

70-97

IN THE SUPREME COURT.

OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL OF *Herbert*

Henry Davison

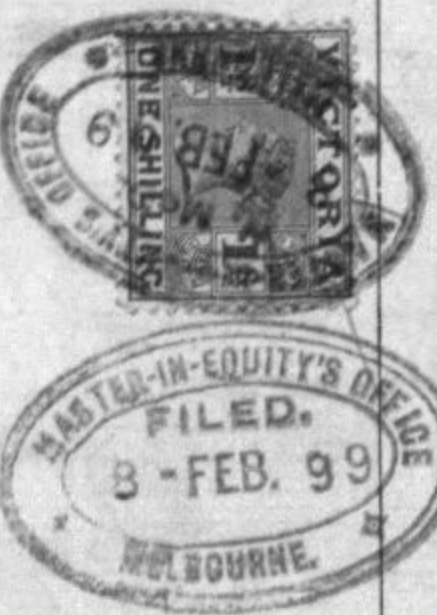
late of *Cheriton*

in the Colony of Victoria

procur

deceased.

AFFIDAVIT OF EXECUTION



Hans *McKenzie & Co. Solicitors*
Launceston

In the Supreme Court }
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL OF *Herbert Henry Cairns*
late of *Chewtōn*
in the Colony of *Victoria* *grocer* deceased

I Alice Emily Cairns

of *Chewtōn*
widow

in the Colony of Victoria

make oath and say—

1. That *I* ~~am~~ seeking to obtain Probate of the Will of the above named *Herbert Henry Cairns* deceased.
2. The said deceased died on the *nineteenth* day of *January*
One thousand eight hundred and *ninety nine*
3. The said deceased left a Will bearing date the *nineteenth* day of *January* One thousand eight hundred and *ninety nine* which is as *I* believe the last Will and Testament of the said deceased and which is unrevoked.
4. By *h is* said Will the said testator appointed *me Alice Emily Cairns* sole executrix thereof.
5. The paper writing hereunto annexed marked "A" is the true last Will and Testament of the said deceased as *I* verily believe
6. The said Will was executed in the presence of *Arthur MacKen Hill* of *Castlemaine* legally qualified medical practitioner and *Henry George* of *Castlemaine* librarian
7. The said deceased left real estate in the Colony of Victoria not exceeding the value of *one hundred and thirty pounds* and personal property in the said Colony not exceeding the value of *One thousand and three pounds four shillings and one penny*
8. 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 *h is* death convey or otherwise dispose of, for other than adequate valuable consideration any real or personal property of which he was seized or possessed.

9. 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 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 hand writing 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 hand writing 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.

10. That the deceased was not at the time of his death possessed of or entitled to any real or personal property outside the Colony of Victoria

SWORN at Geelong in the Colony
of Victoria this sixth
day of February One thousand
eight hundred and ninety nine

Before me

Alice Emily Cairns

J. S. Cairns

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

This is the exhibit marked "A" referred to in the annexed
affidavit of Alice Emily Cairns sworn this sixth day
of February 1899 Before me

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



Dated 19 June 1899

Will

— of —

Herbert Henry Cairns

Witnessed by
Herbert Henry Cairns

This is the last Will of me Herbert Henry Cairns of Chewton in the Colony of Victoria Trooper. I give devise and bequeath all my real and personal estate whatsoever and wheresoever situate unto my dear wife Alice Emily Cairns absolutely and I appoint my said wife sole executrix of this my will In witness whereof I have hereunto set my hand this nineteenth day of January one thousand eight hundred and ninety-nine

Signed by the said Herbert Henry Cairns as and for his last Will and Testament in the presence of us who at his request in his presence and in the presence of each other (all being present together at the same time) have hereunto subscribed our names as witnesses

Herbert Henry Cairns

Alfred Hill
witness
Henry George