

203463

IN THE SUPREME COURT

OF VICTORIA.

10/10/10

PROBATE JURISDICTION.

IN THE Will

of John Robert Murphy
late of Blacklawn & Caulfield
in the State of Victoria
deceased

ORDER

FOR

Probate

11/20

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN the Will of John Robert Murphy
late of Balacalva Road Caulfield
in the State of Victoria Gentleman deceased

BEFORE THE REGISTRAR.

THE



day of

June 1925

UPON APPLICATION this day made by the Proctor for the applicant and upon
reading the several affidavits of *Cecil Joseph LeGrand and Herbert*
Cecil Godfrey

respectively sworn and filed herein

THIS COURT DOTH ORDER that *Probate*
of the said *Will*
be granted to *Herbert Cecil Godfrey*
of *No. 325 Collins Street Melbourne*
of Balacalva Road Caulfield
in the State of Victoria *Solicitor*
the *Executor appointed by the said Will*



BY THE COURT

Nochelly

Registrar of Probates.

1 Jan 203463
In the Supreme Court
of Victoria.

IN THE PROBATE JURISDICTION.

IN THE WILL OF John Robert Murphy late of the Port
Balcombe Road Captain
United States of Victoria
Gentleman deceased

PROBATE.

I certify that the sum of Seven hundred
and forty four pounds three shillings
and six pence
the Duty hereon has been paid.

John Murphy.
John Murphy
29915

Harston & Co. Ltd. & Partners, Melb.

~~John Murphy~~
John Murphy
29915
Melbourne

In the Supreme Court }
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE WILL OF *John Robert Murphy of Balaclava
Road Caulfield in the State of Victoria
Gentleman*

BE IT KNOWN that on the

24th

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 *John Robert
Murphy*

late of *Balaclava Road Caulfield in the State of Victoria
Gentleman* Twenty ninth day of April

deceased who died on the 29th 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 *Three thousand pounds*

If no "real
estate" or no
"personal
estate" same
must be stated.

and personal estate within the jurisdiction, sworn not to exceed in value *Two
thousand and nine pounds*

was proved by *Herbert Cecil Godfrey of 325 Collins
Street Melbourne Solicitor*

the executor named therein, he having been first sworn that he would
well and truly collect and administer according to law the estate of the said
John Robert Murphy 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 his administration of the said estate within fifteen months of the
said order.

Given at Melbourne this

September

29th day of
in the year of our Lord One thousand

nine hundred and twenty five

Thos. Kelly.

H. W. S. 8/7/25

Registrar of Probates.

203463

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION

IN THE WILL of

JOHN ROBERT MURPHY

late of Balaclava Road, Caul-
field,
in the State of Victoria, Gentleman

deceased.

AFFIDAVIT OF EXECUTOR.



Godfrey & Godfrey
325 Collins Street
Melbourne.

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL of JOHN ROBERT MURPHY,

late of Balaclava Road, Caulfield,
in the State of Victoria, Gentleman,

...
... deceased

I, HERBERT CECIL GODFREY, ...

of 325 Collins Street, Melbourne, - in the State of Victoria
Solicitor, ... make oath and say—

1. That I am seeking to obtain Probate of the Will
of the above-named John Robert Murphy ... deceased
and I am of the full age of twenty-one years.

2. The said deceased died on the 29th day of April
One thousand nine hundred and twenty five.

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

4. The said deceased left a Will bearing date the 24th day of
July One thousand nine hundred and eleven, ...
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.

6. By his said Will the said testator appointed me this deponent, sole

executor 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 Ernest Edwin Louis Seehof then
and now of Inkerman Road, Caulfield, Law Clerk, and Harry Cheese then
of Osborne Street, South Yarra, Law Clerk, now deceased.

9. The said deceased left real estate in the State of Victoria not exceeding the value of Three thousand pounds - and personal property in the said State not exceeding the value of Ten thousand and nine pounds

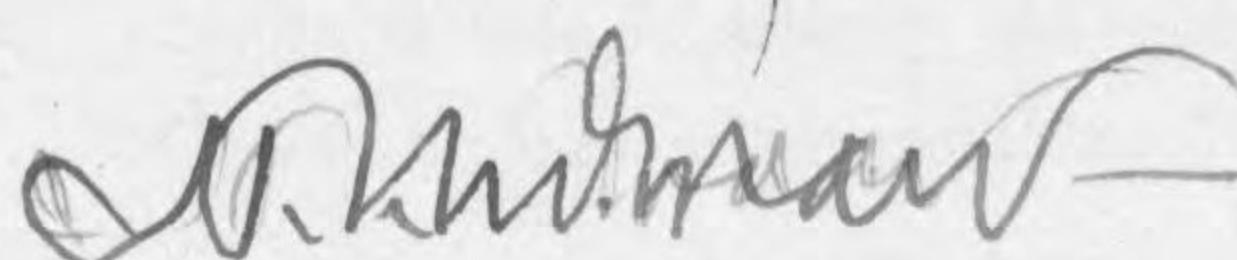
Inventory or Copy statement as set out in the Inventory now produced and shown to me and marked B

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 executor 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.

SWORN at Melbourne in the State
of Victoria this 18/—
day of May June One thousand
nine hundred and twenty five.

Before me



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

203463

for the Supreme Court

Private Production

in the will of John
Robert Murphy late
of Daleclere Road
Baulfield Genteman
deceased



Plaintiff
in the will of
John Robert Murphy



Godfrey & Godfrey
325 Collins Street
Melbourne

In the Supreme Court
of Victoria

Probate jurisdiction

In the will of John Robert Murphy late
of Balaclava Road Caulfield Gentleman
deceased.

I Ernest Martin Godfrey of 325 Collins
Street Melbourne Solemnly make oath and say
as follows:

- 1 That I was well acquainted with the said
John Robert Murphy above described for more than
thirty years preceding his decease.
- 2 That the said John Robert Murphy was over
the age of 21 years at the time of making his last
will dated the 24th day of July 1911 and filed herein.
- 3 That the said John Robert Murphy has not
married since the 24th day of July 1911 aforesaid.

Sworn at Melbourne in the State
of Victoria this 24th day of June
1925

Wm. Mulrooney

Before me

Wolpe

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

203463

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will
of John Robert Murphy
late of 102a, 103a, & 104a, Collingwood
in the State of Victoria, Jeunean
deceased

Affidavit of Publication of Notice
and of Searches.



Harston, Partridge & Co. Pty. Ltd., Printers, Melb.

102a, 103a, &
104a, Collingwood
Melbourne

In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA

IN THE Will

of John Robert Murphy

late of Balaclava Road Caulfield

in the State of Victoria Gentleman

deceased

I Cecil Joseph Le Grand
of Many Street Hawthorn
in the State of Victoria Law Clerk
make oath and say—

1. That the following advertisement duly appeared in the *Argus* newspaper published in Melbourne on the *eight* 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 the State of Victoria in its Probate Jurisdiction that *Probate of the Last Will (dated the 24th day of July 1911) of John Robert Murphy of Balaclava Road Caulfield in the said State Gentleman deceased be granted to Herbert Cecil Godfrey of 325 Collins Street Melbourne in the said State Solicitor the executor appointed by the said will*

Dated this 8th day of May 1925.

*Godfrey and Godfrey 325 Collins Street Melbourne
Proctors for the applicant.*

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 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 in the employment of mess^{rs} Godfrey & Godfrey.

SWORN at Melbourne in the
State of Victoria this *19th* day of
June One thousand nine
hundred and twenty five

Before me

W. H. Whyte

W. H. Whyte

203463

DATED 24th Jany. 1911.
- - - - -

Copy ✓

WILL

o f

JOHN ROBERT MURPHY, Esqre.

- - - - -

THIS IS THE EAST WILL AND TESTAMENT of me JOHN ROBERT MURPHY, of
The Fort Balaclava Road Caulfield in the State of Victoria Gentleman
I appoint Herbert Cecil Godfrey of Collins Street Melbourne Solicitor
as Executor and Trustee of this my Will. I bequeath to my wife -
Josephine Lillian Murphy a legacy of One hundred pounds to be paid to her
out of the first moneys coming to the hands of my said Executor and -
Trustee, I bequeath to my wife the wines liquors fuel and other consum-
able household stores and provisions and the linen china and glass of
which I shall die possessed I bequeath to my wife during her life so
long as she shall remain my widow the use and enjoyment of the household
furniture jewellery and effects not hereinbefore bequeathed and upon her
death or remarriage I bequeath the same to my child or children absol-
utely. I give devise and bequeath my mare Keyless and all her progeny
and my half share in the pony Ring to George Cuming of Sunbury I give
✓ devise and bequeath all my estate and interest in the real estate in
the City of Melbourne under the Will of my late father James Murphy unto
my son John Robert Murphy AND as to the rest of my estate and effects
both real and personal I devise and bequeath the same unto my said -
Executor and Trustee UPON TRUST to sell and convert into money my said
real and personal estate or such parts thereof as may be of a saleable
or convertable nature and to get in the other parts thereof with dis-
cretionary power to postpone for such period as shall seem expedient -
such sale calling in or conversion and to stand possessed of the moneys
arising from such sale calling in or conversion upon trust after paying
my just debts funeral and testamentary expenses to invest the proceeds
of such calling in or conversion on such securities as my said Executor
and Trustee shall think proper AND to pay one half of the income aris-
ing therefrom to my wife during her life so long as she shall remain my
widow AND out of the other half of the income to apply such sum towards
the maintenance and education of my child or children as my said Execu-
tor and Trustee shall deem sufficient until such child attains the age
of twenty one years and as to the balance of the income to hold the same
in trust for my child or children in equal shares and to pay such -
accumulated investments to my child or children upon the youngest attain-

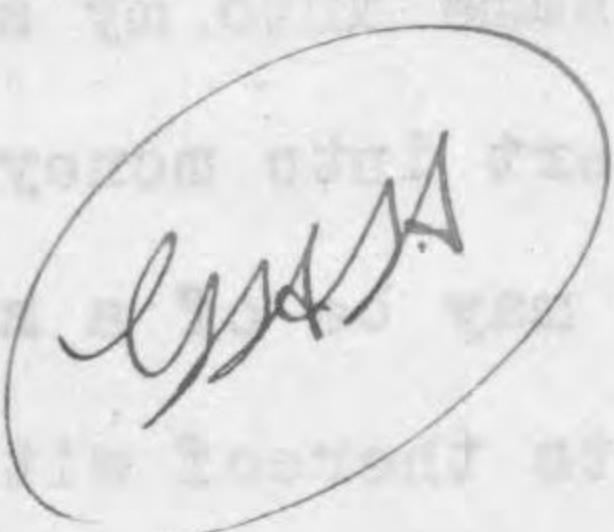
ing the age of twenty one years AND on my said youngest child attaining such age to pay the share of the half of the income from my estate as set out above to them in full until the death or remarriage of my widow and upon such death or remarriage I direct my trustee to divide all my real and personal estate amongst my child or children in equal shares. IN WITNESS whereof I the said John Robert Murphy have to this my last Will and Testament hereunto set my hand this 24th day of July One thousand nine hundred and eleven.

SIGNED by the said JOHN ROBERT MURPHY as and for his last Will and Testament in the presence of us both present at the same time who at his request in his sight and presence and in the presence of each other have hereunto subscribed our names as witnesses

J. R. Murphy

Ernest E. L. Seehof
Law Clerk
Melbourne.

H. Cheese
Law Clerk
Melbourne.



In the Supreme Court of

Victoria

203463

What jurisdiction

In the hearing of the Robert
Murphy Case of Balclutha
Road Councilor's influence
increased.



Sophy Murphy
32 - George St
Wellington

"B"

I N V E N T O R Y.

REAL ESTATE.

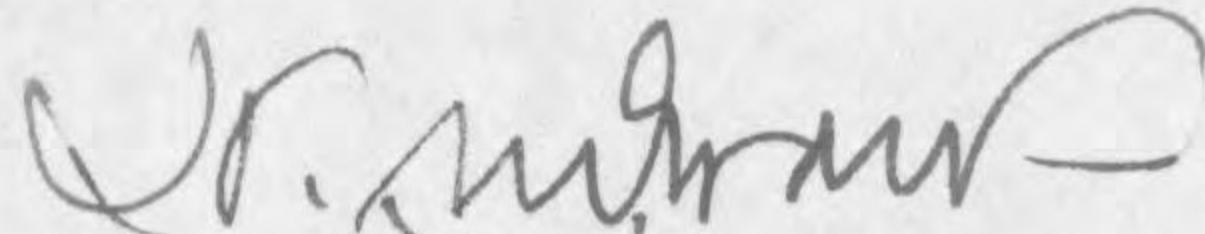
Land at corner of Balaclava Road and Holland Grove,)
)
Caulfield, having a frontage of 106 feet --inches)
)
to Balaclava Road by a depth along Holland Grove of)
)
274 feet - - - - - on which is a Brick Villa)
)
known as "The Fort", and outbuildings.) £3000

PERSONAL ESTATE.

Furniture	£25
Watches, trinkets, Jewellery and personal effects	20
Motor Car	150
Debts due to estate	2244
Interest in Estate of James Murphy decd.	7000
Interest in Estate of M. Steavenson	150
Mortgages	420
<hr/>	
	£10,009

This is the Inventory marked B produced and shewn to Herbert Cecil
Godfrey on his swearing his affidavit herein this 18th day of -

June 1925 - Before me -



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

In the Supreme Court
of Victoria 203463

Probate Jurisdiction

~~3974~~
in the Will of John Robert
Murphy late of Praeclava
Road Carpenter Gentleman
deceased



Precept
for
Probate



48 Licensed
52 Strand St
24th April 1881

Godfrey & Godfrey
325 Collins St
Melbourne
29-4-25