

524

50524
IN THE SUPREME COURT.
OF VICTORIA.

IN ITS PROBATE JURISDICTION

IN THE Will of James Henry Matthews
(in the said will named James Henry
Matthews) formerly of Quora C
Melbourne and last of Brunswick
Street Carlton in the County of
Victoria Corporation Officer

Agreed
All the said James Henry Matthews
£383.50 and 2/6

28/11/92
INVENTORY

STATEMENT AND AFFIDAVIT.

APPROVED AND ALLOWED.

Balance for full Duty £

(135) 18/6

And under 24th Section £



LYNCH, McDONALD, STILLMAN & CO. CLERKS
No. 1 ST. JAMES' BUILDINGS,
113 WILLIAM STREET,
MELBOURNE

Hartou, Partridge and Co., Printers, 432 and 434 Chancery Lane.

I APPROVE OF THE WITHIN STATEMENT
AS ALTERED.

Master in Equity

MASTER IN EQUITY.

28/11/92

In the Supreme Court)
OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE Will of James Henry Matthias (in the said
will named James Henry Matthias) formerly of
Bristol, Whitesmith but late of Drummond
Street Carlton in the Colony of Victoria,
Corporation Officer deceased.

I Malilda Lawi Matthias of 117 Drummond Street
Carlton in the Colony of Victoria Widow.

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 abovenamed deceased was at the time of his 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 therein stated are justly due thereon; and that the
balance of *one thousand one hundred and thirty one*

Pounds five shillings

therein appearing is the full net value of the said real and personal estate.

2. 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 his death convey or otherwise dispose of, for other than adequate
valuable consideration, any real or personal property of which he was seized or possessed.

SWORN at Melbourne in the Colony

of Victoria this

25th day

of October

One thousand

eight hundred and

ninety two.

Before me

W. H. Langford

A Commissioner of the Supreme Court of Victoria for taking Affidavits

M. L. Matthias

In the Supreme Court
of Victoria 1894
Probate Jurisdiction

In the Will of James
Henry Heathcote late
of Murrumbidgee, Gaileton in
the colony of Victoria, Corporation
official deceased.

Final Account



LYNCH & McDONALD,
No. 1 ST. JAMES' BUILDINGS,
113 WILLIAM STREET,
MELBOURNE.

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

In the Will of James Henry
Matthias (in the said Will named James
Henry Matthias) formerly of Bristol
whitesmith but late of Drummond street
Carlton in the colony of Victoria, corporation
official deceased.

I Matilda Gain Matthias of 117
Drummond street Carlton in the colony of Victoria
widow, the executrix to whom Probate of the will
of the above named deceased was granted on the
second day of November 1892 by the Supreme
Court of the colony of Victoria do hereby certify
that the subjoined statement contains a true
and just account of the administration of
this estate by me up to the day of the
date hereof.

Dated this Eighth day of March 1895

M G Matthias

Executrix

Estate realised

Receipts

Nil

Disbursements

J. Holdsworth, funeral expenses	17 6 6
Lynch & Mc Donald, costs of obtaining probate	15 15 6
"	
costs of application to be registered proprietor	3 13 .

Realty

Estate

outstanding

1. All that piece of land in the parish of Iika Iika, county of Bourke being part of allotment 5 of Section 21 C Town of Melbourne having a frontage of 28 feet to a right of way at rear on which is erected a house built of stone containing 8 rooms bathroom and kitchen assessed at the annual value of £35 in occupation of deceased at time of death, being the land firstly described in statement.
2. All that piece of land at Carlton parish of Iika Iika having a frontage of 36 feet to Rodney Place by a depth of 34 feet on which is erected two very old wooden cottages containing 3 rooms each let at 6/6^d and 7/- per week respectively assessed at annual value of £16. being the land secondly described in statement.
3. All that piece of land at Carlton being part of allotment 10 of Section 36 parish of Iika Iika having a frontage of 33 feet to University street by a depth of 56 feet on which is erected a wooden cottage containing rooms let at 10/- per week. assessed at the annual value of £ being the land thirdly described in statement
4. All that piece of land at Prahran having a frontage of 33 feet to Claremont street South Yarra by a depth of 125 feet to a right of way at rear on which is erected a 2 story brick house containing five rooms. This property was only held by deceased as trustee for his eldest son who paid all the

The whole of the estate with the exception of the land fourthly described in the statement filed herein which has been transferred to Mr W. H. Matthias the son of

purchase money therefor

Personally

Piano by Kilner, in use for 25 years

Furniture in house of deceased

Clothing, trinkets, jewellery &c.

150 shares in the United Australian Insurance
Company Limited

20 shares in the Planet Building Society

deceased in accordance with the terms of the will of
the deceased is devised and bequeathed to me for life
and after my death goes to the children (of the deceased
and myself) and I have taken possession of the whole
of the real and personal estate accordingly.

M. G. Matthias

Executor

50*524
In the Supreme Court
of the Colony of Victoria

In its Probate Jurisdiction

In the Will — of James
Henry Mathias (in the said Will named
James Henry Mathias) formerly of
the County of Melbourne in the Colony
of Victoria by his Official Administrator.

Affidavit
of
Publication of Notice.


Signed by James H. Mathias & John
St. James & William
Melbourne.

Proctors for the Applicant.

Walter H. & Co. Solicitors, 55 Coleridge Lane, Melbourne

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

In the Will ——— of James Henry Matthias
(in the said Will named James Henry Matthias) formerly of
Bristol Whitcombe & Co. late of Drummond Street-
Carlton ——— in the Colony of Victoria Corporation
Official deceased. ———

Witnessed -
Witnessed *Witnessed* *Witnessed* *Witnessed* *Witnessed*
Francis Sargent Jewell, Clerk to, Messieurs Lynch,
 McDonald, Stillman and Keefe of Number One St. James' Buildings,
 113 William Street in the City of Melbourne in the Colony of Victoria Proctors
 make oath and say

1. That the following advertisement duly appeared in the "Argus" Newspaper published in Melbourne on the twenty seventh day of August — 1892 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 Colony of Victoria in its probate jurisdiction that Probate of the Will of James Henry Matthias (in the said Will named James Henry Matthias) formerly of Bustol whiteman, but late of Drummond Street Carlton in the Colony of Victoria, corporation official deceased be granted to Mathilda Cain Matthias (in the said Will named Mathilda Cain Matthias) of the same place the widow of the said deceased

Dated the 26th day of August 1892.

2. That I have, since the date of the death of the above named deceased searched in the Office of the Registrar General of the Colony of Victoria and find that no Will of the deceased is deposited there.

3. 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.

Sworn at Melbourne in the Colony of Victoria
this twenty-eighth day of October
One thousand eight hundred and Ninety-two

Before me

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

Frank Sewell

50*524

IN THE SUPREME COURT OF THE COL
ONY OF V I C T O R I A

IN ITS PROBATE JURISDICTION

IN THE WILL of JAMES HENRY
MATTHIAS (in the said will named
JAMES HENRY MATTHIAS) formerly
of Bristol Whitesmith but late of
Drummond Street Carlton in the
Colony of Victoria Corporation
Official - deceased

AFFIDAVIT OF JOHN NOTT
one of the attesting witnesses



Lynne & Co., Ltd., Stillman & Keep
James Buildings
13 William Street
Melbourne.

IN THE SUPREME COURT OF
THE COLONY OF VICTORIA

IN ITS PROBATE JURISDICTION

IN THE WILL OF JAMES HENRY MATTHIAS (in the
said will named James Henery Matthias) formerly of
Bristol Whitesmith but late of Drummond Street --
Carlton in the Colony of Victoria Corporation Official
-deceased -

I, JOHN N O T T of 47 Pitt Street Carlton in the Colony
of Victoria Confectioner make oath and say;-

1. THAT I was present with one Charles Hill whose name
appears at the foot of the will produced and shown to me at
the time of swearing this my affidavit and marked "B" on the
fourteenth day of January 1865 when the abovenamed deceased
executed his said will -

2. THAT the signature "CHARLES HILL" and "JOHN NOTT"
at the foot of the said will are the signatures respectively
of the said Charles Hill and myself this deponent and the said
Charles Hill and myself did both sign the said will as attest-
ing witnesses at the same time in the presence of each other
and in the presence of the testator at his request -

SWORN at Melbourne in the Colony
of Victoria this 25th day of
October One thousand eight hundred
and ninety two
Before me

John Nott

W. H. C. [Signature]

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

In the Supreme Court of
the Colony of Victoria.

50*524

For its Probate Jurisdiction

In the Will of James Henry
Mathias (in the last will named
James Henry Mathias) formerly
of Bristol with him with last sale
of Drummond Street Easton
in the Colony of Victoria
Corporation Official deceased.

Affidavit of Mrs M Mathias



LYNCH, McDONALD, STILLMAN & KEEP,
No. 1 ST. JAMES' BUILDINGS,
113 WILLIAM STREET,
MELBOURNE.

In the Supreme Court
of the Colony of Victoria }

In its Probate Jurisdiction

In the Will of James Henry Matthias (in
the said will named James Henry
Matthias) formerly of Bristol whitesmith but
late of Drummond Street Carlton in the Colony
of Victoria Corporation Official deceased. —

I Matilda Gain Matthias of 107 Drummond
street Carlton in the Colony of Victoria widow make
oath and say :-

1. That the real estate described in the statement
sworn by me on the 25th day of October 1892 as —
"All that piece of land Pratrian having a frontage
"of 33 feet to Claremont street South Yarra by a depth of
"125 feet to a right of way at rear on which is erected
"a two story brick house containing five rooms. This
"property was only held by deceased as trustee for his —
"eldest son who paid all the purchase money therefore",
was property the purchase money for which William
Henry Matthias the said eldest son of myself and the
Testator had given to the deceased to buy for him he the
said William Henry Matthias being a musician, and
as such for some years constantly engaged with an orchestra
and travelling about the colonies and India and the East
returning only at long intervals to Melbourne where the
Property was situated, and it was arranged between him
and the Testator that as his frequent absences might
occasion inconvenience in the event of its becoming necessary
or desirable to dispose of the property the title should be
taken in the name of the Testator which accordingly was

done.

2. That the said William Henry Matthias has paid all rates taxes and other charges on the said land from the time that the said purchase was made, and that the said deceased possessed no estate nor interest whatever in the said land.

3. That the said deceased possessed no real or personal estate, and was entitled to no real or personal estate outside the Colony of Victoria.

W. H. Matthias
Sworn at Melbourne this
24th day of November 1892

Before me

M. H. Matthias

J. G. Pollock
A Commissioner of the Supreme Court of
Victoria for taking affidavits.

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

50*524

In the Will of James Henry
Matthias (in the said Will
named James Henry Matthias)
formerly of Bristol, wholesmith
but late of Drummond Street
Carlton in the Colony of Victoria
Corporation official deceased.

Application to Registrar to
Probate of the Will of James
Henry Matthias (in the said
Will named James Henry Matthias)
formerly of Bristol wholesmith but
late of Drummond Street Carlton in
the Colony of Victoria Corporation
official deceased be granted to
Matilda Gann Matthias (in the said
Will named Matilda Gann
Matthias) of the same place
the Widow of the said deceased

Granted

51 2/11/92

W.H.

Lynch, McDonald, Sullivan and Keefe
No 1 St James Buildings
113 William St
Melbourne