

43/884

IN THE SUPREME COURT OF

THE COLONY OF VICTORIA

IN ITS PROBATE JURISDICTION

IN THE WILL OF JULIUS
BUDDEE formerly of Hawthorn in
the Colony of Victoria but
late of Glebe Point Sydney in
the Colony of New South Wales
Professor of Music deceased.



MASTER-IN-CHANCERY
MELBOURNE
7 FEB 1881
RECEIVED
Lynch McDonald Esq
No 1 St James Building
113 William Street
Melbourne

IN THE SUPREME COURT OF)
THE COLONY OF VICTORIA)

IN ITS PROBATE JURISDICTION

IN THE WILL OF JULIUS BUDDEE formerly
of Hawthorn in the Colony of Victoria but
late of Glebe Point Sydney in the Colony
of New South Wales Professor of Music
deceased.

I WILLIAM LYNCH of William Street Melbourne in the
Colony of Victoria Solicitor the Executor to whom Probate of
the Will of the above described deceased was granted by the
Supreme Court of the Colony of Victoria in its Probate -----
Jurisdiction on the twenty third day of October 1890 do -----
hereby certify that the following is a true and just account
of the Adminstration of the Estate of the abovenamed deceased.

DATED this sixth day of February 1891.

William Lynch
Executor of the Will of the
abovenamed Julius Budd
deceased.

R E C E I P T S

1891
January By cash from Australian Alliance Assurance
Company being amount of three life
Policies on life of deceased

800. 0. 0

£ 800 —

D I S B U R S E M E N T S

1891
January By amount due Australian Alliance
Assurance Company Mortgage over three
life Policies

£ s d
225. 16. 3

By Premium due to Australian Alliance
Assurance Company on first September

1890 10. 6. 8

By Lynch and Company Solicitors Melbourne
costs of obtaining probate

14-5-8

By Mrs Eliza Buddee balance of Estate
under ~~deed~~ of authority to Executor
dated sixteenth of December 1890 from
all other beneficiaries under the Will
of deceased -

549-12-0
£ 800-0-0

Estate unrealized

Two debentures of £5 each in German Association
of Victoria (unrealizable) £10—
The above debentures were handed to Mrs Buddee
under the authority of the above mentioned deed.

W. H. McCarthy, Esq.

1/3/884
IN THE SUPREME COURT
OF THE COLONY OF VICTORIA.
IN ITS PROBATE JURISDICTION

IN THE Will of Julius Budde
formerly of Hawthorn in the
Colony of Victoria but late of
Glebe Point Sydney in the
Colony of New South Wales
Professor of Music deceased.—

AFFIDAVIT OF

SEARCH FOR CAVEAT.



LYNCH, M'DONALD, STILLMAN & KEEF,

St. JAMES' BUILDINGS
113, WILLIAM STREET
MELBOURNE.

IN THE SUPREME COURT
OF THE COLONY OF VICTORIA.

}

IN ITS PROBATE JURISDICTION.

IN THE Will of Julius Budden—
formerly of Hawthorn in the Colony
of Victoria but late of Glebe Point
Sydney in the Colony of New South
Wales Professor of Music deceased

I John Edmond Taylor

of Number one St. James' Buildings, 113 William Street in the City of Melbourne, in the
Colony of Victoria Clerk to MESSIEURS LYNCH, McDONALD, STILLMAN AND KEEF of the same place,
Proctors, make oath and say:—

1. That I have this day searched in the proper office of this Honorable Court and find that no Caveat is lodged in this matter.

SWORN at Melbourne, in the Colony of Victoria, this
twenty third — day of
October — One thousand
eight hundred and ninety

}

John Taylor

Before me,

John McDonald

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

17/8/86
In the Supreme Court
of the Colony of Victoria.

In the Probate Jurisdiction

In the Will of Julius
Budden formerly of Hawthorn
in the Colony of Victoria but
late of Glebe Point, Sydney, in the
New South Wales
Colony of Victoria before his decease deceased

Affidavit of Publication of Notice
and
Service of Will



Lynch, Melbourne, Hillman & Leigh,
2, St. James' Buildings,
13 William Street,
Melbourne.
Proctors for the Applicant.

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

In the Will of Julius Buddes
formerly of Hawthorn in the Colony of
Victoria late of Glebe Point Sydney
in the Colony of New South Wales
deceased

I John Edmond Taylor Clerk to Messieurs Lynch,
McDonald, Stillman and Kepp 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 fourth
day of September 1890 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 last Will and Testament of
Julius Buddes formerly of Hawthorn in the Colony of Victoria but late
of Glebe Point Sydney in the Colony of New South Wales professor of
music deceased be granted to William Lynch of William Street
Melbourne in the Colony of Victoria solicitor the executor named in
and appointed by the said Will leave being reserved to Eliza Buddes
of Glebe Point Sydney in the Colony of New South Wales widow the
executrix named therein to come in and prove the same at any time

Dated this 23rd day of September 1890

Hector McDonald 1 St James' Buildings 113 William Street
Melbourne proctor for the applicant

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 said deceased is deposited there.

Sworn at Melbourne in the Colony of Victoria
this 22nd day of October
One thousand eight hundred and ninety

Before me

W. W. M. C. Gould

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

J. E. Taylor

IN THE SUPREME COURT OF
THE COLONY OF VICTORIA

IN THE WILL OF JULIUS BUDDEE

IN THE WILL OF JULIUS BUDDEE
formerly of Hawthorn in the Colony
of Victoria but late of Glebe Point
in the Colony of New South Wales
Professor of Music Deceased. *13*

es
3/8/84

AFFIDAVIT OF ATTESTING WITNESS

HECTOR McDONALD

113 William Street

MELBOURNE

PROCTOR FOR THE APPLICANT.

IN THE SUPREME COURT OF)
THE COLONY OF VICTORIA.)

IN ITS PROBATE JURISDICTION

IN THE WILL OF JULIUS BUDDEE formerly

and the of Hawthorn in the Colony of Victoria but
late of Glebe Point Sydney in the Colony of
New South Wales Professor of Music Deceased

in the said New South Wales Professor of Music Deceased

I Frederick Johnson Clerk to Hector McDonald of

113 William Street Melbourne Proctor make oath and say

1. THAT I was present with one Robert Getty Shegog

(whose name appears at the foot of the Will hereunto
annexed marked A.) and that I did see Julius Buddee above

described deceased execute the Will hereunto annexed

marked A. by writing the words "J. Buddee" at the end

of each page thereof and at the end thereof and that I

and the said Robert Getty Shegog then and there at his

request in his presence and in the presence of each

other thereto subscribed our names as Witnesses

2. THAT previous to such execution of the said Will as

aforesaid the said Will was read over and explained to

the said testator Julius Buddee when he seemed perfectly

to understand the same and approved of the meaning and

effect thereof.

3. THAT the words "J. Buddee" which appear at the end of each page and at the end of the said annexed Will are of the proper handwriting of the said Julius Buddee above described deceased. That the signature "Fred Johnson" and "Robt G Shegog" which also appear at the foot of the said Will annexed are of the respective proper handwriting of myself this deponent and the said Robert Getty Shegog the attesting witnesses thereof.

4. THAT the following alterations and interlineations were made in the said Will previous to its being read over to and executed by the said Testator as aforesaid the word "the" in the 8th line of the 1st page thereof was struck out the words "within" ~~and~~ "cal" in the 11th line of the first page aforesaid were struck out and the words "as soon as convenient" written over them and the said word "Convenient" was then struck out and "possible" written over it the words "mos from" in the 12th line of the 1st page thereof were struck out and the word "after" written over them, the words "and the legacies hereinbefore bequeathed" were interlined in the 5th line of the 2nd page thereof, the words "my dear friend" were interlined in the 8th line of the 2nd page aforesaid the words "or the survivor of them or the heirs execs or ~~ad~~ ^{has} ~~such~~ ^{such} ~~survivors~~ ^{has} called my sd trustees" were interlined in the 9th line of the 2nd page aforesaid the word "such" was interlined in the 14th line of the 2nd page aforesaid the words "in" in the 13th line ~~of~~ of the 5th page thereof were struck out the word "daughters" was interlined in the 1st line of the 6th page

✓

✓
MS

✓
MS

thereof, the word "the" in the 2nd line of the 6th page
aforesaid was struck out, the words "(if any)" were
interlined in the 11th line of the 6th page aforesaid
the words "such of" were interlined in the 12th line of
the 6th page aforesaid, the word "requirements" in the
14th line of the 6th page aforesaid was struck out and
"circumstances" written over it, the word "hereunto"
in the 3rd line of the 8th page thereof was struck out
and the words "to this & the preceding seven sheets of
paper" interlined therein, the word "&c" in the 1st line
of the attestation clause thereof was struck out and
the word "by" written over it.

S W O R N at Melbourne in the Colony of
Victoria this 22nd day of October
1890.

Fred Johnson

Wm Mac Donald Before me
A Commissioner of the Supreme Court of the Colony of
Victoria for taking Affidavits.

IN THE SUPREME COURT.
OF VICTORIA.

OF VICTORIA.

IN ITS PROBATE JURISDICTION

IN THE Hall of Lucius Biddle
privately of Hawthorne in
memory of Lucius Biddle
and of their former intimacy
in the story of "Wuthering
Heights" (postscript to manuscript).

STATEMENT AND AFFIDAVIT.

APPROVED AND ALLOWED,

Kolance for Full Utility

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

Harston, Partridge and Co., Printers, 452 and 454 Chancery Lane

In the Supreme Court
OF VICTORIA.

IN ITS PROBATE JURISDICTION

IN THE Will of Julius Buddee formerly
of Hawthorn in the colony of Victoria but
late of Glebe Point in the colony of New
South Wales Professor of Music deceased.

I William Lynch of William Street
Melbourne in the colony of Victoria. Solicitor —

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 four hundred and eighty four pounds
three shillings and nine pence —

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 21st day
of November One thousand
eight hundred and ninety
Before me



Robert Gancum

A Commissioner of the Supreme Court of Victoria for taking Affidavits

13/84
IN THE SUPREME COURT

OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE WILL OF Charles Ruddle
formerly of Hawthorn
in the Colony of Victoria
and late of Melbourne
Signed in the presence of
John Bent Wales Proctor
& others deceased

AFFIDAVIT OF EXECUTOR



MASTER IN-EQUITY'S OFFICE
2 OCT. 90
MELBOURNE.

MASTER IN-EQUITY'S OFFICE
10 OCT 90
MELBOURNE.

MASTER IN-EQUITY'S OFFICE
2 OCT. 90
MELBOURNE.

In the Supreme Court
OF THE COLONY OF VICTORIA.

IN ITS PROBATE JURISDICTION.

IN THE WILL OF Julius Buddee
formerly of Hawthorne in the
Colony of Victoria but late of
Glebe Point Sydney in the
Colony of New South Wales
Professor of Music deceased.

I William Lynch —
of William Street Melbourne
Solicitor — in the Colony of Victoria
make oath and say —

1. That I am seeking to obtain Probate of the will of the above-named Julius Buddee deceased leave being reserved to Eliza Buddee of Annandale Sydney in the Colony of New South Wales the testatrix naming the said Eliza as her sole executrix and now deceased at any time.
2. The said deceased died on the seventh day of September
One thousand eight hundred and ninety at Glebe Point
in the Colony of New South Wales
3. The said deceased left a will bearing date the seventeenth day
of July One thousand eight hundred and eighty four
which is as we believe the last will and testament of the said deceased and
which is unrevoked.
4. By his said will the said testator appointed me his deponent
executor thereof and Eliza Buddee of —
Annandale aforesaid executrix thereof.
5. The paper writing hereunto annexed marked "A" is the true last will of the
said deceased as I verily believe.
6. The said will was executed in the presence of Frederick Johnson Clerk
to Lynch and Donald Stimmons and Kepp of 113 William
Street Melbourne Solicitors and Robert Getty Gregg
at the time of execution thereof Articed Clerk to Hector
McDonald of William Street Melbourne Solicitor but now
7. The said deceased left real estate in the Colony of Victoria not exceeding in
value the sum of

and personal property in the said Colony not exceeding in value the sum of
eight hundred and ten pounds

8. 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 any time after shall come to the power or control hands or possession of *me* as *his* executor 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 portion 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 *Albion* in the Colony
of Victoria this *Twenty second* day
of *October* One thousand
eight hundred and *ninety*
Before me


Robert Gammie

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