

In the Supreme Court
of the Colony of Victoria.

29/6/15
Probate Cause declared.

1874

In the Will and Codicils
of Richard Bruce late
of Ballanaral in the Colony
of Victoria deceased

Richard
of Executors in support
of Application for Probate



For Carriage & Expenses

In the Supreme Court
of the Colony of Victoria }

In Its Probate Jurisdiction.

In the Will and Codicils of Richard
Bunce late of Ballarat in the Colony of
Victoria Surgeon deceased

We Frederick Howarth of Ballarat in
the Colony of Victoria Transporter Maker and
John Robson of Ballarat in the Colony
aforesaid Gentlemen make oath and say

1. That Richard Bunce the above named
deceased departed this life on the twenty ninth
day of March one thousand eight hundred and
eighty five at Ballarat aforesaid.
2. That the said Richard Bunce deceased
made his Will bearing date the twenty third day
of July one thousand eight hundred and eighty four
which said Will is as we believe unrevoked and he
thereby appointed us these deponents Executors thereof
3. That the paper writing hereunto annexed
and marked A is as we believe the true last
Will and Testament of the said Richard Bunce deceased
4. That the said Will was as we believe signed
in the presence of Hugh Wilson Morrison Clerk to
Messieurs Guthbert and Wynne of the same place Solicitors
and Frederick Howarth of Eyre Street Ballarat
aforesaid Transporter Maker.
5. That the said Richard Bunce deceased made a
Codicil to his said Will bearing date the twenty third
day of July one thousand eight hundred and eighty four
which said Codicil is as we believe unrevoked.
6. That the paper writing hereunto annexed

and marked B is as we believe the Codicil to the Last Will and Testament of the said Richard Bunce deceased.

7. That the said Codicil was signed as we believe in the presence of said Hugh Wilson Morron and Frederick Howarth.

8. That the said Richard Bunce deceased made a second Codicil to his said Will bearing date the fourteenth day of February one thousand eight hundred and eighty five which said second Codicil is as we believe unrevoked.

9. That the paper writing hereunto annexed and marked B is as we believe the second Codicil to the Last Will and Testament of the said Richard Bunce deceased.

10. That the said second Codicil was as we believe signed in the presence of the said Hugh Wilson Morron and Frederick Howarth.

11. That the said Richard Bunce deceased made a third Codicil to his said Will bearing date the fourteenth day of March one thousand eight hundred and eighty five which said third Codicil is as we believe unrevoked.

12. That the paper writing hereunto annexed and marked C is as we believe the third Codicil to the Last Will and Testament of the said Richard Bunce deceased.

13. That the said third Codicil was as we believe signed in the presence of George Duck of Ballarat in the said Colony Teacher and Ellen Jane Frost of Ballarat aforesaid Domestic Servant.

14. That the said Richard Bunce deceased had not at the time of his death any real property in the Colony of Victoria but was possessed of personal property in the said Colony

not exceeding in value Two thousand eight hundred
and seventy six pounds Eleven shillings and one
penny.

The above named Deponents
Frederick Howarth and John
Robson were severally sworn at
Ballarat in the Colony of
Victoria this nineteenth day
of May one thousand eight
hundred and eighty five before
me.

Frederick Howarth

John Robson

Chas E. Hedman

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

Dated 2nd July 1884

Will of
Richard Bruce Esq



Bushbuck Thompson

This is a third Codicil to the within written will of me Richard Bruce. I direct that the legacy of twenty pounds bequeathed to in the within written will to Alice Evans shall be reduced to Ten Pounds. ~~I also direct that in the event of my death~~ ^{in all other respect I confirm my said will}
Signed by the said Richard Bruce
as and for a Codicil to his last will & testament in the presence of his present at the same time who at his request & in his sight & presence have hereunto subscribed our names as witnesses
Witness my hand and seal this 2nd day of July 1884
Eighteen hundred and eighty four

Richard Bruce

George Hunt Teacher.
Ellen Jane Prest

C.
This is the proper way, matters referred to in the above-mentioned Affidavit of Frederick Howard and John Hobson, sworn this 19th day of May 1885 before me
John E. Robinson
Commissioner of the Court

Richard Bunce of Byre Street in the City of Ballarat Member of The Royal College of Surgeons England Declare this to be my last Will and Testament I bequeath an annuity of Forty pounds for her life to Charlotte Bunce of Windsor near Melbourne widow of my late Brother James Bunce I devise give and bequeath all the real and personal estate and effects of which I shall be possessed or entitled to at the time of my decease unto my friends John Robson of Ballarat East Gentleman and Frederick Howarth of the City of Ballarat Piano-forte maker and the survivor of them and the executors or administrators of such survivor Upon trust to sell and convert into money such part of my estate and effects as shall not consist of money and thereout and out of the moneys of which I shall be possessed of pay my just debts funeral and testamentary expenses And I declare that the said John Robson and Frederick Howarth shall stand possessed of the residue of the said moneys In trust in the first place to pay to my daughter Alice Spens who has been already provided for a Legacy of Twenty pounds and in the next place to invest the residue of said moneys in their names in or upon the public funds or Securities of the Colony of Victoria or in the purchase of Debentures issued by any of the Australasian Colonies or in the purchase of Shares in any well established Banking Corporation registered under the Statutes now in force or hereafter to be in force and under which the interests of investors and depositors are protected and secured or by depositing said moneys on deposit in any such Banking Corporation or upon Mortgage of any real Securities in any of the said Australasian Colonies but upon no other class of investments with power from time to time to vary such investments for others of a like nature And I declare that the said John Robson and Frederick Howarth shall hold the dividends interest and income to arise from such investments In trust to pay the annuity hereinbefore mentioned and to pay the balance to my daughter Mary Ellen Bunce so long as she remains unmarried. On the marriage of my said daughter then the said John Robson and Frederick Howarth shall hold the said dividends interest and income In trust to pay the same in equal shares to my said daughter Mary Ellen and my daughter

Richard Bunce

This is the paper writing marked A referred to in the annexed affidavits of Frederick Howarth and John Robson sworn to on the 19th day of May 1885 before me.

Chas. L. Hedman
Commissioner &c.

Catherine Keane. In the event of the death of my daughter
 Mary Ellen without having been married then the whole of
 such dividends and interest shall be paid to the said Catherine
 Keane for her own sole use and benefit and free from the
 control of her present or any future husband and so that he
 shall have no power to deprive her of the provision which it is
 my intention to make for her under this my will. I direct
 that in the event of the said Mary Ellen Bunce intermarrying
 the said John Robson and Frederick Howarth shall see that
 her share of the income of the trust funds which she shall
 be entitled to shall be so settled and secured to her that no
 husband shall be entitled to deprive her of it or pledge or
 anticipate the payment of such share of said income. I also
 declare that on the death of my said daughters the whole of
 my trust funds shall be distributed amongst their children
 in accordance with the directions contained in any testamentary
 writings made by said daughters and in default thereof said
 moneys shall be divided amongst the children of my said
 daughters in equal shares on their attaining the age of twenty one
 years But should both of my said daughters die without leaving
 lawful issue then surviving then and in such case the said
 trust funds shall be divided equally amongst the children of my
 daughter Alice Evans who being sons shall attain the age of
 twenty one years or being daughters shall attain that age or marry
 I appoint the said John Robson and Frederick Howarth executors
 of this my will In witness whereof I have hereunto set my
 hand this twenty third day of July one thousand eight hundred
 and eighty four

Richard Bunce.

Signed by the said Richard Bunce
 the Testator as and for his last will
 and Testament - in the presence of us
 present at the same time who in his
 presence and in that of each other
 have hereunto subscribed our names
 as witnesses

A. W. Marn

Managing Clerk to Messrs. Ballarat & Co
 Solicitors Ballarat

Frederick Howarth

5th Eyre St Ballarat

... .. "B" This is the paper which marked B referred to in the annexed day of May 1885 before me
Chas. S. Redman
Commissioner

This is a Codicil to the within written will of me
Richard Bruce. I direct that my daughter Mary Ellen
Bruce shall not at any time have power to sell Mortgage
or in any way directly or indirectly to part with her
interest under my will. In all other respects I conform my
said will. Dated the Twenty third day of July One
Thousand eight hundred and eighty four

Signed by the said Richard
Bruce as and for a Codicil
to his last will and Testament
in the presence of us present at
the same time who at his request
and in his sight and presence
have hereunto subscribed our names
as witnesses.

Richard Bruce

A. H. Morrow

Managing Clerk to Messrs. Cottrell & Wynne
Solicitors Ballarat

Frederick Howarth
5 & 7 Eye St. Ballarat

This is a second Codicil to the within written will of me Richard
Bruce. I direct that in the event of my daughter Mary Ellen Bruce
dying before my daughter Alice Evans & Katharine Keane
that the interest & dividend shall be paid in equal
parts to the said Alice Evans & Katharine Keane.

In all other respects I conform my said will. Dated

Signed by the said Richard Bruce
as and for a Codicil to his last
will and Testament in the presence
of us present at the same time
who at his request and in his sight
and presence have hereunto subscribed
our names as witnesses.

The Fourteenth day of February
One thousand eight hundred
and eighty five 1885.

Richard Bruce

A. H. Morrow

Frederick Howarth