

In the Superior Court

Probate Jurisdiction

In the Will of Sophia  
Smith late of Beechworth  
in Victoria Widow  
deceased

Affidavit of lowest  
Search



Geo. Miles  
Proctor  
Melbourne



In the Supreme Court  
of Victoria

Probate Jurisdiction

In the Will of Sophia Smith -  
late of Beechworth - in Victoria  
Widow deceased

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I Neil Walker of Chancery Lane Melbourne  
in Victoria Law Clerk make oath and say  
1 That I have this day searched in the  
proper office of this Honorable Court and find that  
no caveat is lodged in this matter

Sworn at Melbourne in }  
Victoria this twentieth }  
day of May A.D. 1892 }  
Before me

Neil Walker

Wm Macdonald

A Commissioner of the Supreme Court of Victoria for taking Affidavits

48/908

In the Supreme  
Court

Proble Jurisdiction

In the Will of John  
Smith. late of Rowland  
in the County of Victoria  
To show success

Applicant of  
Frederick Brown  
as to Alterations in  
Will &c



J. Miles  
Proctor  
Melbourne

In the Supreme Court  
of Victoria,

Probate Jurisdiction

In the Will of Sophia Smith, late  
of Beechworth in the Colony of  
Victoria Widow deceased.

I Frederick Brown of Beechworth in the Colony  
of Victoria Barrister at Law make oath and say

1 That I was well and intimately acquainted  
with the above named Sophia Smith deceased.

2 That I received a message from <sup>her</sup> that she wished  
to see me as soon as possible, and I immediately waited  
on her and saw her on her sick bed on the morning of  
the twenty fifth day of March last, when she gave me  
instructions to prepare her Will without loss of time.

3 That I did so from her dictation, and on reading  
it over to her I discovered that in describing the second  
request of Shares in the "Rocky Mountain Extended  
Gold Mining Company Limited" I had inadvertently  
written the word "Extended" between the words "Company"  
and "Limited" and ran my pen through the same.

4 That Testatrix was very weak, and most anxious  
to complete the matter, or I should have rewritten the  
document, but she was of sound mind -

5 That the said Will was not read over in the  
presence of the two witnesses William Telford and  
Archibald Macnaught Morrison, but they were called  
into the room as soon as I had read the same to Testatrix

6 That I was present when Testatrix signed the  
Will and also when the two witnesses signed the same,  
aspiring to hold up and support the Testatrix in a fitting

position in her bed as she signed the same and watched  
the witnesses sign the same.

Her extreme weakness was the cause of her signatures  
being so badly written. She was an educated woman.  
That the signatures "S. Smith," "William Telford"  
and "A. M. Morrison" are respectively the proper  
handwriting of the said Testatrix Sophia Smith,  
and the witnesses William Telford and Archibald  
Macnaught Morrison.

Frederick Brown

Sworn at Beechworth in  
the Colony of Victoria this  
Sixth day of May 20 1892  
Before me

F. A. Martin

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

In the Supreme Court  
Probate Jurisdiction

In the Will of Sophia  
Smith late of Beechworth  
in Victoria widow  
deceased

Applicant of publication  
and Will search



Thos Miles  
Proctor  
Melbourne

In the Supreme Court  
of Victoria

Probate Jurisdiction

In the Will of Sophia Smith ~  
late of Beechworth ~ in Victoria  
Widow deceased

I Neil Walker ~ of Chancery Lane Melbourne in  
Victoria Law Clerk make oath and say

1. That the following advertisement duly appeared in  
the Daily Telegraph newspaper published in Melbourne on  
the twentieth day of April AD 1892 namely

WMS Notice is hereby given that after <sup>fourteen</sup> # days from publication  
WMS hereof application will be made to the Supreme Court  
of Victoria the colony of Victoria that Probate of the  
last Will and Testament of Sophia Smith late  
of Beechworth Widow deceased be granted to  
Frederick Brown of Beechworth aforesaid  
Barrister the sole Executor therein named.  
Dated this 19<sup>th</sup> April 1892 "

2. That I have searched and find that no Will of the  
above named deceased is deposited in the office of the  
Registrar General

Sworn at Melbourne in Victoria  
this tenth ~ day of  
May - AD 1892 Before me

Neil Walker

Wm Macdonald

A Commissioner of the Supreme Court of Victoria for taking Affidavits

In the Supreme Court  
Probate Jurisdiction

In the Will of Sophia  
Smith late of Beechworth  
in Victoria Widow  
deceased

Affidavit of Devent  
Search



MASTERS-IN-EQUITY'S OFFICE  
FILED  
12 MAY 92  
Melbourne  
Proctor  
No. 111

In the Supreme Court  
of Victoria

Probate Jurisdiction

In the will of Sophia Smith ~  
late of Breechworth ~ in Victoria  
Widow deceased

I Neil Walker of Chancery Lane Melbourne in  
Victoria Law Clerk make oath and say  
1. That I have this day searched in the proper  
office of this Honorable Court and find that no caveat  
is lodged in this matter

Sworn at Melbourne in  
Victoria this twelfth -  
day of May - AD  
1892 Before me

Neil Walker

Wm. Donald

A Commissioner of the Supreme Court of Victoria for taking Affidavits

In the Supreme Court  
Probate Jurisdiction  
of the Colony of Victoria  
In the Will of John Smith  
Smith late of Geelong

in the Colony of Victoria  
Widow deceased

Statement & Affidavit



Mr Miles  
Proctor  
Melbourne

In the Supreme Court  
of the Colony of Victoria } Probate Jurisdiction

In the Will of Sophia Smith ~  
late of Beechworth ~ in the Colony  
of Victoria Widow deceased

I Frederick Brown of Beechworth in Victoria  
Barrister at Law make oath and say

1 That the paper writing hereunto annexed marked "A"  
contains a true statement of all and singular the Real  
and Personal estate of or to which the above named deceased  
was at the time of her death possessed or entitled that the  
values thereof as therein set forth are the true and full values of  
the several particulars therein mentioned respectively and that  
the liabilities <sup>therein</sup> stated are justly due thereon and that the  
balance of Five hundred and seventy pounds ten shillings  
and ten pence ——— therein appearing is the full  
nett value of the said Real and Personal estate

1 That to the best of my knowledge information and belief  
the said deceased did not within the space of two years preceding  
the date of her death convey or otherwise dispose of for other  
than adequate valuable consideration any real and personal  
property of which she was seized or possessed

Sworn at Beechworth  
in the Colony of Victoria this  
Second day of May  
AD 1892

Before me

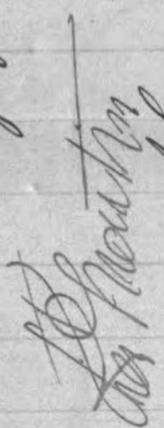
*[Signature]*

Fred<sup>r</sup> Brown

A Commissioner of the Supreme Court of Victoria for taking Affidavits

State

# Liabilities

This is the statement marked "A" referred to in the annexed affidavit of Frederick Brown, sworn this second day of May A.D. 1892  
 Before me  
  
 J. P. Newton  
 C. Commissioner etc

			£	s	d
William Salford	Beckwith	rent	31	14	6
A. G. Hony	"	vegetables		4	
J. Fletcher	"	Age Newspaper	1	0	6
J. O. Dalton	"	Meat		10	
A. H. Howard	"	Flour & vegetables	1	3	6
Garrison & Taylor	"	Dues	1	14	9
A. Lalton	"	Groceries		15	7
Crown Investment Co.	Melbourne	Calls	16	5	
W. J. Green	Beckwith	Groceries	1	10	8
Blackwell & Henderson	"	Meat		19	7
D <sup>r</sup> Dobson	"	Medical attendance	3	3	
J. Keenan	"	Fire wood		6	6
Andrews & Co.	"	Ironmongery		10	
Mary Griffiths	"	Wages	2		
			61	19	1
Balance			570	10	10
			£632	9	11

In the Supreme Court  
148/918  
Probate Jurisdiction

In the Will of Sophia  
Smith  
late of Beechworth -  
in Victoria Widows  
deceased

Adavit promising  
full administration



Pro. Rules  
Proctor  
Melbourne

In the Supreme Court  
of the Colony of Victoria

Probate Jurisdiction

In the Will of Sophia Smith ~  
late of Beechworth ~ in Victoria  
Widow deceased.

I Frederick Brown of Beechworth in Victoria  
Barrister-at-Law make oath and say

1. That I am seeking to obtain Probate of the Will  
of Sophia Smith above described deceased

2. That if I obtain such 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 her death which at any time  
after shall come to the power or control hands or possession  
of me as her executor or of any other person or  
persons for me

3. 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 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 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 Victoria }  
this second day of } John Brown  
May. AD 1892 }  
Before me  
A. Martin

A Commissioner of the Supreme Court of Victoria for taking Affidavits