

In the Supreme Court  
of the Colony of Victoria

In re Estate of Benjamin (Deceased)

In the will of John Benjamin (Deceased)  
annexed called John Down call of  
the Act of Settlement in the Colony  
of Victoria, Canadian deceased.

12/ 519

Statement  
and Affidavit verifying same.



Approved & allowed  
balance for duty under  
2nd Section Act 1450

(1057)

W. J. J. J.

D. Graham  
for Petitioner  
Melbourne



— Debts due to unsecured creditors. —

Nil.

Balance Statement

Total estimated value of personal estate as above £500. 0. 0

The like of real estate

£500. 0. 0

Deduct amount of the debts due by the deceased as above 50. 0. 0

Balance remaining after deducting the amount  
of the debts from the value of the estate of  
the said John Benjamin Donoghue deceased } £450. 0. 0

Martin Lucia <sup>allareda</sup> Donoghue

I Certify the amount chargeable with duty is  
Four hundred & fifty pounds under 24<sup>th</sup> section

W. G. Cair  
1/10/75

In the Supreme Court  
of the Colony of Victoria

In its Probate jurisdiction

In the Will of John Benjamin Donoghue commonly called  
John Dunn late of the City of Melbourne in the Colony of  
Victoria Comedian deceased

N.I.C.

I Maria Louisa Donoghue of Gardiners Creek Road fourth Yarra near the City of  
Melbourne in the Colony of Victoria Widow of the above named John Benjamin Donoghue deceased  
make oath and say.

1. That the above named John Benjamin Donoghue departed this life on the seventeenth  
day of August one thousand eight hundred and seventy five.

2. That Probate of the Will of the said John Benjamin Donoghue deceased was on the twenty  
seventh day of September one thousand eight hundred and seventy five granted by this Honorable  
Court in its Probate jurisdiction to me as the sole executrix named in and appointed by the said Will.

3. That the statement herunto annexed marked with the letter 'A' is to the best of my  
knowledge information and belief true and correct in all and every the items particulars values  
and amounts therein contained and set forth.

4. That the total value of the real and personal estate of the said deceased does not  
N.I.C. as I verily <sup>believe</sup> amount to more than Four hundred and fifty pounds after payment of all  
debts due and owing by him at the time of his death.

5. That the said John Benjamin Donoghue left me his widow him surviving.

6. That under and by virtue of the said Will of the said deceased I am  
the only person entitled to the estate and effects of the said deceased.

Sworn at Melbourne  
in the Colony of Victoria  
this thirtieth day of  
September A.D. 1875  
Before me

Maria Louisa Donoghue

Commissioner of the Supreme Court of the Colony of Victoria for taking Affidavits

In the Supreme Court  
of the Colony of Victoria

In the Probate Jurisdiction

~~Ex~~ 519

Copy

Probate

of the Will of John  
Bourne of Melbourne commonly  
called John Bourne late of  
the City of Melbourne in the  
Colony of Victoria (deceased)  
deceased.

I Certify that the sum of  
two pounds five shillings  
for duty upon this Probate  
has been paid

Geo. Blair.

Received £45/-

11/10/72

1057

J. Graham  
the Solicitor General  
Melbourne

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

In the Will of John Benjamin Donoghue commonly  
called John Dunn late of the City of Melbourne in  
the Colony of Victoria Comedian deceased.

Be it known by these Presents that on the twenty seventh  
day of September one thousand eight hundred and seventy  
five Probate of the last Will and Testament of John  
Benjamin Donoghue commonly called John Dunn late of  
the City of Melbourne in the Colony of Victoria Comedian  
deceased (a true copy whereof is herewith annexed) was and  
is hereby granted to Maria Louisa Donoghue the sole  
Executrix named in and appointed by the Will of the  
said deceased the said Maria Louisa Donoghue having  
been first duly sworn that the said John Benjamin  
Donoghue departed this life on the seventeenth day of  
August one thousand eight hundred and seventy five  
and that she will pay all the just debts and  
legacies of the said deceased as far as the property  
left by him will extend and the law bind her so  
to do And that she will well and truly collect  
and administer according to the best of her <sup>knowledge and</sup> 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 and control hands or possession of her as  
his executrix or of any person or persons for her and  
that she will make a 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 her or to the hands or possession

of any other person a person for her and the same  
so made will sign with her 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 of  
the said Order And further that she will make  
a cause to be made a true and just account of  
the administration of the estate which she has  
undertaken as to her receipts and disbursements  
and as to what portion is returned by her and what  
portion remains uncollected and the same so made  
will sign with her 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

Testator sworn to next ensuing the said order pursuant to the rules  
have died on the of this Honorable Court And that she believed the  
17<sup>th</sup> day of August 1855 property of the said deceased did not exceed in  
value the sum of Four hundred and fifty pounds.

Property sworn  
at £450  
JLB

Dated at Melbourne in the Colony of Victoria  
the twenty seventh day of September one thousand  
eight hundred and seventy five

R. W. Pohlman

Acting Master in Equity

Ed  
W.H.N.

Witnessed 3/10/75  
In the Supreme Court  
of the Colony of Victoria  
13/3/79

In the Probate Jurisdiction

In the Will of John Benjamin  
Barnes commonly called  
John Barnes late of the City  
of Melbourne in the Colony  
of Victoria deceased

Order for Probate

  
21/7/75

J. A. Graham  
14 Collins Street  
Melbourne

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

In the Will of John Benjamin Donoghue  
commonly called John Dunn late of the City  
of Melbourne in the Colony of Victoria Comedian  
deceased

Monday the twenty seventh day of September  
in the year of our Lord one thousand  
eight hundred and seventy five.

Upon reading the two several affidavits of Maria  
Louisa Donoghue and the affidavit of Samuel  
Gabriel Pirani respectively sworn and filed herein  
It is ordered that Probate of the said Will be  
and the same is hereby granted to the said  
Maria Louisa Donoghue the sole executrix named  
in and appointed by the said will.

By the Court

*W. H. H. H.*  
Registrar

David Abraham

Proctor for the said Maria Louisa Donoghue  
14 Collins Street West  
Melbourne