Thirtieth* day of *June* in the year of our Lord One thousand nine hundred and *twenty-five* the will (a true copy of which is hereunto annexed) of George Taylor Stephens formerly of Hobson Street Queenscliff in the State of Victoria Soldier but late of Lakes Entrance in the said State Fisherman ~~late of~~ *is presumed to have* deceased who died on the *Nineteenth* day of *April* One thousand nine hundred and *twenty-five* and who had 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.

FIVE HUNDRED AND FORTY POUNDS

and personal estate within the jurisdiction, sworn not to exceed in value FOUR HUNDRED AND NINETY-ONE POUNDS AND FOUR PENCE

was proved by MARY ELIZABETH STEPHENS formerly of Hobson Street Queenscliff aforesaid but now of Lakes Entrance aforesaid the Widow of the said deceased and the sole -----

~~the~~ executrix named therein, she having been first sworn that she would well and truly collect and administer according to law the estate of the said George Taylor Stephens 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.

(L.S.)

Given at Melbourne this *18th* day of *August* in the year of our Lord One thousand nine hundred and *twenty-five*.

Thorneley
Registrar of Probates.

Lord W. G. 10/4/25

202581

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of George
Taylor Stephens formerly of
Queenscliff Soldier but
late of Lakes Entrance

in the State of Victoria
deceased.



AFFIDAVIT OF EXECUTRIX.



Arthur P. Agg,
Proctor,
Bairnsdale.

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of GEORGE TAYLOR STEPHENS formerly of Hobson Street
Queenscliff Soldier but
late of Lakes Entrance

in the State of Victoria Fisherman deceased

I MARY ELIZABETH STEPHENS formerly of Hobson Street Queenscliff
in the State of Victoria but now
of Lakes Entrance in the State of Victoria
Widow make oath and say—

1. That I am seeking to obtain Probate of the Will
of the above-named George Taylor Stephens deceased
and am of the full age of twenty-one years.

2. The said deceased died on the Nineteenth day of April
One thousand nine hundred and twenty-five as I verily believe.

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

4. The said deceased left a Will bearing date the thirty-first day of
March One thousand nine hundred and seventeen
which is as I believe the last Will and Testament of the said deceased and which is
unrevoked.

5. That the testator was of the full age of twenty-one years at the date of the
execution of the said Will, and has not married since that date.

6. By his said Will the said testator appointed me this deponent Mary
Elizabeth Stephens to be the sole

executrix thereof.

7. The paper writing now produced and shown to me and marked "A" is
the true last Will and Testament of the said deceased as I verily believe.

8. The said Will was executed in the presence of Elizabeth Clarke who then
lived at Cowangie New South Wales Married Woman and who now lives at
Illabo via Junee New South Wales and is still a Married Woman and
Andrew Edward Dunk who then lived at 24 Hunter Street Brunswick and
was an Attendant at the Melbourne Public Library but has now been
dead about five years. The said Elizabeth Clarke is a sister of my
late husband the abovenamed George Taylor Stephens deceased and the
said Andrew Dunk was my own brother.

9. The said deceased left real estate in the State of Victoria not exceeding the value of Five hundred and forty pounds and personal property in the said State not exceeding the value of Four hundred and ninety-one pounds and four pence

*Inventory or Copy statement.

as set out in the* Inventory now produced and shown to me and marked "B".

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 handwriting 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 cause 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 handwriting 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.

11. That the said deceased was at the time of his death a* British Subject by birth.

12. THAT I am the Widow of the said deceased.

SWORN at Bairnsdale in the State

of Victoria this *twenty-third*

day of June One thousand

nine hundred and twenty-five.

Before me

W. E. Stephens
W. A. Brown

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

* State whether a British subject either by birth or naturalization. If neither state nationality.

202581

In the Supreme Court
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL of GEORGE TAYLOR
STEPHENS formerly of Hobson
Street Queenscliff in Victoria
Soldier but late of Lakes --
Entrance in the said State
Fisherman deceased.

AFFIDAVIT OF
PUBLICATION OF NOTICE
AND SEARCHES



BAIRNSDATE.

Proctor for the Applicant.

Australian Printing and Stationery Co.,
435 Little Collins Street, Melbourne.

In the Supreme Court

OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL of GEORGE TAYLOR STEPHENS
formerly of Hobson Street Queenscliff
in the State of Victoria Soldier but
late of Lakes Entrance in the said
State Fisherman deceased.

I DONALD McIVOR COOK of Luscombe Street East Brunswick in the
State of Victoria Law Clerk -----
make oath and say

1. THAT the following advertisement duly appeared in the "Age"
Newspaper published in Melbourne on the 8th day of
May 1925 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 Victoria, in its probate jurisdiction,
"that PROBATE of the last WILL (dated 31st March, 1917), of --
"GEORGE TAYLOR STEPHENS, formerly of Hobson-street, Queenscliff,
"in the said State, Soldier, but late of Lakes Entrance, in the
"said State, Fisherman, deceased, may be GRANTED to Mary Elizabeth
"Stephens, formerly of Hobson-street, Queenscliff aforesaid, but
"now of Lakes Entrance aforesaid, the widow of the said deceased
"and the sole executrix named in and appointed by his said will.

"Dated this 8th day of May, 1925."

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.

5. That I am a Clerk to and in the sole and permanent employ of
C. J. McFarlane & Son only of 420 Little Collins Street Melbourne
in the said State Agents for Arthur Percy Proctor for the Applicant Agg of
Bairnsdale in the said State Proctor for the Applicant.

SWORN at MELBOURNE in the State

of Victoria this 27 day of June

One thousand nine hundred and twenty-five.

Before me

Donald McIvor Cook

[Signature]

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

202581
In the Supreme Court
of Victoria.

IN THE WILL of George Taylor
Stephens formerly of Hobson
Street Queenscliff Soldier
but late of Lakes Entrance in
the State of Victoria Fisher-
man deceased



A F F I D A V I T
of

Constable J.L. Shaw.



Arthur P. Agg,
Solicitor,
Bairnsdale.

In the Supreme Court }
of Victoria }

Probate Jurisdiction.

IN THE WILL of George Taylor
Stephens formerly of Hobson Street
Queenscliff Soldier but late of
Lakes Entrance in the State of
Victoria Fisherman deceased.

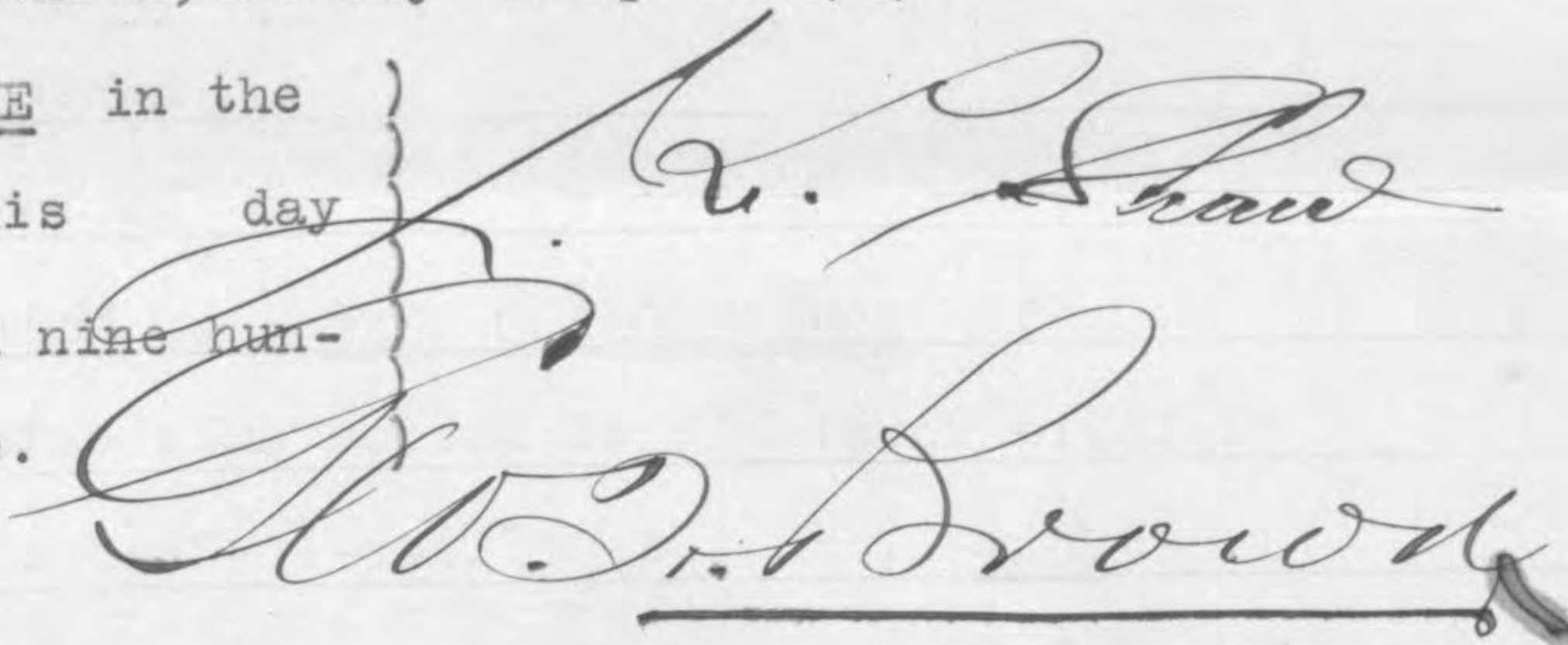
I JOHN LEONARD SHAW of Lakes Entrance in the State of
Victoria Constable of Police make oath and say:-

1. THAT I am the Officer-in-Charge of the Police Station at
Lakes Entrance aforesaid.
2. THAT on the 19th. day of April 1925 I was informed that the
fishing boat "Cooma" had been wrecked outside the Entrance when -
attempting to cross the Bar leading into the Entrance.
3. THAT I immediately proceeded to the Ocean Beach and saw the
boat "Cooma" break in half on the Bar. When I arrived Charles
Honroth had just taken Leslie Dycer Stephens a son of the above-
named deceased from the water and the said Charles Honroth had
not then dressed himself.
4. THAT after putting clothes on the said Leslie Dycer Stephens
I with the assistance of his uncle Thomas David Beyer of Lakes
Entrance Fisherman took him to his home and immediately returned
to the Ocean Beach with the said Thomas David Beyer to look for -
the abovenamed George Taylor Stephens and I could find no trace
of him whatever.
5. THAT I remained for several hours on the said 19th. day of
April 1925 looking for the body of the said George Taylor Stephens
but was not successful in finding same.
6. THAT on the following morning and on three mornings there-
after I with parties of fishermen again searched for the body of
the said deceased but although we found portions of the boat "Cooma"
as far as seven miles distant along the beach to the leeward we -
have never found the body of the said deceased or any portion -
thereof. I believe when the said George Taylor Stephens was -

thrown into the water he was wearing a very heavy woollen -
Cardigan Sweater.

7. THAT by reason of the facts hereinbefore deposed to by me
I say that I am of the opinion that the said George Taylor Steph-
ens died on the 19th. day of April 1925.

SWORN at BAIRNSDALE in the
State of Victoria this day
of June One thousand nine hun-
dred and twenty-five.

A large, cursive handwritten signature in black ink, which appears to read "W. D. Brown". The signature is written over the printed text of the affidavit.

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

202581

In the Supreme Court
of Victoria.

IN THE WILL of George Taylor
Stephens formerly of Hobson
Street Queenscliff Soldier
but late of Lakes Entrance
in the State of Victoria -
Fishermaid deceased.



of

Mr. I. D. STEPHENS.



Arthur P. AEG,
Proctor, Bairnsdale.

In the Supreme Court)
of Victoria)

Probate Jurisdiction.

IN THE WILL of George Taylor Stephens formerly of Hobson - Street Queenscliff Soldier but late of Lakes Entrance in the State of Victoria Fisherman - deceased.

I LESLIE DYCKER STEPHENS of Lakes Entrance in the State of Victoria Fisherman make oath and say:-

1. THAT I am a son of the abovenamed George Taylor Stephens deceased and am of the full age of twenty-five years.
2. THAT on Saturday the 4th. day of April 1925, I commenced fishing with my father the said George Taylor Stephens in the fishing boat "Cooma". For a couple of weeks we fished in the vicinity of Lakes Entrance but as schnapper were not too plentiful we left at about 2 am. on the morning of April 19th. to go to Stockyard Hill, a fishing ground about 25 miles west of Lakes Entrance. We had a good wind all the way and arrived there at about 6 am. and immediately commenced fishing. As the wind, - which at this time was about north-west, became too strong to allow us to drift slowly as it is usual when schnappering, we left to come home at about 8 a.m. As we got nearer home the wind veered round to the south-west and brought up a big sea - with it. When within a mile of the Entrance, we noticed that the "Bar smooth" signal was at the mast head of the Pilot Station, so decided to run up close to the Bar and see if it was - possible to enter. Arrived off the Bar shortly before 11 a.m., hove to, and after watching for some minutes, decided it was - smooth enough to cross. Started in but when nearly on the Bar noticed three big seas right astern, so turned and went out - again. After waiting and watching for about 10 minutes, we decided to have another try, but when about half way over the

Bar, the boat was hit by a tremendous sea on the port quarter. This sea half filled the boat and an equally big sea immediately following, turned the boat completely over. I was thrown under the boat, but managed to work my way out, the pressure of water pulling off my long rubber boots at the same time. The moment I got to the surface, I looked about for my father, and saw him reach a fish box which he hung on to. I then turned and swam towards some wreckage and did not see my father again, notwithstanding the fact that I looked for him as soon as I got hold of a piece of the main boom. Seas were breaking around us every few seconds and it was impossible to hold anything and on reaching the surface after every wave broke, it was necessary to get a fresh hold of anything handy. Once clear of the Bar, I found the tide, which was ebbing, was carrying me out across the Eastern Spit and out to sea. I managed to work my way across to a portion of the aft decking and holding on to this, and sitting on the boom, I had a good look in every direction, but could see no sign of my father. After about a quarter of an hour, I found my legs getting very cold and as the tide was sweeping me out, I decided to try and swim ashore, although I had little hope of success. After going about fifty yards, I found that my clothes were hampering me, so I with difficulty swam back to my pieces of wreckage and divested myself of everything except singlet. I then started again, but made for the shore some distance to the east of the Entrance, as the tide was sweeping that way, but at the same time, offshore. After about 2 hours, I got to about fifty yards from the beach when Charles Honroth, a well known Melbourne wrestler, came out and assisted me ashore. Clothes were put on me, and I was taken home by my uncle, Thomas David Beyer, and the local policeman, Constable Shaw, who both returned to the beach and watched for any trace of my father, but found none. The policeman and parties of fishermen were out on the beach for several mornings, after the 19th. April 1925 but nothing has been found, except portions of

the boat, which was smashed into small pieces by the sea that capsized her.

3. THAT by reason of the facts hereinbefore deposed to by me, I say that the said George Taylor Stephens died on the 19th. day of April 1925.

SWORN at BAIRNSDALE in the State of Victoria this *twenty third* day of - June One thousand nine hundred and twenty-five.

L. D. Stephens

Before me

G. H. Brown

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

MADE IN NORWAY

ORIENT BOND

202581

COPY/

WILL

of

MR. G. T. STEPHENS.

ORIENT

BOND

NORWAY

MADE IN NORWAY

ORIENTAL BOND

THIS IS THE LAST WILL AND TESTAMENT made this 31st day of March
 in the year of our Lord one thousand nine hundred and 17 of ---
 George Taylor Stephens Soldier of Hobson Street Queenscliff --
 Victoria I HEREBY APPOINT Mary Elizabeth Stephens Executrix -
 of this my Will. I GIVE DEVISE AND BEQUEATH all my real and -
 personal proverty of which I may die possessed to my wife Mary
 Elizabeth Stephens of Hobson St. Queenscliff.

SIGNED by the said Testator and by him)
 declared to be his last Will and -----)
 Testament in the presence of us both)
 present at the same time who in his --) Signature G. T. STEPHENS
 presence at his request and in the ---)
 presence of each other have hereunto -)
 subscribed our names as witnesses.)

1st Witness - Name Elizabeth Clarke
 Address Cowangie
 Occupation Married
 2nd Witness - Name A. E. Dunk
 Address 24 Hunter St.
 Occupation Attendant.

MADE IN NORWAY

ORIENTAL BOND

ORIENTAL BOND

202581

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will of George Taylor
Stephens formerly
of Queenscliff Soldier but
late of Lakes Entrance

in the State of Victoria Esq. Sheriffman
deceased



INVENTORY.



Arthur P. Agg,
Proctor
Bairnsdale.

" B "

In the Supreme Court

OF VICTORIA.

(PROBATE JURISDICTION)

This is the inventory marked " B " produced and shewn to Mary Elizabeth Stephens at the time of swearing her Affidavit herein, sworn this twenty-third day of June 1925 Before me,

W. B. Brown

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

IN THE WILL of George Taylor Stephens formerly of Hobson Street Queenscliff in the State of Victoria Soldier but late of Lakes Entrance in Victoria Fisherman deceased.

INVENTORY OF ASSETS.

	£	s.	D.
REAL ESTATE			
1. <u>ALL THAT</u> piece of land being Lots 16, 17, 18, 19 and 20 on Plan of Subdivision No. 3640 lodged in the Office of Titles and being part of Crown Allotment 67 Township and Parish of Colquhoun County of Tambo and also being the whole of the land more particularly described in the Certificate of Title entered in the Register Book Volume 4528 Folio 905584, the whole together with improvements thereon being valued by the Tambo Shire Council at the sum of	400	.	.
2. <u>ALL THAT</u> piece of land being Lots 21, 22, 23, 24 and 25 on same Plan of Subdivision and being part of Crown Allotment 67 Township of Lakes Entrance Parish of Colquhoun County of Tambo and also being the whole of the land more particularly described in the Certificate of Title entered in the Register Book Volume 4882 Folio 976278, the whole together with improvements thereon being valued by the Tambo Shire Council at the sum of	140	.	.
CARRIED FORWARD	£ 540	.	.

BROUGHT FORWARD	...	...	..	£	540	.	.
PERSONAL ESTATE.							
Land held under any lease or licence	...			£	5	.	.
Improvements	...	...	...		30	.	.
Rents	...	...	...	Nil			
Crops	...	...	...	Nil			
Live Stock	...	...	...	Nil			
Farming Implements	...	...		Nil			
Carriages, &c.	...	...	...	Nil			
Harness and Saddlery	...	...		Nil			
Furniture	...	...	...		90	.	.
Salary or Wages	...	...	...	Nil			
Pensions	...	...	...	Nil			
Compensation on retirement or loss of office	...	...	}	Nil			
Watches, Trinkets, Jewellery, &c.	...			Nil			
Other Personal Effects, Clothing, &c.	...			Nil			
Money in hand or house	...	...		Nil			
Money in Bank or Building Society, } Current Account	...	...	}	Nil			
Money in Bank or Building Society, } Deposit	...	...	}	Nil			
Interest on same	...	...	.....	Nil			
Debentures	...	...	...	Nil			
Bonds	...	...	..	Nil			
Mortgages	...	...	...	Nil			
Interest on Money, Debentures, Bonds, } Mortgages, &c., to date of death			}	Nil			
Life Policies	...	...	...		200	.	.
Bonuses	...	...	...		117	.	.
Shares	...	...	...		20	.	.
Dividends	...	...	...	Nil			
Plant, &c.	...	...	...		15	.	.
Tools	...	...	...	Nil			
Debts due to the Estate	...	...			14	.	4
Interest in a Partnership Business	...			Nil			
Goodwill	...	...	...	Nil			
Interest in a Deceased Person's Estate				Nil			
Stock in Shop or Business	...	...		Nil			
TOTAL ASSETS					£	1031	0 4

Dated this *Twenty-third* day of June 1925.

M. E. Stephens

202581

In the Supreme Court

OF THE STATE OF VICTORIA

4119

PROBATE JURISDICTION

IN THE W I L L

of GEORGE TAYLOR STEPHENS

formerly of Hobson Street
late of Queenscliff in Victoria Soldier
but late of Lakes Entrance

in the State of Victoria Escherman
deceased



P R A E C I P E

On Application to the Registrar to grant
Probate of the Will of the
above-named deceased.



*DD granted deceased
presumed to have died
in 19th April
1975
20.6.75*

C. J. MCFARLANE & SON
420 Little Collins Street
MELBOURNE

Agents for/

ARTHUR P. AGG,
Bairnsdale.

Proctor for the Applicant.

Australian Printing and Stationery Co., Melb.

19.4.75