

177306

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto
of CHARLES BROUGH late of Nepean
and Bay Roads Moorabbin in the
State of Victoria Market Gardener
deceased

ORDER FOR PROBATE

Maddock Jamieson & Lonie,
Proctors,
136-138 Queen Street,
Melbourne.

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto of CHARLES BROUGH
late of Nepean and Bay Roads Moorabbin in the State
of Victoria Market Gardener deceased.

BEFORE THE REGISTRAR

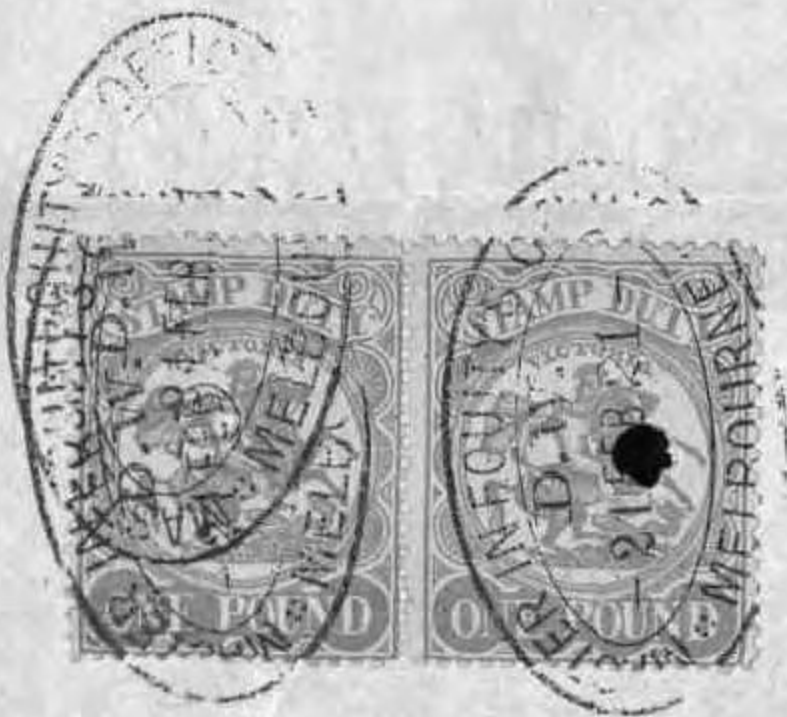
THE *Tenth* day of *February* 1921
=====

UPON APPLICATION this day made by the Proctor for the Applicants
AND UPON READING the several Affidavits of Mary Brough, George John
Brough, Horace Walter Brough and Stanley Harold Calder respectively
sworn and filed herein THIS COURT DOTH ORDER that PROBATE of the WILL
and CODICIL thereto of the said CHARLES BROUGH late of Nepean and Bay
Roads Moorabbin in the State of Victoria Market Gardener deceased be
granted to MARY BROUGH of Nepean and Bay Roads Moorabbin in the State
of Victoria, ^{Widow} and GEORGE JOHN BROUGH and HORACE WALTER BROUGH both of
Bay Road Moorabbin in the said State Market Gardeners respectively the
Executrix and Executors named in and appointed by the said Will.

BY THE COURT

Marker

Registrar of Probates



177306

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto
of CHARLES BROUGH late of Nepal
and Bay Roads Moorabin in the
State of Victoria Market --
Gardener deceased

P R O B A T E

② I certify that the sum of
£137/4/8. is the net balance
has been paid.

K. H. Wells
Commissioner of Probate
207.21

Maddock Jamieson & Lorie,
Proctors,
136-138 Queen Street,
Melbourne.

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto of CHARLES BROUGH late of Nepean and Bay Roads Moorabbin in the State of Victoria Market Gardener deceased.

B E I T K N O W N that on the *Seventeenth* day of *February* in the year of our Lord One thousand nine hundred and twenty-one the Will and -- Codicil thereto (true copies of which are hereunto annexed) of CHARLES BROUGH late of Nepean and Bay Roads Moorabbin in the State of Victoria Market Gardener deceased who died on the fifteenth day of May One thousand nine hundred and twenty and who had at the time of his death Real Estate within the Jurisdiction sworn not to exceed in value Two thousand seven hundred and sixty-five pounds and Personal Estate within the Jurisdiction sworn not to exceed in value Three hundred and ninety-seven pounds fifteen shillings and sevenpence were proved by MARY BROUGH of Nepean and Bay Roads Moorabbin in the State of Victoria Widow of the said deceased GEORGE JOHN BROUGH and HORACE WALTER BROUGH both of Bay Road Moorabbin in the said State Market Gardeners respectively the Executrix and Executors named in and appointed by the said Will they having been first sworn that they would well and truly collect and administer according to law the Estate of the said Charles Brough 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 their -- administration of the said Estate within fifteen months of the said Order. This Grant is made upon the condition that no portion of the Assets shall be distributed or paid during the War to any Beneficiary or Creditor who is a German, Austro-Hungarian, Turkish or Bulgarian Subject wherever resident or to any one on his behalf or to or on behalf of any person resident in -- Germany, Austria-Hungary, Turkey or Bulgaria of whatever nationality without the express sanction of the Crown and if any distribution or payment is made contrary to this Condition the Grant of Probate will be forthwith revoked.

HEP
21/2/21 (Seal) *W.T.*
GIVEN at Melbourne this *25th* day of *July* in the year of our Lord One thousand nine hundred and *twenty-one*.

J. Carter
Registrar of Probates

177306

IN THE SUPREME COURT.
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL and CODICIL
thereto of CHARLES BROUGH

late of Nepaan and Bay Roads

Moorablin

in the State of Victoria
Gardener
deceased.

AFFIDAVIT OF EXECUTOR
and EXECUTORS



Maddock Jamieson & Lonie,
Proctors,
136-138 Queen Street,
Melbourne.

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL and CODICIL thereto of CHARLES BROUGH
late of Nepean and Bay Roads Moorabbin _____
in the State of Victoria Market Gardener _____ deceased

WE, MARY BROUGH of Nepean and Bay Roads Moorabbin in the State
of Victoria Widow GEORGE JOHN BROUGH and HORACE WALTER BROUGH both
of Bay Road Moorabbin in the said State Market Gardeners respectively
of _____ in the State of Victoria
jointly and severally _____ make oath and say—

1. That we are seeking to obtain Probate of the Will and Codicil thereto
of the above-named Charles Brough _____ deceased
and we are ^{each} of the full age of twenty-one years.

2. The said deceased died on the **fifteenth** day of **May**
One thousand nine hundred and **twenty**.

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

4. The said deceased left a Will bearing date the **twenty-second** day of
October One thousand **nine** hundred and **nineteen** which is as we
believe the last Will and Testament of the said deceased and which is unrevoked, except so far
as it is revoked by a Codicil thereto bearing date the **twenty-seventh** day
of **October** One thousand **nine** hundred and **nineteen** which Codicil 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 Codicil.

6. By his said Will the said testator appointed us these deponents Executrix and

executors thereof.

7. The papers writing now produced and shown to us and "B" respectively
the true last Will and ~~Testament~~ ^{Codicil} of the said deceased as we and marked "A" ~~is~~ are
verily believe.

8. The said Will was executed in the presence of John Henry Maddock then and now
of 136 and 138 Queen Street Melbourne in the State of Victoria Solicitor
and Robert Alexander Davie then and now of Bay Road Cheltenham in the
said State Market Gardener and the said Codicil was executed in the
presence of George James Scantlebury then and now of Charman Road
Cheltenham in the said State Medical Practitioner and Winifred Hilda
Ludbrook then of Point Nepean and Bay Roads Moorabbin aforesaid Nurse but
now of 26 Bishop Street Box Hill in the said State Nurse.

9. The said deceased left real estate in the State of Victoria not exceeding the
value of **Two thousand seven hundred and sixty-five pounds** _____
and personal property in the said State not exceeding the value of **Three hundred**
and ninety-seven pounds fifteen shillings and sevenpence

*Inventory or
Copy statement.

as set out in the* **Inventory** now produced and shown to us and marked
"C".

10. That if we obtain probate we will well and truly collect and administer according to law to the best of our 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 us as *mal* Executrix and his executor of any other person or persons for us that we 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 us or to the hands or possession of any other person or persons for us and the same so made will sign with our 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, we will make or cause to be made a true and just account of the Administration of the estate which we have undertaken as to our receipts and disbursements and as to what portion is retained by us and what portion remains uncollected and the same so made will sign with our 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.

SEVERALLY SWORN at Melbourne by
all the abovenamed Deponents

Pres SWORN at _____ in the State
of Victoria this *third*
day of *February* One thousand
nine hundred and *twenty-one*

Before me

H. Augustus Dean

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

Mary Brough
George John Brough
Horace W. Brough

177306

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto
of CHARLES BROUGH late of Nepean
and Bay Roads Moorabin in the
State of Victoria Market
Gardener deceased.

AFFIDAVIT OF PUBLICATION
OF NOTICE AND SEARCHES



Maddock Jamieson & Lorie,
Proctors,
136-138 Queen Street,
Melbourne.

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto of CHARLES BROUGH
late of Nepean and Bay Roads Moorabbin in the State
of Victoria Market Gardener deceased.

I, STANLEY HAROLD CALDER of 33 Degraeves Street Parkville in the
State of Victoria Law Clerk make oath and say :-

1. THAT I am a Clerk in the sole and permanent employ of Messieurs
Maddock Jamieson and Lonie only of 136 and 138 Queen Street Melbourne in
the State of Victoria Solicitors the Proctors acting generally in the
Application for Probate herein.

2. THAT the following Advertisement duly appeared in the "Age"
Newspaper published in Melbourne on the ^{29th} day of ^{January} ~~December~~ 1921 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 and CODICIL thereto of CHARLES BROUGH late of Nepean and Bay
Roads Moorabbin in the State of Victoria Market Gardener deceased may
be granted to MARY BROUGH of Nepean and Bay Roads Moorabbin aforesaid
Widow GEORGE JOHN BROUGH of Bay Road Moorabbin in the said State
Market Gardener and HORACE WALTER BROUGH of Bay Road Moorabbin afore-
said Market Gardener the Executrix and Executors named in and appointed
by the said Will.

D A T E D this twenty-eighth day of January 1921.
MADDOCK JAMIESON and LONIE of 136 and 138 Queen Street Melbourne
Proctors for the Applicants.

3. THAT I have since the date of the death of the abovenamed
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
therein.

4. 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.

5. THAT I have this day searched in the proper Office of the
Master-in-Equity of this Honorable Court and find that no Application
for Probate or Letters of Administration in this matter has heretofore
been made to or granted by the Court or the Registrar.

SWORN at Melbourne in the State of
Victoria this fifteenth day of
February 1921

Before me,

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

177306

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION.

IN THE WILL and CODICIL thereto
of CHARLES BROUGH late of Nepean
and Bay Roads Moorabbin in Victoria
Market Garden deceased



INVENTORY



MADDOCK, JAMIESON & LONIE,
PROCTORS,

136-138 QUEEN STREET, MELBOURNE.

Whalley Bros., Printers, Northcote

In the Supreme Court }
OF VICTORIA.

"C"

IN ITS PROBATE JURISDICTION.

IN THE WILL and CODICIL thereto of CHARLES BROUGH
late of Nepean and Bay Roads Moorabbin in the State
~~late of~~ of Victoria Market Gardener
deceased

INVENTORY of all and singular the Property, Lands and Hereditaments, Goods,
Chattels, and Credits of the above-named Deceased

		£	s.	d.
Real Estate				
1. ALL THAT piece of land containing 20 acres or there- abouts being part of Crown Portion 43 Parish of -- Moorabbin County of Bourke and more particularly described in Certificate of Title entered in the Register Book Volume 262 Folio 52245.				
2. ALL THAT piece of land containing 28 acres or there- abouts being parts of Crown Portion 43 Parish o f Moorabbin County of Bourke and more particularly described in Certificate of Title entered in the Register Book Volume 2484 Folio 496782		2765	0	0
Property, held under lease or license } or license from the Crown	Nil.			
Improvements, consisting of ...	Nil.			
Rents	Nil.			
CARRIED FORWARD		£ 2765	0	0

BROUGHT FORWARD				£	2765	0	0
Crops, consisting of	Nil.						
Live Stock, consisting of	Nil.						
Farming Implements, consisting of ...	Nil.						
Carriages, consisting of	Nil.						
Harness and Saddlery	Nil.						
Furniture					30	0	0
Salary or Wages	Nil.						
Pensions	Nil.						
Compensation on retirement or loss of office }	Nil.						
Watches, Trinkets, Jewellery, &c. 1. Old Silver Watch and Chain					5	0	0
Money in hand or house	Nil.						
„ in Bank or Building Society } current account	State Savings Bank Cheltenham and interest thereon to date of death				152	2	4
„ in Bank or Building Society } Deposit, viz.	Nil.						
Interest on Money, Debentures, Bonds, Mortgages, to date of death }	Nil.						
Debentures	Nil.						
Bonds 5 Bonds valued at date of death					210	13	3
Mortgages	Nil.						
Interest on same	Nil.						
Life Policies	Nil.						
Bonuses	Nil.						
Shares	Nil.						
Dividends	Nil.						
Plant	Nil.						
Tools	Nil.						
Debts due to the Estate	Nil.						
Stock in Shop or Business	Nil.						
Interest in a Partnership	Nil.						
Goodwill	Nil.						
Interest in a Deceased Person's Estate	Nil.						
					£3162	15	7

D A T E D this

Thirs

day of *February* 1921.

Mary Brough
George John Brough
Horace W. Brough

Executrix and Executors

hal This is the Inventory marked "~~B~~" referred to in the annexed Affidavit
hal "C" produced and shewn to Mary Brough, George John Brough and
hal of Horace Walter Brough at the time of their swearing their Affidavit

hal _____ Sworn this *Thrid* day of *February* 19*21*

Before me

H. Augustus Jones

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

177306

IN THE SUPREME COURT
OF VICTORIA

PROBATE JURISDICTION

IN THE WILL and CODICIL thereto
of CHARLES BROUGH late of Nepean
and Bay Roads Moorabbin in the
State of Victoria Market
Gardener deceased

P R A E C



212
Granted
12/12/21

Maddock Jamieson & Lonie,
Proctors,
136-138 Queen Street,
Melbourne.