

618

105819

In the Supreme Court
OF VICTORIA.

IN THE PROBATE JURISDICTION.

IN THE Will of Matthew
Wentell late of Victoria
in Victoria
deceased.

AFFIDAVIT OF
PUBLICATION OF NOTICES
AND SEARCHES.



Crisp Cameron & Fennick
Agents for
Sutherland & Macfarlane
Sheepstation.

In the Supreme Court
OF VICTORIA.

IN THE PROBATE JURISDICTION.

In the Will of Matthew Madill
late of Undera

in Victoria Farmer deceased

I JOHN JAMES HANEY of Number 425 Little Collins Street Melbourne in the State of Victoria Managing Clerk in the sole and permanent employ only of Messieurs Crisp Cameron and Rennick of the same place Solicitors Town Agents of Messieurs Sutherland and Macfarlane of Shepparton in the said State Solicitors Proctors in this application.

1. That the following advertisement duly appeared in the Argus Newspaper published in Melbourne on the thirtieth day of January 1908 namely "Notice is hereby given, that after fourteen days from publication hereof application will be made to the Supreme Court of Victoria, in its Probate jurisdiction, that Probate of the Last Will and Testament of Matthew Madill, late of Undera, in Victoria, farmer, deceased, may be granted to David Madill, of Undera, aforesaid, farmer, and James Alfred Bilson, (in the said will called James Bilson), formerly of Undera, aforesaid, now of number two, Lorne road, Auburn, in Victoria, Storekeeper, the executors named in and appointed by the said will. Dated the thirtieth day of January One thousand nine hundred and eight. Sutherland and Macfarlane, Maude Street, Shepparton, proctors for applicants."

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 State of Victoria and find that no Will of the said deceased is deposited there.

3. That I have this day searched in the proper office of the Master in Equity of this Honorable Court and find that no caveat has been 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 by the Registrar of Probates of this Court.

Sworn at Melbourne — in the State
of Victoria this Fourth day of March
One thousand nine hundred eight.

Before me

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

J. Hanby

105,819
In the Supreme Court
of Victoria
Petitioner
vs
Respondent

Billie Trill of
Matthew Madell
vs
Petitioner vs
Respondent



Account
of
Matthew Madell

Sutherland & Co
Solicitors
Stephens

In the Supreme Court
of Victoria

Probate Jurisdiction

The Will of Matthew Madill
late of Undera in the State of Victoria
Farmer deceased

Administration Account

Receipts.

1908:
April

From David Madill to pay legacies
Debts funeral expenses & costs £ 153. 13. 0

Payments.

To D. Horace debt due by deceased £ 5. 5. 0
W. Brown funeral expenses 8. 8. 0
Cemetery fees 1. 0. 0
M^{rs} Mary Ellen Wilson legacy 70. 0. 0
M^{rs} Margaret Ryan " 50. 0. 0
Sutherland & Macfarlane costs of
Probate, completion of will, transfer
of land &c 19. 0. 0
£ 153. 13. 0

The deceased's land being allotment 4 Sec C Parish of
Undera being the only asset has been transferred to David
Madill the residuary legatee.

We certify the above to be a true account of the
administration of the Estate of the above named Matthew
Madill. Dated the 29th May 1908

David Madill }
James Alfred Wilson } Executors

105819

— In the Supreme Court —

— of Victoria —

— Probate Jurisdiction —

In the Will of Matthew Maddill
late of Undera in the State
of Victoria Farmer deceased.

A P P I D A V I T

— o f —

John Sutherland



Crisp, Omerich &
M. R. L. B. O.
Ayers
Sutherland & M.
Solicitors

Shepparton



In the Supreme Court
of Victoria

Probate Jurisdiction

In the Will of Matthew Madill late of Undera in the
State of Victoria Farmer deceased.

I John Sutherland of Shepparton in the said State Solicitor make oath and
say :-

1. That I am one of the subscribing Witnesses to the Last Will and Testament of Matthew Madill late of Undera aforesaid Farmer deceased -- bearing date the 18th day of April 1904 and which said Will is shown to me at the time of swearing this my affidavit and marked with the letter A.
2. That the said Matthew Madill executed the said Will on the day of the date thereof by making his mark thereto as the same now appears thereon.
3. That before affixing his mark thereto as aforesaid the said Will was read over by me to the said Matthew Madill and the said Matthew Madill seemed perfectly to understand the same and expressed his approval of the contents thereof and the said Matthew Madill made his mark thereto he being unable to write by reason of his never having learned to do so.
4. That the said mark was made by the said Matthew Madill in the presence of me and of Garnet Stanley Down then of Shepparton aforesaid Law Clerk now of Warracknabeal in Victoria Auctioneer's Clerk present at the same time and we thereupon attested and subscribed the said Will in the presence of the said Matthew Madill.

W.M.
SWORN at Shepparton ^{in Victoria} this *8th*
day of February 1908.
Before me

John Sutherland

W.P. Millie

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

105819

In the Supreme Court
OF THE STATE OF VICTORIA.

IN THE PROBATE JURISDICTION

IN THE WILL of *William
Macell late of London
in whose name
deceased.*

Admiral of Executors



Wm. Macell
for
William Macell & Co.
John Macell

In the Supreme Court } IN THE PROBATE JURISDICTION.
OF THE STATE OF VICTORIA.

IN THE WILL of Matthew Madill

late of Undera _____

in Victoria Farmer _____ deceased.

Let David Madill of Undera aforesaid Farmer and James Alfred Pilson (in the said will named James Pilson) formerly of Undera aforesaid now of number two [Grange Road] Auburn in Victoria Stockkeeper, severally make oath and say—

1. That we are seeking to obtain Probate of the Will of the above-named Matthew Madill _____ deceased. and are each of us of the full age of twenty one years.
2. The said deceased died on the twentyfirst _____ day of January _____ one thousand nine hundred and eight _____ at Undera aforesaid, and was a Widower at the time of his death.
3. The deceased left a Will bearing date the Eighth _____ day of April _____ One thousand nine hundred and four _____ which is as we believe the last Will and Testament of the said deceased and which is unrevoked. The said deceased was of the full age of twenty one years at the date of the execution of the said will.
4. By his said Will the Testator appointed us the said David Madill and James Alfred Pilson, therein named, James Pilson of Undera, Stockkeeper _____ execut ors thereof
5. The paper-writing hereunto annexed marked "A" is the true last Will and Testament of the said deceased as we verily believe

6. The said Will was executed in the presence of John Sutherland then and now of Shepparton in Victoria Solicitor, and Garnet Stanley Down then of Shepparton aforesaid Law clerk now of Warracknabeal in Victoria auctioneer clerk.

7. The said deceased left property in Victoria not exceeding in value the sum of _____ consisting of real estate and personal estate of the value of £400:11:9 and in _____ in the said State not exceeding the value of £ _____

8. That if we obtain probate we will well and truly collect and administer according to law to the best of our 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 us as his execut or of any other person or persons for us that we 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 us or to the hands or possession of any other person or persons for us and the same so made will sign with our proper handwritings 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 we will make or cause to be made a true and just account of the administration of the estate which we have undertaken as to our receipts and disbursements, and as to what portion is retained by us and what portion remains uncollected and the same so made will sign with our proper handwritings 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.

9. That to the best of our knowledge, information and belief, the said deceased did not within the space of one year 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 by the said David Madill
at Shepparton in Victoria this
15th day of February 1908
Before me

David Madill

W. T. Milne

a Commissioner of the Supreme Court of the State of
Victoria for taking affidavits.

Sworn by the said James Wilson
at Melbourne in Victoria this 25th day
of February 1908 before me

J. A. Wilson

[Signature]

a Commissioner of the Supreme Court of the State of
Victoria for taking affidavits

ASSETS—Personal Estate—Continued.

£ s. d.

		£	s.	d.
Brought forward		400	.	✓
Watches, Trinkets, Jewellery, &c., consisting of	<i>nil</i>			
Other Personal Effects, Clothing, &c., consisting of	<i>Body clothes of no value.</i>			
Money in Hand or House	<i>nil</i>			
Money in Bank or Building Society, Current account	<i>State name of Society or Bank</i> <i>nil</i>			
Money in Bank or Building Society, Deposit	<i>nil</i>			
Interest on same	<i>nil</i>			
Debentures, consisting of	<i>nil</i>			
Mortgages, consisting of	<i>nil</i>			
Carried forward		£ 400	.	✓

ASSETS—Personal Estate—Continued.

£ s. d.

Mortgages, Interest Brought forward
nil

£ 400 . . ✓

Life Policies, consisting of *nil*

Bonuses, consisting of *nil*

Shares, consisting of *nil*

Dividends, consisting of *nil*

Plant, consisting of *nil*

Tools, consisting of *nil*

Debts due to the Estate, viz. (If not room here list must be made out and marked as an exhibit.) *nil*

Interest in a Partnership business (b) viz. *nil*

Goodwill, consisting of *nil*

Interest in a Deceased Person's Estate, consisting of *nil*

Stock in Shop or Business, consisting of (If value over £50 list to be made out and marked as an exhibit.) *nil*

Jewell Carried forward

£ 400 . . ✓

IN THE SUPREME COURT
of Victoria.

784

[Handwritten flourish]

— Probate Jurisdiction. —

IN THE WILL OF MATTHEW MADDALL
late of Undera in Victoria
Farmer deceased.

[Large handwritten signature]
8/13/11

P R A E C I P E



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Crisp Cameron & Rennick.
Agents for,
Sutherland & Macfarlane
Shepparton.