

In the Supreme Court
of the Colony of Victoria

8/6/23

Probate Jurisdiction

App^r - Re: Balance for
Full Duty £182-17-10

James Stacey

In the Year and County
of Alfred Whiting late
of 226 Melbourn Street
Melbourne deceased

Statement
and Affidavit

(247)



7/11/6.7

11/6.7



Whitney late of No 226 Nicholson
Victoria Bootmaker Deceased

at Estate of the said Alfred Whitney above described
lies of deceased at the time of his death so far as

Liabilities

Alexander Brothers for money lent	
and goods sold and delivered	✓ 64. 7. 8
Dr Hewell	✓ 10. 6
Dr Tweeddale	✓ 2. 2
Dr Peacock	✓ 2. 2
Balance	182. 17. 10 ✓

£252 . ✓.

I certify balance for full duty to be £182-17-10.

John A. [Signature]

13/11/85

In the Supreme Court
of the State of Victoria
30/6/83

Probate Jurisdiction

In the will of *deceased*
John of the children
of the late *deceased*
James & Mary *deceased*

Affidavit of
John Alexander



Do Not

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

Int In the will ^{and testament} of Alfred Whitney late
of No 226 Nicholson Street Fitzroy
in the Colony of Victoria Boot maker
deceased

I John Alexander of No 228 Nicholson
Street Fitzroy in the Colony of Victoria Grocer
make oath and say

1 That I was for many years acquainted
with the above named deceased who lived
in the property adjoining my shop in
Nicholson Street aforesaid

2 That I was present on the Eighth day
of June one thousand eight hundred and
seventy seven with one James Fairhurst
of Burnside Road East Brunswick when
the said Alfred Whitney executed the will
produced and shown to me at the time of
swearing this my affidavit and marked it
and that I and the said James Fairhurst
did then and there at his request in his
presence and in the presence of each
other all present at the same time hereto
subscribe our names as witnesses the
said Alfred Whitney first signing his name
then this deponent and lastly the said
James Fairhurst

3 That the signatures and initials to
the said will are of the respective proper
handwriting of the persons purporting to
sign the same

4 That the word "any" struck out of the
said will and the word "attempt" interlined
hereover were so struck out and interlined
at the time of the execution of such will
and the sketched or printed ^{words} struck out
throughout the said will were so struck out
at the time of such execution and all
such alterations and interlineations were
initialled by us at the time of such execution

5 The said Alfred Whitney was always
sensible and capable of managing his
own affairs-

Sworn at Melbourne in the } John Alexander
Colony of Victoria this twenty first }
day of October 1885 }
Before me

John Alexander
Commissioner of the Supreme Court of the
Colony of Victoria for native affairs

In the Supreme Court
of the Colony of Victoria

30/6/23

Probate Jurisdiction

In the Will and Codicil
of Alfred Whitney late of
226 Melbourn Street Sydney
New South Wales deceased.

Affidavit
of Elizabeth Taggart



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

In the Will and Codicil of Alfred
Whitney late of No 226 Nicholson Street
Fitzroy in the Colony of Victoria Boot
maker deceased

I Elizabeth Gazelle of No 226 Nicholson Street
Fitzroy in the Colony of Victoria Housekeeper make oath
and say

- 1 That I was married to Henry Gazelle then of
Barkers Creek near Castlemaine in the Colony of Victoria
Housekeeper at St Johns Church Melbourne Twenty
seven years ago
- 2 That I lived with my husband for about one
month after such marriage but not being able to
agree with him I left him and came to Melbourne
and have ever since maintained myself by my
own exertions
- 3 That I have not heard of my husband for
many years and do not know if he be dead
or alive he having left Castlemaine many years ago

Sworn at Melbourne in the Colony of Victoria
this ~~twentieth~~ day of October One thousand
eight hundred and eighty five And I certify
that I first read over and explained the
foregoing affidavits to the said Dependent
Elizabeth Gazelle (she being a markswoman and
unable to read or write) and she appeared to
thoroughly understand the same and made
her mark thereto in my presence

Her
Elizabeth + Gazelle
Mark

Before me

J. H. [Signature]

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

In the Supreme Court
of the Colony of Victoria

30/6/23

Probate Jurisdiction

In the Will and Certificate
of Alfred William Tate of
226 Buckstone Street Sydney
Bathurst deceased

Affidavit
of Alexander Alexander



R W Deas

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

In the will and codicil of Alfred
Whitney of N° 226 Nicholson Street
Fitzroy in the Colony of Victoria
Broommaker deceased,

I Alexander Alexander of Nicholson
Street Fitzroy in the Colony of Victoria
Grocer make oath and say

1 That I have been acquainted with
the above named deceased for a period
of fifteen years or thereabouts being a neighbour
of his for all that time

2 That during the absence of his housekeeper
Elizabeth Gazette in the beginning of September
last the said Alfred Whitney sent for me,
and requested me to be an executor of a
new will he was about to sign but I
declined and said I would not object
to witness any document he might like
to sign - He shortly after sent for me and
I witnessed his signature to a document
which he informed me was a will,

3 I saw Elizabeth Gazette on her return
a few days afterwards and she informed
me by the directions of the deceased she
had burnt this new will and I thereupon
saw the said Alfred Whitney and asked
him if the will was destroyed by his
direction - he said yes ~~and~~ told her to
destroy it and I said ^{and} her do it - He further
said that the original will in her possession

was to stand good.

4 That I thereupon suggested to the said Alfred Whitney that he should revive the first will executed by him by signing the words which I then wrote on the second ^{writing} page of the will and which ~~words~~ or codicil was produced and shown to me at the time of swearing this my affidavit and marked with the letter B

5 That the said Alfred Whitney signed the said codicil in the presence of myself and one Marcus Martin Field of Nicholson Street Fitzroy Grocers Salesman (in my employ) and I and the said Marcus Martin Field then and there at his request in his presence and in the presence of each other thereto signed our names as witnesses the said Alfred Whitney first signing then myself and lastly the said Marcus Martin Field

6 The signatures Alfred Whitney Alexander Alexander and Marcus Martin Field are of the respective proper handwriting of the persons signing the same

7 The said Alfred Whitney though bedridden was always sensible and thoroughly understood what he was doing

Sworn at Melbourne in the
Colony of Victoria this Twentieth
day of October 1885
Before me

Alexander Alexander

M. H. Light

a Commissioner of the Supreme Court of the
Colony of Victoria for taking affidavits

In the Supreme Court
of the Colony of Melbourne

30/6/23

Probate Jurisdiction

In the Will and Codicil
of Alfred William Cole of
226 Melbourne Street Sydney
New South Wales deceased

Affidavit
Pronouncing Administration



Wm. Best

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

In the Will and Codicil of Alfred Whitney
late of No 226 Nicholson Street Fitzroy in the
Colony of Victoria Bootmaker deceased

I Elizabeth Gazelle of No 226 Nicholson Street
Fitzroy in the Colony of Victoria Housekeeper make
oath and say

1 That I am seeking to obtain Probate of the Will
of Alfred Whitney late of No 226 Nicholson Street Fitzroy
near Melbourne in the Colony of Victoria Bootmaker
deceased.

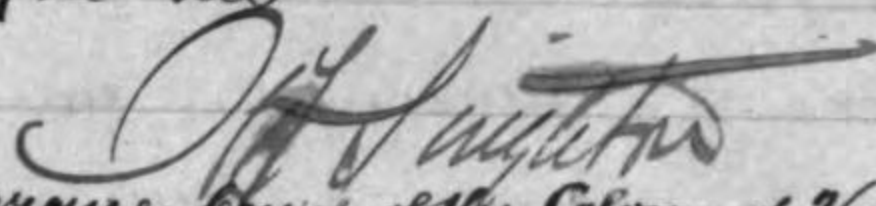
2 That if I obtain Probate I will well and truly
collect and administer according to law to the best
of my knowledge and ability the property lands
and hereditaments goods chattels and credits of
the said deceased at the time of his death which
at anytime after shall come to the power or control
hands 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 portions 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

Sworn at Melbourne in the Colony of Victoria
this 20th day of October One thousand eight
hundred and eighty five And I certify that
I first read over and explained the foregoing
affidavits to the said Deponent Elizabeth Gazelle
(she being a markswoman and unable to read
or write) and she appeared to thoroughly
understand the same and made her mark
therein in my presence

Her
Elizabeth  Gazelle
Mark

Before me



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

In the Supreme Court
of the County of Melbourne

30/6/23

Probate Jurisdiction

In the Will and Estate
of Alfred William Lake of
226 Melton Road Sydney
Testamentary executed

Affidavit
of Benjamin Barnes



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

In the will and codicil of Alfred
Whitney late of 226 Nicholson Street
Sydney in the Colony of Victoria Butmaker
deceased intestate

I Elizabeth Gazelle of Nicholson Street
Sydney in the Colony of Victoria Housekeeper
swear oath and say

1 That I lived with above deceased as
his housekeeper and about Ten days
before his death which happened on the
fifteenth day September 1885 he informed
me he had during any recent absence of about
Ten days executed another will but which he wished
to destroy and he then handed me the same and
ordered me to burn the same in his presence,
which I accordingly did He remarking at the time
that the first will was to stand good and that I
was to keep it safe

2 The first will referred to by the said
Alfred Whitney was the one dated the Eighth
day of June 1877 which he handed to me shortly
after the execution thereof and which I always retained

3 That I was present and saw the said will
and codicil dated the twelfth day of September
1885 executed by the said Alfred Whitney

Sworn by the above named deponent. Elizabeth Gazelle
at Melbourne in the Colony of Victoria this 10th day
of October 1885 Before me and I certify that I
first read over and explained the foregoing affidavit
to her she being a married woman and unable to read
or write and she appeared to thoroughly understand
the same and made her mark thereto in my presence
Before me

her
Elizabeth Gazelle
mark

[Signature]
a Commissioner of the Supreme Court of the Colony of Victoria
for taking affidavits

*In the Supreme Court of the
Colony of Victoria*

30/6/23

Probate Jurisdiction

*In the full and codicil of
Alfred Whitney late of 226
Rusholm Street Highway
Broomfield Decd*

Affidavit

*of
Publication & Searches*



21 Market Street

In the Supreme Court
of the Colony of Victoria }

Probate Jurisdiction

In the will and codicil of Alfred Whitney late
of No 226 Nicholson Street Fitzroy in the
Colony of Victoria Boot and shoe maker Deceased

I Frederick Charles Darling Barker

of Punt Hill South Yarra near Melbourne in the colony
of Victoria attested Clerk to Robert Wallace Best
of 21 Market Buildings Market Street Melbourne aforesaid
Solicitor make oath and say

1. That the following advertisement appeared
in the "Daily Telegraph" newspaper published in
Feb Melbourne on the ^{twentieth} ~~nineteenth~~ day of October one thousand
eight hundred and eighty five in the Supreme Court
of the Colony of Victoria - Probate Jurisdiction - In the
Will and codicil of Alfred Whitney late of No 226 Nicholson
Street Fitzroy in the Colony of Victoria Boot and shoe maker
Deceased - Notice is hereby given that after the expiration of
"fourteen days from the publication hereof application will
be made to the said Supreme Court that Probate of the
Will and codicil of the abovenamed deceased be granted
and committed to Elizabeth Gazelle of Nicholson Street
Fitzroy aforesaid housekeeper the sole executrix named
in and appointed by the said will

"Dated this 19th day of October 1885"

"Robert W. Best No 21 Market Buildings Melbourne

Proctor for the said executrix

2. That since the death of deceased I have 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 honourable Court and find that no caveat is
lodged in this matter

Sworn at Melbourne in the colony }
of Victoria this 6th day of November } Fred^d C. D. Barker
1885 Before me }
C. R. Barry }

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

^{30/6/23}
In the Supreme Court of the
Colony of Victoria

Probate Jurisdiction

In the will and codicil of
Alfred Whitney late of 226
Nicholson Street Fitzroy Bootmaker
Decd

Præcipe that Probate of the
will & codicil of abovenamed
Deceased be granted to Elizabeth
Gazelle the sole executrix named
in and appointed by the said
will

Granted
325-10/11/23-
WJ

R. H. Best
Proctor
21 May