

9/505

1875
In the Supreme Court
of the Colony of Victoria:

~~James~~
Wm. Ecclesiastical Jurisdiction

In the Will and bequest
of Frederick Taylor late of
Melbourne in the Colony of
Victoria Esquire deceased.

^x
Affidavit of Edward
A. Murphy and John
Strachan.

OFFICE MASTER IN EQUITY
FILED
FEB 5
1875
MELBOURNE



E. J. Murphy,
8 Market Square
William Street.

In the Supreme Court, In its Ecclesiastical
of the Colony of Victoria & Jurisdiction.

In the Will and Codicil of Frederick Taylor
late of Elsternwick near Melbourne in the
Colony of Victoria Esquire deceased.

We Edward Joseph Murphy of Number eight
Market Square William Street in the City of Melbourne Solicitor
and John Strachan of Number sixty Collins Street West
in the said City of Melbourne Merchant severally make
oath and say:—

1. That the above named Frederick Taylor departed this
life on the fourteenth day of January one thousand eight
hundred and seventy two.

2. That we believe the paper writing hereunto annexed
consisting of six brief sheets of paper marked with the
letter "A" to be the true last Will and Testament of the
said Frederick Taylor.

3. That the said Frederick Taylor by his said Will appointed
ourselves executors thereof.

4. That we also believe the annexed paper writing marked
with the letter "B" and endorsed on the back of the last
Brief sheet of the Will of the said Frederick Taylor is the
true Codicil of the said Frederick Taylor to his said Will.

And I the said Edward Joseph Murphy for myself say:

5. That the said Codicil so endorsed on the said Will was
written by me and by mistake I wrote therein the date
of the said Will to be the seventh day of October instead
of the seventh day of August in the Year of our Lord one
thousand eight hundred and sixty eight which last
mentioned date is the correct date of the said Will
as appears on the face thereof and that the said
Codicil is now in the same state and condition as it was

in when it was executed by the said Frederick Taylor.

And the said Edward Joseph Murphy and John Strachan severally say -

W.M. 6. That the said testator at the time of his death ^{possessed} left property in the colony of Victoria which did not exceed in value the sum of Nineteen thousand pounds Sterling

7. That we will pay all the debts and legacies of the said Frederick Taylor and will collect and administer his property so far as the property left by him will extend and the Law bind us so to do.

8. That we will exhibit and deposit in the Office of the Master in Equity of this Honorable Court a true and perfect Inventory of the Goods chattels and credits of the said Frederick Taylor deceased within three months of the order for probate and a true and just account of the administration of the estate of the said deceased within fifteen months of the said order pursuant to the rules of this Honorable Court.

The above named Deponents Edward Joseph Murphy and John Strachan were severally sworn at Melbourne in the colony of Victoria this fifth day of February in the year of our Lord one thousand eight hundred and seventy two //

Edward J. Murphy

John Strachan.

Before me,

W. W. Murray

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

In the Supreme Court of
the Colony of Victoria.

In its Ecclesiastical Jurisdiction.

Motion to be made on 8 July/72

In the Matter of the Will
and Codicil of Fredk Taylor
late of Elsternwick near Melbourne
in the Colony of Victoria Esqre
deceased.

~~575~~ 575
Brief in support
of application for Probate.

Mr J. Albeckitt.

3 Reams

Motion granted
8th February 1872
Perchanceworth.

[Signature]

E. J. Murphy,
8 Market Square,
William Street,
Melbourne.

505
In the Supreme Court
of the Colony of Victoria.
~~James~~
Wills Ecclesiastical Jurisdiction

In the Will and Codicil
of Frederick Charles late of
Gloucester Esquire deceased in
the Colony of Victoria Esquire
deceased.

x
Affidavit of attesting
Witnesses of Will.



E. J. Murphy.

In the Supreme Court
of the Colony of Victoria

In its Ecclesiastical
Jurisdiction.

In the Will and Codicil of Frederick
Taylor late of Elsternwick near Melbourne in
the Colony of Victoria Esquire deceased.

I Robert John Curtain of Number Twenty four William
Street in the City of Melbourne in the Colony of Victoria late
articled Clerk to Edward Joseph Murphy of Melbourne
Solicitor but at present Clerk to Messieurs Nutt, Blake,
and Seddon of number twenty four William Street aforesaid
Solicitors make oath and say:—

1. That I believe the paper writing produced and shown
to me at the time of swearing this my Affidavit and marked
with the letter A to be the last Will and Testament of the
above named Frederick Taylor deceased.
2. That the said Will bears date the seventh day of August one
thousand eight hundred and sixty eight and is as I believe
unrevoked save and except so far as the same is revoked by
the codicil thereto dated the thirteenth day of October one thousand
eight hundred and sixty eight and the said testator thereby
appointed Edward Joseph Murphy of the said City of
Melbourne Solicitor and John Strachan of the same place
Merchant Executors thereof.
3. That the said Will was executed by the said Testator in the
presence of me and of one Arthur Palmer Blake of number
twenty four William Street aforesaid Solicitor.
4. That the word "be" inserted in the eleventh line of the
first sheet of the said Will was so inserted before the said Will
was signed by the said Testator Frederick Taylor—that the
words "Quinto aforesaid" struck out in the thirty fifth line
of the first sheet of the said Will were so struck out and the
words "For the Scotland" were written above in substitution

Hereof before the said Will was signed by the said Testator -
that the words "or in the event of the" written over an erasure
in the eleventh line of the third sheet of the said Will were
so written upon such erasure before the said Will was
signed by the said Testator and that the alteration in
the word "thirteenth" on the twelfth line of the fifth sheet
of the said Will was made before the said Will was signed
by the said Testator.

5. That I believe the said Will is now in the same state
and condition as it was in when it was executed by
the said Testator.

Sworn at Melbourne in the
Colony of Victoria this Thirtieth
day of January in the year of our
Lord one thousand eight hundred
and seventy two.

Robert Hartman.

Before me

Robert Hartman

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

In the Supreme Court
of the County of Victoria,

At its Ecclesiastical Jurisdiction

In the Will and Codicil
of Frederick Taylor late of
Esperwick near Melbourne in
the County of Victoria, Deceased.

Attendant of Attesting
Witness of Codicil.



E. J. Murphy.

In the Supreme Court
of the Colony of Victoria }

In its Ecclesiastical Jurisdiction.

In the Will and Codicil of Frederick
Taylor late of Elsternwick near Melbourne
in the Colony of Victoria Esquire deceased.

I Thomas Boxshall of Bonally Elsternwick
near Melbourne in the Colony of Victoria Gardener
make oath and say: -

1. That Frederick Taylor late of Elsternwick near
Melbourne in the Colony of Victoria Esquire departed
this life on the fourteenth day of January one thousand
eight hundred and seventy two.
2. That I am informed and verily believe the said
Frederick Taylor made his Will bearing date the
seventh day of August one thousand eight hundred
and sixty eight which is as I believe unrevoked (save
and except so far as the same is revoked by the
Codicil thereto hereinafter mentioned) and thereby
appointed Edward Joseph Murphy of the said City
of Melbourne Solicitor and John Strachan of the
same place Merchant Executors thereof.
3. That I believe the paper writing produced and
shown to me at the time of swearing this my
Affidavit marked with the letter 'B' to be the
Codicil to the said Will of the said Frederick Taylor
deceased.
4. That the said Codicil bears date the thirteenth day
of October one thousand eight hundred and sixty
eight and is as I believe unrevoked.
5. That the said Codicil was executed in the presence

of me and of one John Wedge of Brighton near Melbourne
aforesaid Justice of the Peace.

6. That the words "free from all incumbrances affecting
the same" interlined between the third and fourth lines
of the said deed, were so interlined before the said deed
was executed by the said Notary Frederick Taylor as aforesaid.

Sworn at Melbourne in
in the Colony of Victoria this
3rd day of January
in the year of our Lord one
thousand eight hundred and
seventy two.

Thomas Botball

Before me,

W. G. Muir

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

In the Supreme Court
of the Colony of Victoria.

27 FEB 5 1872

In its Ecclesiastical
Jurisdiction.

In the Will and Test
of Frederick Taylor late of
Hobartwick near Melbourne in
the Colony of Victoria Esquire ++
deceased.

Affidavit of publication
of Will and search for assets.



E. J. Macpherson

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

In the Will and Codicil of Frederick
Taylor late of Elsternwick near Melbourne in
the Colony of Victoria Esquire deceased.

I Joseph Hardingham of Toorak Road near the city
of Melbourne in the Colony of Victoria Managing Clerk to
Edward Joseph Murphy of Number eight Market Square in
the said City of Melbourne Solicitor make oath and say:

1. That a copy of the notice hereunto annexed marked
"C" was inserted in a certain public Newspaper published
in the said City of Melbourne called the "Argus" on the
twenty third day of January one thousand eight hundred
and seventy two.

2. That I have this Eighth day of February one thousand
eight hundred and seventy two duly searched at the proper
office of this Honorable Court and found that no caveat has
been entered in this matter.

Sworn at Melbourne in the
Colony of Victoria this
Eighth day of February the year
of our Lord one thousand eight
hundred and seventy two.
Before me

Hardingham

W. W. Main

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

In the Supreme Court
of the Colony of Victoria:

In the Will and
Estate of Frederick
Taylor Deceased.

Copy Notice inserted in
Argus of 23rd January
1842.

E. J. Murphy.

("C")

This is the copy Notice marked "C" referred to in the Affidavit of Joseph Hardingham Werrents annexed and sworn before me this 8th day of February in the year of our Lord one thousand eight hundred and seventy two.

W. G. Harris

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

Notice is hereby given that after the expiration of fourteen days from the day of publication of this advertisement an application will be made to the Supreme Court of the Colony of Victoria in its Ecclesiastical Jurisdiction on behalf of Edward Joseph Murphy of Market Square William Street in the City of Melbourne in the said Colony Solicitor and John Strachan of Collins Street in the said City of Melbourne Merchant that Probate of the last Will and Codicil of Frederick Taylor late of Elsternwick near the said City of Melbourne Esquire may be granted to them the said Edward Joseph Murphy and John Strachan the executors named in and appointed by the said Will.

Dated this 18th day of January 1872.

Edward Joseph Murphy of
Market Square, William Street,
Melbourne, Proctor for himself
and the said John Strachan.

5
In the Supreme Court
of the County of Orleans,
vs
John B. ...

In the Will and Testament
of Frederick Taylor Esquire
deceased.

Applicant
of Executors verifying
Statement of Estate.

Approved & allowed
Balance for Court 1935

W. S.
10/24/72



J. Murphy

797.40
800

In the Supreme Court
of the Colony of Victoria In its Ecclesiastical Jurisdiction.

In the Will and Codicil of Frederick Taylor
late of Elsternwick near Melbourne in the Colony
of Victoria Esquire deceased.

We Edward Joseph Murphy of Number eight
Market Square, William Street in the City of Melbourne
Solicitor and John Strachan of Number sixty Collins
Street in the said City of Melbourne Merchant severally
make oath and say.

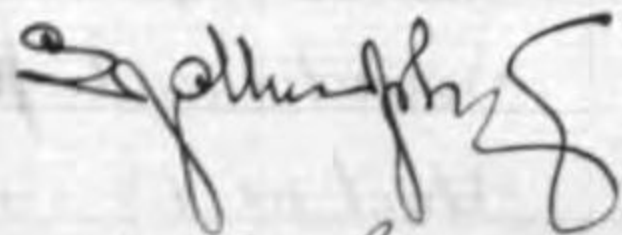
1. That we are the executors named in and appointed by
the Will of the above named Frederick Taylor deceased to
whom Probate of the said Will and a Codicil thereto
has been granted by the Supreme Court of the Colony
of Victoria.
2. That the annexed paper writing marked A contains
true and correct particulars to the best of our knowledge
of the personal Estate of or to which the said Frederick
Taylor deceased was entitled or proposed at the time
of his death and of the real estate comprised in his
Will and shows the value thereof and of the debts due
by the said deceased and also shows the balance so
remaining after deducting the amount of the debts
due by the said deceased from the value of his Estate.
3. That the sum of Nineteen thousand nine hundred and
thirty five pounds as appearing in the said Statement
is the total estimated value of his personal Estate in
the Colony of Victoria so far as we know and believe.
4. That the sum of Four thousand nine hundred
pounds so appearing as aforesaid is the total estimated
value of his real Estate in the said Colony so far as
we know and believe.

5. That the sum of Twenty three thousand one hundred and five pounds appearing as aforesaid is the said total and estimated value of the real and personal estate of or to which the deceased was entitled at the time of his death.

6. That the sum of Three thousand one hundred and seventy pounds appearing as aforesaid is the amount ^{secured and unsecured} of debts due by the said deceased at the time of his death so

far as we know and believe.

7. That there is no claim on the said estate for half duty.
The above named deponents Edward Joseph Murphy and John Strachan were severally sworn at Melbourne in the Colony of Victoria this tenth day of February in the year of our Lord one thousand eight hundred and seventy two,
Before me,


John Strachan



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