

103784

IN THE SUPREME COURT
OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will
of Graham, Emanuel
late of No. 6, Carlisle Street, St. Kilda
in the State of Victoria Music Teacher
deceased

Affidavit of Publication of Notice and of



J. D. Mackie
Newcombs Chambers
428 Chancery Lane
Melbourne

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court

PROBATE JURISDICTION.

OF VICTORIA

IN THE Will

of Abraham Emanuel

late of

no. 6. Carle Street St Kilda in the State of Victoria Music Teacher

deceased

I Archibald Donnelly Michie of no 423 Chancery Lane Melbourne in the State of Victoria Barrister and Solicitor make oath and say—

1. That the following advertisement duly appeared in the *Age* newspaper published in Melbourne on the Eighteenth day of May one thousand nine hundred and seven — 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 State of Victoria in its Probate Jurisdiction that *Probate*

of the last Will and Testament of the above-named deceased,

may be granted to Archibald Donnelly Michie of New

Courts Chambers no 423 Chancery Lane Melbourne

Solicitor and Conveyancer one of the Executors named in and appointed by the said Will leave being reserved to Charles De Jacee, previously of Binders Lane Melbourne but now of Durban in South Africa umbrella snatched the other

Dated this Eighteenth day of May 1907

2. That I have since the death of the deceased, searched and find that no Will of the above-named deceased is deposited in the office of the Registrar-General.

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

4. That no application for probate or administration in this matter has heretofore been made to or been granted by this Court or the Registrar of Probates of this Court.

5. That I am the Executor named in the above notice and that Henry Chapman one of the witnesses of the said Will died at Durban South Africa over two years ago, the other witness address at the date of the Will was 3. Donald Street Prahran that this application is of serious urgency to have the assets of the Testator

SWORN at Melbourne in the State of Victoria this 10th day of October One thousand nine hundred and seven.

A. D. Michie

Before me

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

103784

Gray Well

This is the last Will and Testament of me, Abraham Emanuel of Havelock Street St Kilda in the Colony of Victoria, Notary Public I appoint Charles De Saxe of Flinders Lane Melbourne Umbrella Manufacturer and Archibald Donnelly Michie of Oxford Chambers Bourke Street Melbourne Solicitor Executors and Trustees of this my Will. I direct my Executors and Trustees to spend twenty five pounds out of the proceeds of the sale of my estate on my funeral and for the creation of a memorial stone over my grave. I bequeath the following legacies to my son Emanuel ^{Married} of Sydney in the Colony of New South Wales my watch and chain. To my son Moses Emanuel my walking stick. To my son Benjamin Emanuel of Coombabah New South Wales my monthly dated clock and all my wearing apparel. To my youngest daughter Carrie Men- delsohn my tortoise and gold bangle and to my granddaughter ^{Mrs} Charles De Saxe all my music. I devise to my executors and Trustees all my real estate in trust to convert the same into money and after payment of any mortgages on the same to divide the proceeds of such property equally amongst my children I declare that the said Archibald Donnelly Michie shall be entitled to charge and to be paid ^{for} all professional work and services in connection with the trusts hereof and in connection with my estate notwithstanding his being an Executor and Trustee of this my Will and lastly I revoke all previous Wills and testamentary dispositions heretofore made by me. In witness whereof the said Abraham Emanuel have hereunto set my hand this eighth day of June one thousand nine hundred and seven. A. Emanuel

Signed by the said Abraham Emanuel as and for his last Will and Testament in the presence of us both being present at the one time who at his request and in his presence and in the presence of each other have hereunto subscribed our names as Witnesses the words "granddaughter Annie" in the fourteenth line having been struck out and the words "Granddaughter Connie" having been inserted between the thirteenth and fourteenth lines previous to the execution by the said Testator. Henry Chapman Clerks to A. A. Ernest J. Dowling } Michie } Solicitor Melbourne

103784

IN THE SUPREME COURT.

OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL *Abraham
Emans*

late of *106, Castle Street
St Kilda,*
in the State of Victoria *Muse Teacher*
deceased.

AFFIDAVIT OF EXECUT OR



*P. D. Macle
New Courts Chambers
423. Chancery Lane
Melbourne*

Harston, Partridge & Co., Printers, Melbourne.

In the Supreme Court
OF VICTORIA.

PROBATE JURISDICTION.

IN THE WILL Abraham Emanuel
late of No 6. Carlile Street St Kilda formerly of Harelock Street
in the State of Victoria, Music Master deceased.

I Archibald Donnelly Michie of New Court Chambers
423. Chancery Lane ~~Barrister~~ in the City of
Melbourne in the State of Victoria ~~Solicitor~~
of _____ in the State of Victoria

make oath and say—

1. That I am seeking to obtain Probate of the Will of the above-named Abraham Emanuel deceased and I am of the full age of twenty-one years.

2. The said deceased died on the Sixth day of May One thousand nine hundred and Seven.

3. The said deceased was not married at the time of his death.

4. The said deceased left a Will bearing date the Eighth day of January, One thousand nine hundred _____ which is as I believe the last Will and Testament of the said deceased and which is unrevoked.

5. That the testator was of the full age of twenty-one years at the date of the execution of the said Will.

6. By his said Will the said testator appointed Charles De Saxe, ^{formerly of} Flinders Lane and now of South Africa ^{Manufacturer} and one ^{of} this deponent executor thereof.

7. The paper writing hereunto annexed marked "A" is the true last Will and Testament of the said deceased as I verily believe.

8. The said Will was executed in the presence of Henry Chapman and Ernest Dowse my Managing Clerk and assistant then in my employ.

If the statement
is not filed with
this affidavit
particulars of
the estate will
have to be set
out.

9. The said deceased left ^{no} real estate in the State of Victoria not exceeding the value of or elsewhere but he left _____ and personal property in the said State not exceeding the value of Lefty pounds.

10. 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 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 *Melbourne* in the State
of Victoria this *fourth* —
day of *October* — One thousand
nine hundred and *seven*

Before me

A. D. Smichie

Georges

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

103784
In the Supreme Court
OF THE STATE OF VICTORIA..

PROBATE JURISDICTION.

IN THE Will of Abraham Emanuel
of late of 106. Carlisle Street St Kilda,
in the State of Victoria music Teacher
deceased.

~~PRÆCIPPE.~~

On application to the Registrar to grant
Probate



~~59~~
H. J. Muchie
New Court Chambers
423. Lancer Lane
Melbourne