73*567

IN THE SUPREME COURT

OF THE COLONY OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will and Estate

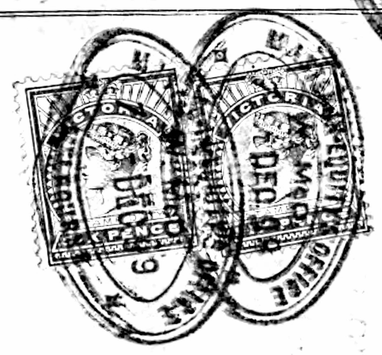
of James Crick

late of Sheephills

in the Colony of Victoria Shuffarmer

deceased

Affidavit of Publication of Notice and of Searches.



EQUITY FILED 7 DEC 99 MELBOURNE

Harston, Partridge & Co., Printers, Chancery Lane.

Peck & Horsham

567

# In the Supreme Court

OF THE COLONY OF VICTORIA.

PROBATE JURISDICTION.

IN THE Will and Estate of James Crick

late of Spring Hills near Horsham

in the Colony of Victoria Sheep farmer deceased

I Richard Ernest Trebilcock of 430 Chancery Lane Melbourne

in the Colony of Victoria Articled Clerk to Charles Frederic Heales

of the same place Solicitor

make oath and say—

1. That the following advertisement duly appeared in the Argus

newspaper published in Melbourne on the twentieth day of October

~~date of~~ 1899 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 Letters of Administration of the estate with the Will thereto annexed of James Crick late of Spring Hills near Horsham in the said Colony Sheep farmer deceased may be granted to The Perpetual Executors and Trustees Association of Australia Limited of 113 Queen Street Melbourne in the said Colony (Edward Hearne one of the Executors named in and appointed by the said Will having renounced probate by renunciation dated 2nd October 1899 ~~may be granted to~~ and the other Executor named therein having predeceased testator) the said Association having been duly authorised to apply for administration of the said Estate by Bridget Crick of Spring Hills aforesaid the widow and next of kin of the said deceased

Dated this 18th day of October 1899

J. Weldon Power of Horsham Proctor for the Perpetual Executors and Trustees Association of Australia Limited of 113 Queen Street Melbourne

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.

Sworn at Melbourne in the Colony of Victoria this seventh day of December One thousand eight hundred and ninety nine

Before me, W. MacDonald

Rich^d E. Trebilcock

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

In the Supreme Court -

Probate Jurisdiction

In the will and
estate of James
Cricks late of Spring
Hills Sheep Farmer,
deceased -

(Copy) Taxing Officers
Certificate

In the Supreme Court-

Probate Jurisdiction

In the will and Estate of James Crick late of Spring Hills Farmer. deceased -

Dated the 30th day of April 1900

I certify that the costs of the Solicitor have been taxed and allowed at £121.19.9 as hereunder

| | | |
|---|---|---|
| Bill delivered | £74.10.4 | |
| Taxed off | 13.2.6 | |
| | | 61.7.10 |
| Paid taxing | ✓ | 1.11.0 |
| Allocatur | | 1.0.0 |
| Costs of taxation | | 1.1.0 |
| Bill delivered | £57.16.7 | |
| Taxed off | 4.16.2 | |
| | | 52.17.5 |
| Paid taxing | ✓ | 1.17.0 |
| Allocatur | | 1.0.0 |
| Costs of taxation | | 1.15.6 |
| Due to Solicitor | | £121.19.9 |




Stamps
£2 = 0s
Separate
Allocatur
30/4/1900 Issued

Taxing Officer

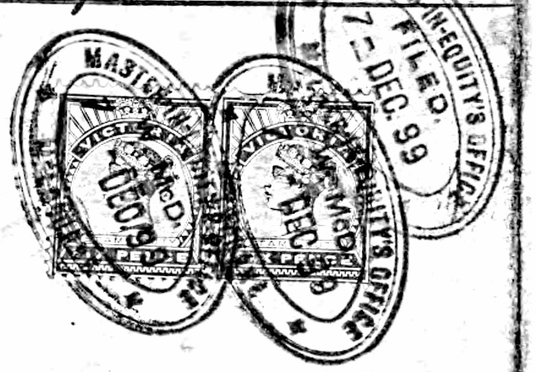
73*567

In the Supreme Court
of the Colony of Victoria

Probate Jurisdiction

In the Will and Estate of
James Crick late of
Spring-hills near Horsham
in the Colony of Victoria sheep-
farmer deceased

Appointment of The
Perpetual Executors and
Trustees Association of Aa
and
Affidavit verifying execution
of same




J Weldon Power
Proctor Horsham

A

IN THE SUPREME COURT

In the matter of "THE PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION OF AUSTRALIA LIMITED" Act 49 Victoria No. 840.

and

IN THE ESTATE of JAMES CRICK of Springhills near Horsham in the Colony of Victoria Sheepfarmer deceased.

Whereas EDWARD HEARNE of Lake Wallace North in the County of Lowan Sheepfarmer one of the Executors named in the Will of deceased dated sixth day of November 1886 has by deed dated second day of October 1899 renounced Probate of the said Will and Whereas ROBERT CRICK the other Executor named in the said Will predeceased the Testator and WHEREAS I the undersigned Bridget Crick ~ ~ ~~~ ~ of Springhills in the Colony of Victoria the Widow of James Crick the above-named deceased am entitled to obtain from the Supreme Court of the Colony of Victoria Letters of Administration with the Will annexed to the Estate and effects of the said James Crick deceased as such Widow and Where-as I am desirous of appointing THE PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION OF AUSTRALIA LIMITED to apply for such Letters of Administration as aforesaid in my place and stead Now therefore I the said Bridget Crick ~ ~ ~ ~ do (under and by virtue of the power in that behalf contained in Section 4 of the above-mentioned act) hereby appoint and authorize the said PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION OF AUSTRALIA LIMITED to apply to and obtain from the Supreme Court of the Colony of Victoria Letters of Administration with the Will annexed to the estate and effects of the above-named deceased.

DATED the Sixteenth day of October 1899.

Witness

A. J. Crick
R. G. Fincham.

Bridget Crick

This is the authority marked A referred to in the annexed affidavit of Randal George Fincham sworn before me this Seventeenth day of October 1899

a Commissioner

IN THE SUPREME COURT

Of the Colony of Victoria

IN ITS PROBATE JURISDICTION.

IN THE WILL AND ESTATE of JAMES CRICK late of Springhills near Horsham in the Colony of Victoria Sheep Farmer deceased.

I, RANDAL GEORGE FINCHAM of Horsham in the Colony of Victoria Bank Manager make oath and say:-

1. THAT I was present on the 16th day of October One thousand eight hundred and Ninety-nine and did see BRIDGET CRICK named and described in the authority hereunto annexed marked 'A' and whose signature appears at the foot thereof sign the said authority.

2. THAT the signature "Bridget Crick" which appears at the foot of the said authority is of the proper handwriting of the said Bridget Crick.

3. THAT on witnessing the signing of the said authority by the said Bridget Crick I then and there signed my name at the foot of the same as attesting witness and that my signature "R. G. Fincham" at foot of the said annexed authority is of my proper handwriting.

SWORN before me this 19th day of October 1899 At Horsham in the Colony of Victoria.

R. G. Fincham.

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

73/567

IN THE SUPREME COURT OF VICTORIA

IN its Probate jurisdiction

In the WILL and Estate of
James Crick late of Spring Hill
near Horsham in the State of
Victoria Sheep farmer deceased




A C C O U N T.




J. WELDON POWER & BENNETT
SOLICITORS
H O R S H A M.

Brought over..... £12671. 11. 9

The following are the particulars of the portion of the Estate which has been retained by the Administrator

Amount retained to meet contingencies as above 7. 0. 8

The following are particulars of the portion of the Estate which are un-realised

All that piece of land being Allotment 74 Parish of Awonga County of Lowan valued at 200. 0. 0

4 Township allotments - Tooan - being allots 1 and 3 of Section 3, and 8 and 9 of Sec. 11 Township of Arapiles Parish of Tooan County of Lowan valued at 5. 0. 0

£205. 0. 0

Dated the Thirteenth day of November 1903.

H. G. Worrish.

Manager for the Perpetual Executors and Trustees Association of Australia Limited the Administrator with the Will of the said deceased annexed

IN THE SUPREME COURT
OF VICTORIA

In the Probate Jurisdiction

In the WILL and ESTATE of JAMES CRICK late of Spring Hill near Horsham in the State of Victoria Sheep Farmer deceased

A C C O U N T of the PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION of AUSTRALIA LTD. Administrator with the Will annexed of the said deceased .

R E C E I P T S

On account of Principal

| | | | | |
|---|---|---|---|---|
| 1899 | | | | |
| Nov. | 3. | To Wilson's Pro. note | | £104.19. 6 |
| | | " Walsh's " " | | 336.17. 6 |
| | | " Cunninghame Pro. note | | 316. 7. 0 |
| | 17 | " Proceeds sale of Wool per Hill & Co. less 12/- exchange on cheque | | 1158.13. 3 |
| | 25 | " Balance of sale of Wool per Hill & Co. | | 12.14. 4 |
| Dec. | 4 | Proceeds " " " Denny's Lascelles Austin & Co. less 6d. exchange | | 18.16.10 |
| 1900 | | | | |
| Jan. | 17 | " Proceeds sale of wheat per New Zealand L. & Mer. Ag. Co. less 5/6 exchange | | 525.12. 2 |
| Feby | 5 | " Money found in house | | 94. 8. 3 |
| | | " A. T. Crick Pro. note less 1/6 exchange | | 44. 3. 6 |
| Mar. | 3 | " " " " amount realised sale of 22 sheep | | 6.12. 0 |
| | | " J. Millar balance of rent due on MacKenzie's land | £49 11. 8 | |
| | | " Purchase of grazing lease | 1. 0. 0 | |
| | | " J. Lear payment on a/c Pro Note | 8. 0. 0 | |
| | | | 58.11. 8 | |
| | | Less exchange on cheque | 1. 0 | 58.10. 8 |
| | 16 | " J. Millar preliminary deposit on a/c purchase Spring Hills property | | 100. 0. 0 |
| " | | " " Bank " | | 100. 0. 0 |
| | | M. A. Gash purchase money Mallee allot.202[a] | | 67. 0. 0 |
| " | | A. T. Crick purchase money for Lake Wallace Hotel and furniture | | 1205. 0. 0 |
| " | | Amount realised sale of sheep | | 2857.16.11 |
| " | | " " " horses and cattle | | 74. 2. 6 |
| " | | " " " furniture &c. | | 218.15. 0 |
| " | | J. Millar balance of deposit re Spring Hills | | 389.18. 0 |
| " | | " " " " " Bank | | 389.16. 6 |
| | | Carried forward ... | | £8610 3 11 |

2931.19.5

Brought forward..... £8610 3 11

| | | | | | |
|---|---|---|---|---|---|
| 1900 | | | | | |
| Apr. | 20 | To J. Millar balance of purchase re Spring Hills | | | |
| | | | £2146.13. 3 | | |
| | | less Crown rents due £174.14.6 | | | |
| | | W. J. Miller's mortgage £1000 | | | |
| | | Estate's prop. of Interest £4.8.6 | | | |
| | | | 1179. 3. 6 | | £ 967.10. 3 |
| | | " J. Millar balance of purchase money | | | |
| | | re Spring Bank | 2369. 9.10 | | |
| | | less Crown rents &c due 174.11 | 99. 2.10 | | |
| | | | | | 2270. 7. 0 |
| | | " Col. Mutual Life Ins. Co. Policy | | | 500. 0. 0 |
| | | " " " " " " Bonus | | | 16.10. 0 |
| July | 21 | " Refund of portion of Crown rents paid Lands Department | | | 133. 8. 9 |
| Sept | 24 | " Additional amount paid by Miller for purchase of grazing lease with ex. | | | 1. 0. 6 |
| Octr. | 15 | J. Weldon Power refund purchaser's prop. of Crown rents paid on Spring Hill and Spring Bank properties | | | 138.10.10 |
| | | " Purchaser's prop. of Shire and Railway rates | | | 12. 1. 6 |

On account of Income

| | | | | |
|---|---|---|---|---|
| 1901 | | | | |
| August | 13 | To Burns rent of Awonga land to 1/10/00 | | 10.19. 6 |
| 1902 | | | | |
| March | 20 | " " " " " " " 1/10/01 | | 10.19. 6 |
| | | Carried forward..... | | £ 12671. 11 9 |

Brought forward....

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

### Funeral and Testamentary Expenses.

| | | | |
|---|---|---|---|
| 1900 | | | |
| Jan | 16 | By Gibbs & Heales, Probate duty on £9559.10.5 | £181.12. 7 |
| | | " " " Fee on Order | 2. 0. 0 |
| | | " W. Bonsfield Funeral account | 15.15. 9 |
| | | " Hearnes Costs re renunciation of Probate account | 17.19. 3 |
| | | " Cost of digging grave | 1. 5. 0 |
| April | 23 | " Commission to Association 2½% on £11489 | 287. 4. 6 |
| | | " J. Weldon Power on a/c taxed costs | 75. 0. 0 |
| May | 7 | " " " " balance of " " | 46.19. 9 |

### On account of Principal

| | | | |
|---|---|---|---|
| 1900 | | | |
| Jan | 17 | By Manager's expenses visiting Horsham | 4.11. 3 |
| | | " National Bank Horsham amount of O/Draft and interest to date | 924. 9. 2 |
| Feby | 5 | By A. T. Crick - shearing expenses | 38.19.11 |
| | | " " Sundries | 4. 0. 2 |
| | | " " " " Wages paid for labour done | 6.11. 3 |
| | | " Col. Mutual Life Ins. Co. - rent | 17.10. 0 |
| | | " J. Wittowski " | 9.18. 6 |
| | | " R. G. Fincham - travelling expenses | 5.13. 8 |
| | | " Dr. Bird - Medical attendance | 13.14. 6 |
| | | " A. T. Crick - for rams bought o/a Estate | 21. 0. 0 |
| | | " Sundry expenses | 8. 2 |
| | 19 | " Managers expenses visiting Horsham re Auction Sale etc. | 4. 5. 8 |
| | 26 | " A. T. Crick - Wages for managing Estate | 43. 8. 4 |
| | | " Sundry accounts re management as a/cs | 18.12. 5 |
| 1900 | | | |
| March | 3 | " Balance to Crown on Spring Hills run | 174.14. 6 |
| | | " " " " " " Bank " | 107. 6. 1 |
| | | " " " " " Awonga land | 16.14. 4 |
| | 12 | " W. J. Miller a/c for goods supplied | 27. 3. 9 |
| | | " E. Berry - for cheque dishonored | 9. 0 |
| | | " Col. Mutual Assoc. Co. rent of MacKenzie's land | 52.10. 0 |
| | 16 | " W. J. Miller - Interest on Mortgage to 24/2/00. | 22.10. 0 |
| | | " P. Learmonth & Co. Auctioneers - commission on sale of land stock etc, 2½% on £10462.6.4 | 261.11. 3 |
| | | " Advertising charges | 29. 2. 0 |
| | | Carried forward... | £2432. 1 9 |

Brought over..... £2432 1 9

| | | | |
|---|---|---|---|
| 1900 | | | |
| March | 30 | By Petty expenses £1.4 Stamps £1.8.2 | 2.12. 2 |
| April | 20 | " Col. Mutual Ins. Co. Repayment of loan on Insurance policy & interest & exchange on cheque | 90.10. 8 |
| | 23 | " J. Weldon Power - Costs due by deceased | 20.14. 6 |
| | | " Thos. Knapp a/c repairs to Wallace Hotel | 4. 0. 0 |
| | | " R. Garland advertising | 1.15. 0 |
| July | 20 | " A. C. Knapp - a/c for wages as clerk etc. | 2. 0. 0 |
| Sept. | 18 | " Wittowski,- rent and prop. of rates due to 30/6/00 | 14. 8. 3 |
| | 24 | " Exchange on balance of Miller's purchase money paid 20/4/00 also Bank's charge for telegram | 1.13. 3 |
| | 28 | " Petty expenses 9/6 Stamps £1.1.9 | 1.11. 3 |
| Oct | 12 | " Shire rate on Spring Hills & Spring Bank from 30/9/99 to 30/9/00 | 13.16. 0 |
| | | " Railway rates to 30/9/00 (2 years) | 19. 2. 0 |
| 1901 | | | |
| April | 1 | " A. C. Palmer & Son Costs re Will | 2. 3.10 |
| | 15 | " Ryan - for papers supplied "Horsham Times" & "Australasian" | 1. 6. 9 |
| | | " Mrs. Bridget Crick Share | 771.18. 3 |
| | | " William " " | 771.18. 3 |
| | | " Arthur T. " " | 771.18. 3 |
| | | " John " " | 771.18. 3 |
| | | " George " " | 771.18. 3 |
| | | " 8 Minors' shares transferred to Minors' account | 6175. 5. 7 |
| | | " Amount retained to meet contingencies | 7. 0. 6 |

On account Income

| | | | | |
|---|---|---|---|---|
| 1902 | | | | |
| March | 26 | By Petty expenses, stamps etc. | | 10. 7 |
| | | " Commission to Association | | 5. 6 |
| Aug | 27 | " Shire of Kowree - arrears of general rates from 1896 to 1898 on L. Wallace Hotel- 15.10 | | |
| | | less prop. payable by Mrs. Pelvin | 4. 5 | 11.15. 0 |
| | | " Balance in hand | | 9.17.11 |

Carried forward ..... £2671.11.9

73*567

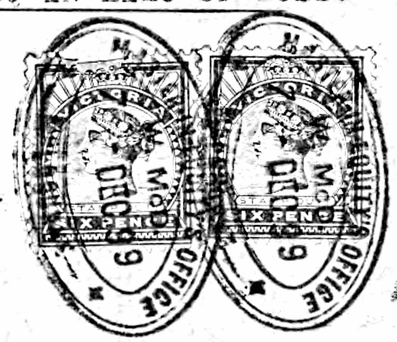
IN THE SUPREME COURT

Probate Jurisdiction

IN THE WILL AND ESTATE
OF JAMES CRICK late of
Springhills Sheepfarmer decd.



AFFIDAVIT OF H.G. MARRIOTT
ESQ IN LIEU OF BOND.



J. Weldon Power,
Proctor,
Horsham.

IN THE SUPREME COURT

Of the Colony of Victoria

IN THE PROBATE JURISDICTION

IN THE WILL AND ESTATE OF JAMES CRICK late of Springhills near Horsham in the Colony of Victoria Sheepfarmer deceased.

I, HENRY GEARY MARRIOTT of 113 Queen Street, Melbourne in the Colony of Victoria Manager of the Perpetual Executors and Trustees Association of Australia Limited make oath and sat:-

That the said "The Perpetual Executors and Trustees Association of Australia Limited carrying on business at 113 Queen Street Melbourne aforesaid possesses a paid up capital of not less than Thirty thousand pounds (£30,000) of which paid up capital Ten thousand pounds (£10,000) is invested in the purchase of Victorian Government Three per cent stock in the name of the Treasurer of the said Colony in Trust for the said Association but transferrable only upon the joint consent of the Treasurer of the said Colony and the said Association or upon an order of the Supreme Court of the said Colony or of a Judge of the said Court and that the said sum remains so invested on this present date.

SWORN at ~~Street~~ Melbourne in the Colony of Victoria this 7th day of December November 1899. Before me

H. G. Marriott.

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

~~A~~ A.

In the Will of James Crick
deceased —

This is the Deed Poll marked
~~A~~ referred to in the affidavit
of Henry Geary Marriott
Sworn before me this 4th
day of December 1899

A Commissioner

Dated

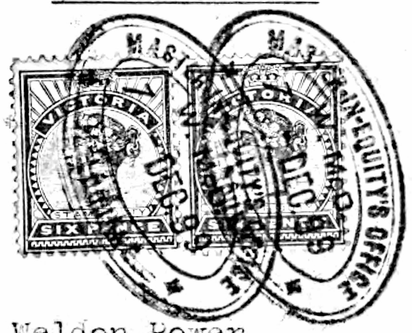
73*567

IN THE WILL OF JAMES CRICK late of Springhills in the Colony of Victoria farmer deceased




RENUNCIATION OF PROBATE

— by —
Edward Hearne




J. Weldon Power,
Proctor etc,
Horsham.

A

TO ALL TO WHOM THESE PRESENTS SHALL COME I EDWARD HEARNE formerly of Lake Wallance North in the County of Lowan Sheep Farmer but now residing at ~~Ward Street~~ Tivoli Road Yarra South ~~Melbourne~~ in the Colony of Victoria SEND GREETING Whereas JAMES CRICK of Springhills near Horsham in the Colony of Victoria Sheep Farmer deceased made and published his last Will and testament bearing date the sixth day of November One thousand eight hundred and eighty-six and thereby appointed Edward Hearne of Lake Wallace North in the County of Lowan Sheep Farmer and Robert Crick ofnAbianger near Edenhope in the said Colony Farmer Executors of his said Will AND WHEREAS the said James Crick departed this life on or about the fourteenth day of September One thousand eight hundred and ninety-nine without having altered or revoked his said Will AND WHEREAS at the time of the execution by the said James Crick of his said Will my son Edward Francis Hearne was resident and followed the occupation of a Sheep Farmer at Lake Wallace North aforesaid and was commonly known by his name of Edward Hearne and is in my belief the Edward Hearne whom the said James Crick intended to appoint as one of his Executors AND WHEREAS for the purpose of facilitating the granting by the Supreme Court of the Colony of Victoria to the said Edward Francis Hearne of Probate of the Will of the said James Crick or in the event of the said Edward Francis Hearne renouncing his right if any to such Probate for the purpose of facilitating the granting of Letters of Administration of the estate of the said James Crick with the Will annexed to any person or persons I have decided to execute these presents renouncing my right if any to Probate of the Will of the said James Crick AND WHEREAS I have never in any way acted and have wholly refused to act in proving and executing the said Will

E.F.H. HH

nor have I in any way intermeddled with the Estate or affairs of the said deceased and I desire to renounce all and every my right title and interest in or unto the Probate and execution of the said Will and Administration of the Estate of the said Testator. Now these presents witness that I Edward Hearne have from the decease of the said James Crick disclaimed and renounced and by these presents do fully and absolutely disclaim and renounce all my right and title if any to the Probate and execution of the said Will or to Letters of Administration with the same annexed and also my right to administer the said Testator's estate And I hereby appoint John Weldon Power of Horsham my proctor to file this renundiation in the proper office of the Supreme Court of the Colony of Victoria IN WITNESS Whereof I have hereunto set my hand and affixed my seal this Second day of October One thousand eight hundred and Ninety-nine.

SIGNED by the abovenamed Edward Hearne by his affixing his mark thereto and SEALED AND DELIVERED by him in the presence of me

E. F. Hearne

Edward his X mark Hearne

This is the Renunciation marked A. referred to in the subjoined affidavit of Edward Francis Hearne sworn before me this second day of October 1899

Paul H Nichell

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

In the Supreme

IN THE SUPREME COURT OF THE

Colony of Victoria

IN ITS PROBATE JURISDICTION

IN THE WILL of James Crick late of Springhills near Horsham in the Colony of Victoria Sheep Farmer deceased.

I, EDWARD FRANCIS HEARNE formerly of Lake Wallace North in the County of Lowan Sheep Farmer but now of Ward Street South Melbourne in the Colony of Victoria agent make oath and say as follows:-

1. THAT I was present at ~~Ward Street~~ Hyde Road South ~~Melbourne~~ Yarra on the Second day of October One thousand eight hundred and ninety-nine and did see Edward Hearne named and described in the above renunciation marked A and whose signature by his mark appears at the foot thereof execute the said renunciation by affixing thereto his mark he being of advanced age and unable owing to bodily infirmity to sign his name

2. THAT prior to the execution by the said Edward Hearne of the said renunciation I read the same over to him and he appeared thoroughly to understand it

3. THAT the said Edward Hearne at the time of the execution by him of the said renunciation was of sound mind and freely and voluntarily executed the said renunciation

4. THAT the mark set at the foot of the said renunciation as the mark of the said Edward Hearne was thereto set by the said Edward Hearne.

5. THAT on witnessing the execution of the said renun--ciation I then and there signed at the foot of the same as attesting witness thereof and that the signature "E. F. "Hearne" which appears at the foot of the said renunciation is of my proper handwriting

SWORn at Melbourne in the Colony of Victoria this 2nd day of October 1899 before me Paul H Nichell a commissioner of the Supreme Court of the Colony of Victoria for taking affidavits

E. F. Hearne

day of October One

thousand eight hundred and Ninety-nine.

Before me

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

1900 : 567

In the Supreme Court
of Victoria

Probate Jurisdiction

In the Will and Estate
of James Crick late of
Spring hills Sheepfarmer
deceased

Passed for duty £ Free
payable

Probate Granted 12th Dec.

Statement and Affidavit



181. 12. 7 1900

J Weldon Power
Proctor Hersham

I APPROVE OF THE WITHIN STATEMENT
AS ALTERED.

MASTER IN EQUITY.

12/ 1900

IN THE SUPREME COURT

Of Victoria

IN ITS PROBATE JURISDICTION

IN THE WILL AND ESTATE OF JAMES CRICK late of Springhills near Horsham in the Colony of Victoria Sheepfarmer deceased.

I, HENRY GEARY MARRIOTT of 115 Queen Street Melbourne in the Colony of Victoria Manager of the Perpetual Executors and Trustees Association of Australia Limited make oath and say:-

1. T H A T 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 Nine thousand two hundred and *fourteen* pounds ten shillings and five pence therein appearing is the full net value of the said real and personal estate.

2. T H A T 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.

5. T H A T the only persons entitled to a distribution of the said estate are the widow and children of deceased

SWORN at Melbourne in the Colony of Victoria this 4th day of ~~December~~ December One thousand eight hundred and Ninety-nine

H. G. Marriott

Before me

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

THE ADMINISTRATOR OF THE WILL AND ESTATE OF JAMES CRICK late of Spring Hills Sheep Farmer, deceased

Dr to,

J. WELDON POWER,
Solicitor, Horsham.

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| 1899 | IN THE WILL AND ESTATE OF JAMES CRICK DECEASED | | | | | | |
| Sep 30 | Attending Mr Fincham when he consulted me on behalf of Mrs Crick and the family as to their position under the Will a copy of which he produced and asked me to advise as to who was Executor in view of the ambiguous appointment and noting particulars | | | | | 13 | 4 |
| | Perusing Will 15 fos. | | | | | 15 | 0 |
| | Attending Mr Fincham when he called discussing matter with him at length and advising on the construction of the Will having regard to the wishes of the family to hold the estate unrealised and at his request I promised to prepare a memo on the position to lay before Mrs Crick | | | | | 10 | 0 |
| | Drawing memo 10 fos. | | | | | 13 | 4 |
| | Engrossing copy to keep | | | | | 15 | 0 |
| | Attending Mr Fincham therewith and again conferring on the possibility of giving effect to the views of the family as he wished to discuss the matter with Mrs Crick and her children | | | | | 5 | 0 |
| | Attending Mr Hearne at request of Mr Fincham discussing the identity of the person intended by the deceased to be his Executor and I advised that both Edward Hearne Sen and Edward Hearne Jnr should renounce and receiving instructions from Mr Hearne accordingly (This charge of 13/4 having been omitted is added at end of Bill) (Costs of both deeds of Renunciation already rendered to Mr Hearne and paid) | | | | 1 | 1 | 0 |
| | Attending Mr Fincham and Mr A. T. Crick discussing the question of placing the estate in the hands of a Trustee Coy and it was decided after considerable discussion to ask the Perpetual Trustees Company to act and instructions to take the necessary steps accordingly | | | | | 13 | 4 |
| | Letter to Trustee Company informing it of | | | | | 13 | 4 |
| | Forward | | | | 1 | 8 | 4 |

1.

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | | | | 4 | 8 | 4 |
| | wish of Mrs Crick and asking for precedents of its special forms | | | | | 5 | 2 |
| | Drawing and Engrossing appointment by Mrs Crick as widow and next in order of claim to administration C. T. A) of the Coy to take out administration C. T. A) | | | | | 10 | 0 |
| | Attending Mr Fincham who was going up to Gymbowen) with appointment of the Company and arranging with him to attest it so that the usual affidavit might be available | | | | | 6 | 8 |
| | Perusing reply of Trustees Company that it would act and asking for information as to the position and value of the estate. | | | | 1 | 1 | 8 |
| | Attending Mr Fincham on his return when he handed me appointment and instructions for his Affidavit | | | | | 5 | 0 |
| | Drawing and Engrossing same | | | | | 10 | 0 |
| | Attending with deponent to be sworn | | 1 | 0 | | 5 | 0 |
| | Paid oath and exhibit | | 2 | 0 | | | |
| | Letter to Trustee Company reporting the formal signature of authority to it and received and perused letter in reply with instructions as to advertising notice of application | | | | | 5 | 2 |
| | Instructions to apply for Administration cum testamento annexo | | | | 1 | 1 | 0 |
| | Drawing and engrossing notice of intention to apply | | | | | 6 | 0 |
| | Attending inserting in "Argus" newspaper | | | | | 5 | 0 |
| | Paid | | 12 | 6 | | | |
| | Copies for insertion in "West Wimmera Mail" and "Wimmera Star" | | | | | 6 | 0 |
| | Attending both papers arranging for insertion | | | | 1 | 10 | 0 |
| | Paid their charges Mail 12/- Star 12/- | 1 | 4 | 0 | | | |
| | Letter to Messrs Palmer and Son for Will of deceased and explaining position as to renunciation by Mr Hearne and that the Company was acting and would write to them Long letter | | | | | 10 | 2 |
| | Letter to Company requesting it to advise Messrs Palmer and Son to forward Will to me | | | | | 5 | 2 |
| | Received will from Messrs Palmer and Son and writing reply acknowledging | | | | | 5 | 2 |
| | Letter to Trustee Company on the question of valuation of the estate | | | | | 5 | 2 |
| | Perusing reply to arrange for valuation by | | | | | | |
| | Forward | £ | 1 | 18 | 6 | 10 | 14 | 0 |

| | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|
| Carried Forward | 1 | 18 | 6 | 10 | 14 | " |
| sworn valuator if necessary. Attending Mr Learmonth accordingly arranging that he would give an informal valuation fee £5. 5. but that if a signed report were required he would have to make a special visit to the land but would allow a rebate of the first fee | | | | | 10 | 6 |
| Instructions for affidavit of Henry Geary Marriott in support of application for administration | | | | | 10 | 0 |
| Drawing and Engrossing same 14 fos | | | | 1 | 8 | 0 |
| Marking Will as exhibit | | | | | 1 | 6 |
| Letter forwarding same to be sworn | | | | | | |
| Attending at Registrar General's Office searching for will deposited | | | | | 5 | 0 |
| Attending at Master's Office searching for caveat | | | | | 5 | 0 |
| Paid search | | 1 | 0 | | | |
| Drawing and Engrossing affidavit of publication and searches etc | | | | | 8 | 0 |
| Paid oath | | 1 | 6 | | | |
| Attending filing affidavit of searches and appointment by Mrs Crick and affidavit with Will annexed | | | | | 5 | 0 |
| Paid | | 3 | 0 | | | |
| Instructions for affidavit in lieu of Bond | | | | | 10 | 0 |
| Drawing and Engrossing same | | | | | 6 | 0 |
| Letter forwarding same to Mr Marriott | | | | | 5 | 2 |
| Attending filing Affidavit | | | | | 5 | 0 |
| Paid filing | | 1 | 0 | | | |
| Praecipt for application to Registrar | | | | | 3 | 0 |
| Attending Registrar when administration granted | | | | 1 | 0 | 0 |
| Attending Chief Clerk when as will of Testator stated he had made provison for his son James in his life time and does not participate under will now being proved the Chief Clerk required to know nature of provision and if by deed the nature of such deed | | | | | 10 | 0 |
| Letter to country thereon | | | | | 5 | 2 |
| Letter to Mr A. T. Crick thereon | | | | | 5 | 2 |
| Attending Mr Thomas Crick conferring thereon and obtaining information from him and when he confirmed his brother's statement | | | | | 10 | 0 |
| Preparing statement for Chief Clerk and letter forwarding to Chief Clerk | | | | | 10 | 0 |
| Attending Chief Clerk with statement and thereon | | | | | | |
| Forward | £ 2 | 5 | 0 | 18 | 16 | 6 |

| | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|
| Carried Forward | 2 | 5 | 0 | 18 | 16 | 6 |
| when he accepted same | | | | | 10 | 0 |
| Instructions for statement including general | | | | | | |
| correspondence with the Administrator on | | | | | | |
| various matters cropping up in connection | | | | | | |
| with the business and not made the subject | | | | | | |
| of a special charge long attendance on Messrs | | | | | | |
| T. Crick and Fincham obtaining particulars | | 1 | 0 | | 5 | 0 |
| of the lands & fencing & improvements which | | 1 | 11 | | | |
| was very troublesome and of the stock and | | | | | | |
| chattels and their estimate and the values - | | | | | | |
| checking over these and reducing some and | | | | | 10 | 6 |
| increasing others and generally fixing them | | | | | | |
| at such figures as I could advise the Exec- | | | | | 10 | 0 |
| utor from my personal knowledge and experience | | | | | | |
| were reliable several attendances at the | | | | | | |
| Local Treasury and Lands Offices and letters | | | | | | |
| to the Municipalities as to the rents fees | | | | 1 | 1 | 0 |
| and rates due on the different Leaseholds | | | | | | |
| and properties. Attendances at the National | | | | 0 | 5 | 0 |
| Bank on the Mortgagees inspecting and extract- | | | | | | |
| ing Titles 22 in number and Lease and Agree- | | | | 1 | 0 | 0 |
| ment for hire of furniture of the Edenhope | | | | | | |
| Hotel ascertaining particulars of rents and | | | | | 5 | 0 |
| fees and contribution to assurance fund on | | | | | 10 | 0 |
| the various Leaseholds going through val- | | | | | | |
| uations of the different lands with sworn | | | | | | |
| valuator and generally attendances on various | | | | | 0 | 0 |
| points which required to be cleared up not | | | | | | |
| specifically charged | | | | 15 | 15 | 0 |
| Drawing statement 40 fos | | | | 3 | 0 | 0 |
| Attending Mr A. T. Crick going through statement | | | | | | |
| in draft arranging to have fair copy made to | | | | | 13 | 4 |
| him to take home and check with the papers | | | | | 6 | 8 |
| Fair copy for Mr A. T. Crick | | | | 1 | 0 | 0 |
| Letter to New Zealand Loan and Agency Company | | | | 1 | 1 | 6 |
| for particulars of wheat A/c | | | | | 5 | 2 |
| On receipt of their reply that they expected | | | | | | |
| definite information by next mail further | | | | 1 | 1 | 6 |
| letter explaining that the information was | | | | | 5 | 0 |
| required for Probate purposes and would be | | 1 | 10 | | | |
| regarded as an estimate merely | | | | | 5 | 2 |
| Perusing and noting their reply | | | | | 5 | 2 |
| Drawing statement of the different allotments | | | | | | |
| for and Certificate by Shire Secretary as | | | | | | |
| to the Shire valations for production to the | | | | | | |
| Assessor on paying valuations | | | | | 10 | 0 |
| Engrossing same and copy to keep | | | | 1 | 4 | 0 |
| Letter to Colonial Mutual Life Assurance | | | | | | |
| £ | 2 | 5 | 0 | 40 | 17 | 8 |

(4.)

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | 2 | 15 | 0 | 40 | 17 | 8 |
| 5/2 | Society for information as to amount due | | | | | | |
| | on Policy and noting their reply | | | | | 5 | 2 |
| 5/2 | Letter to Receiver and Paymaster for part- | | | | | | |
| | iculars of rents due on Awonga land | | | | | 5 | 2 |
| | On receipt of information that this account | | | | | | |
| | was in the Harrow Office Telegram to Receiver | | | | | | |
| | and Paymaster there and paid | | 1 | 0 | | 5 | 0 |
| | Perusing reply and paid therefor | | 1 | 11 | | | |
| | Received draft statement from M. A. T. Crick | | | | | | |
| 10/6 | with notes of required amendment perusing | | | | | | |
| | and checking same | | | | | 10 | 6 |
| 10/- | Preparing schedule of Allotments under Lease | | | | | | |
| | and copy to keep | | | | | 10 | 0 |
| | Attending Receiver and Paymaster therewith | | | | | | |
| | looking up the various Leaseholds and obtain- | | | | | | |
| | ing Certificate of rent and fees required to | | | | | | |
| | make them Crown Grants long attendance | | | | 1 | 1 | 0 |
| | Telegram to M. A. T. Crick for the address | | | | | | |
| | of one of the witnesses to the will and paid | | | 9 | | 5 | 0 |
| | Fair copy of statement for Mr M. A. T. Crick | | | | | | |
| | to certify | | | | 1 | 0 | 0 |
| | Drawing Certificate for him and letter to him | | | | | | |
| | therewith | | | | | 8 | 2 |
| | Instructions for Affidavit verifying statement | | | | | 10 | 0 |
| | Fair copy statement and affidavit for submission | | | | | | |
| | to Trustees Coy checking over and retotting | | | | 1 | 0 | 0 |
| 2.15/- | the figures 40 + 4 letter 5/- | | 5 | 0 | 2 | 0 | 0 |
| | Letter to Coy therewith | | | | | 2 | 6 |
| | Attending Mr A. T. Crick who called with copy | | | | | | |
| | statement and with the original lease of the | | | | | | |
| | Lake Wallace Hotel and agreement of tenancy and | | | | | | |
| 13/4 | further discussing the statement with him | | | | | 13 | 4 |
| | On receipt of draft affidavit and statement | | | | | | |
| | from trustees Coy engrossing same for swearing | | | | | | |
| | 41 fos | | | | 1 | 11 | 6 |
| | Copy for use of Agents to facilitate reference | | | | | | |
| | in case of difficulties arising on passing the | | | | | | |
| 1.1.6 | statement | | | | 1 | 1 | 6 |
| | Telegram A. T. Crick for Mr M'Leod's address | | | | | 5 | 0 |
| | Paid telegram and reply | | 1 | 10 | | | |
| | Attending filing statement | | | | | 5 | 0 |
| | Paid filing 1/- Assessor's fee 5/- | | 6 | 0 | | | |
| 23 | Several attendances on Assessor as to passing | | | | | | |
| | statement and on his questioning valuations. | | | | | | |
| | attending him with Shire Secretary's certified | | | | | | |
| | valuations and when he elected to wait for | | | | | | |
| | report from his valuer | | | | | | |
| | | | | | 1 | 0 | 0 |
| | Forward | £ 2 | 17 | 4 | 52 | 4 | 0 |

4.3.2

8.1.10

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | 2 | 15 | 0 | 40 | 17 | 8 |
| 5/2 | Society for information as to amount due | | | | | | |
| | on Policy and noting their reply | | | | | 5 | 2 |
| 5/2 | Letter to Receiver and Paymaster for part- | | | | | | |
| | iculars of rents due on Awonga land | | | | | 5 | 2 |
| | On receipt of information that this account | | | | | | |
| | was in the Harrow Office Telegram to Receiver | | | | | | |
| | and Paymaster there and paid | | 1 | 0 | | 5 | 0 |
| | Perusing reply and paid therefor | | 1 | 11 | | | |
| | Received draft statement from M. A. T. Crick | | | | | | |
| 10/6 | with notes of required amendment perusing | | | | | | |
| | and checking same | | | | | 10 | 6 |
| 10/- | Preparing schedule of Allotments under Lease | | | | | | |
| | and copy to keep | | | | | 10 | 0 |
| | Attending Receiver and Paymaster therewith | | | | | | |
| | looking up the various Leaseholds and obtain- | | | | | | |
| | ing Certificate of rent and fees required to | | | | | | |
| | make them Crown Grants long attendance | | | | 1 | 1 | 0 |
| | Telegram to M. A. T. Crick for the address | | | | | | |
| | of one of the witnesses to the will and paid | | | 9 | | 5 | 0 |
| | Fair copy of statement for Mr M. A. T. Crick | | | | | | |
| | to certify | | | | 1 | 0 | 0 |
| | Drawing Certificate for him and letter to him | | | | | | |
| | therewith | | | | | 8 | 2 |
| | Instructions for Affidavit verifying statement | | | | | 10 | 0 |
| | Fair copy statement and affidavit for submission | | | | | | |
| | to Trustees Coy checking over and retotting | | | | 1 | 0 | 0 |
| 2.15/- | the figures 40 + 4 letter 5/- | | 5 | 0 | 2 | 0 | 0 |
| | Letter to Coy therewith | | | | | 2 | 6 |
| | Attending Mr A. T. Crick who called with copy | | | | | | |
| | statement and with the original lease of the | | | | | | |
| | Lake Wallace Hotel and agreement of tenancy and | | | | | | |
| 13/4 | further discussing the statement with him | | | | | 13 | 4 |
| | On receipt of draft affidavit and statement | | | | | | |
| | from trustees Coy engrossing same for swearing | | | | | | |
| | 41 fos | | | | 1 | 11 | 6 |
| | Copy for use of Agents to facilitate reference | | | | | | |
| | in case of difficulties arising on passing the | | | | | | |
| 1.1.6 | statement | | | | 1 | 1 | 6 |
| | Telegram A. T. Crick for Mr M'Leod's address | | | | | 5 | 0 |
| | Paid telegram and reply | | 1 | 10 | | | |
| | Attending filing statement | | | | | 5 | 0 |
| | Paid filing 1/- Assessor's fee 5/- | | 6 | 0 | | | |
| 23 | Several attendances on Assessor as to passing | | | | | | |
| | statement and on his questioning valuations. | | | | | | |
| | attending him with Shire Secretary's certified | | | | | | |
| | valuations and when he elected to wait for | | | | | | |
| | report from his valuer | | | | | | |
| | | | | | 1 | 0 | 0 |
| | Forward | £ 2 | 17 | 4 | 52 | 4 | 0 |

4.3.2

8.1.10

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | 2 | 17 | 4 | 32 | 4 | 0 |
| 1900 | Drawing and Engrossing statement & for | | | | | 16 | 0 |
| Jan 8 | Subsequent attendance on Chief Clerk going | | | | | 4 | 0 |
| | into statement and valuations he passed item | | | | | | |
| | 1 on our valuation added £22= to item 2 £200 | | | | | 5 | 0 |
| | to item 3 £100 to No 4 £20 to No 5 and £90 | | | | | | |
| | to No 10 and required to know why Allotment 8 | | | | | | |
| | Goroke was left out of statement as his valuer | | | | | 10 | 0 |
| | informed him it appears in Testator's name in | | | | | | |
| | Rate Book and queried valuation of furniture | | | | | 2 | 6 |
| | in Lake Wallace Hotel | | | | | 10 | 0 |
| | Letter to country thereon | | | | | 5 | 2 |
| | Letter to Mr Marriott thereon | | | | | 5 | 2 |
| | Letter to Agents instructing them as to com- | | | | | 6 | 8 |
| | promising on valuations etc | | | | | 15 | 2 |
| 12 | Long attendance on Chief Clerk going thor- | | | | | 10 | |
| | oughly into the matter of valuations and he | | | | | | |
| | eventually agreed to £110 in No 2 £125 on No 3 | | | | | 6 | 8 |
| | £50 on No 4 £10 on No 5 and £50 on No 10 and | | | | | 10 | 0 |
| | passed the others making net value of estate | | | | | | |
| | £9215. 10. 5. and assessing duty at £181. 12. 7 | | | | 1 | 10 | 0 |
| | Letter to country thereon | | | | | | |
| | Letter to Trustee Company reporting thereon | | | | | | |
| | and to hand cheque for duty to Agents | | | | | 5 | 2 |
| | Drawing and Engrossing order for administration | | | | | 6 | 0 |
| | Drawing Letters of Administration | | | | | 6 | 6 |
| | Engrossing same with copy Will | | | | 1 | 0 | 0 |
| | 2 skin parchments | | 5 | 0 | | | |
| | Copy letters to lodge | | | | | 2 | 6 |
| | Atending at Master in Equity's office with | | | | | | |
| | order and examining parchment | | | | | 10 | 0 |
| | Paid on order | 2 | 0 | 0 | | | |
| | Attending receiving parchment signed and | | | | | | |
| | sealed and giving receipt | | | | | 10 | 0 |
| | Instructions to advertise statutory notice | | | | | | |
| | to Creditors | | | | | 10 | 0 |
| | Drawing same | | | | | 6 | 0 |
| | Copy for "Argus" | | | | | 2 | 0 |
| | Attending inserting | | | | | 5 | 0 |
| | Paid inserting | | 15 | 6 | | | |
| | Copy for "West Wimmera Mail" | | | | | 2 | 0 |
| | Attending inserting | | | | | 5 | 0 |
| | Paid | | 13 | 6 | | | |
| 23 | Perusing Letter from Manager making appoint- | | | | | | |
| | ment for to-morrow to go into accounts and | | | | | | |
| | instructing me to prepare a statement Telegram | | | | | | |
| | to him thereon | | | | | 5 | 0 |
| | Paid telegram | | 1 | 2 | | | |
| | Forward | £ 6 | 12 | 6 | 59 | 5 | 8 |

8.1.10

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | 6 | 12 | 6 | 59 | 5 | 8 |
| | Drawing and Engrossing statement 8 fos | | | | | 16 | 0 |
| 4/= | Copy | | | | | 4 | 0 |
| | Copy items of personal estate to accompany statement | | | | | 3 | 6 |
| 24 | Attending Mr Marriott with statement and receiving instructions from him to prepare and tax costs | | | | | 10 | 0 |
| | | | | | 60 | 19 | 2 |
| 2.8.0 | Drawing costs for taxation 32 fos | | | | 2 | 8 | 0 |
| 16.0 | Engrossing copy for Taxing Master | | | | | 16 | 0 |
| 5/- | Letter forwarding to Agents to lodge and take out appointment for taxing | | | | | 5 | 0 |
| | Agents attendance taking out appointment etc | | | | | 6 | 8 |
| | Copy costs and appointment for Administrator | | | | | 17 | 0 |
| 16/- | Copy costs for use at taxation | | | | | 16 | |
| 34 1/8 | Attending delivery costs and appointment to administrator | | | | | 6 | 8 |
| 10/- | Attending taxation | | | | | 10 | 0 |
| | | | | | | 13 | 4 |
| | To error on first page, omitted charge, payments | 6 | 12 | 6 | 6 | 12 | 6 |
| | | | | £ | 74 | 10 | 4 |
| | Taxed off | | | | 13 | 2 | 6 |
| | | | | | 61 | 7 | 10 |
| | Paid taxing allocatur | | | | 1 | 11 | 0 |
| 13.2.6 | | | | £ | 63 | 18 | 10 |
| | Solicitors costs | | | | 1 | 1 | 0 |
| | | | | £ | 64 | 19 | 10 |

1/- Exam. £2:
Attendg

Taxed and allowed at £64.19.10
Buncombe
Master in Equity.
30/4/00

£2.11.0

7.

20.4.1900

In the Supreme Court

73/567 25.4.1900 2/30

Probate Jurisdiction

In the Will and Estate of James Crick late of Spring Hills Sheep farmer deceased

Costs of obtaining Letters of Administration cum testamento annexo

73/567

I appoint the day of 1900 at the hour of noon at

to tax the within Bill of Costs Dated this day of 1900

J Wilson Power Proctor Horsham

To J Wilson Power Esq
Proctor Horsham

The Perpetual Executors & Trustees Association of Australia Limited of 113 Queen St Melbourne The Administrator of the Will and Estate of James Crick deceased hereby requests that you will have the within Bill of Costs taxed before the proper officer and lodge his Certificate thereof with the Association

Dated this 11th day of April 1900

THE PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION OF AUSTRALIA LTD.

N G Marriott MANAGER.

98/ 25/4/1900
2.20.

# The Executors of the Will & Estate of James Crick deceased

To

# J. Weldon Power

Proctor

# Estate Costs

To J Weldon Power Esq.
Proctor Horsham

The Perpetual Executors and Trustees Association of Australia Limited of 113 Queen Street, Melbourne The Administrator of the Will and Estate of James Crick deceased hereby requests that you will have the within Bill of Costs taxed before the proper officer and lodge his Certificate thereof with the Association.

Dated this 11th day of April 1900.

THE PERPETUAL EXECUTORS & TRUSTEES ASSOCIATION OF AUSTRALIA LTD.

N. G. Harris MANAGER.

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| 4/5/2 | Brought Forward | | | | 49 | 10 | 9 |
| | Letter to Mr Cathcart returning drafts approved of | | | | | 5 | 0 |
| | Attending Mr Cathcart who called with engrossments of Transfer and Deed of Bargain and Sale and discussing method of settlement when it was decided that you should execute the Transfers and on presentation of Titles and Transfers to the Colonial Bank it would by arrangement with A. T. Crick pay the balance of the purchase money and persuing | | | | | 10 | 0 |
| | and checking engrossments | | | | | 5 | 2 |
| | Letter to you therewith for execution | | | | | | |
| | Received Transfer and Deed executed and attending at Colonial bank to take up purchase money when I learned that the matter was in the Head Office | | | | | 10 | 0 |
| | and the deedd etc would have to be presented there | | | | | | |
| | Drawing and Engrossing order to the Registrar of Titles to hold the Deeds for the A/c of the Bank | | | | | 5 | 0 |
| | The like receipt for the deeds in duplicate and | | | | | | |
| | the like statement of settlement | | | | | 5 | 2 |
| | letter to you therewith and with engrossments and advising how the matter might be closed in view of the Titles being still in the Titles Office | | | | | | |
| | re CLOSING ESTATE | | | | | | |
| | Instructions for Certificate as to advertisement for claim and that only claims scheduled to Certificate had been filed with me | | | | | 10 | 0 |
| 1/5/2 | Drawing and Engrossing Certificate | | | | | 6 | |
| | Copy to keep | | | | | 1 | 6 |
| | Letter to you therewith | | | | | | |
| | | £ | | | 52 | 8 | 7 |
| | Paid Messrs Learmonth & Co- valuation fee | | x | | 5 | 5 | |
| | | | | | 47 | 12 | 5 |
| | Paid Land allocations | | | | 1 | 4 | |
| | | | | | 1 | | |
| | | £ | | | 49 | 16 | 5 |
| | Paid Stamps, costs | | | | 1 | 15 | 6 |
| | | £ | | | 47 | 11 | 11 |
| | Paid Land Tax &c £5.5.7= | | | | 5 | 5 | 0 |
| | | £ | | | 52 | 16 | 11 |

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Carried Forward | | | | 31 | 18 | 11 |
| | with the refund | | | | | 5 | 2 |
| 27 | Received long letter from you on position generally and to prepare declaration in support and further instructions that I must protect the interests of the Company as you would have Transfers executed - perusing and noting | | | | | | |
| 28 | Instructions for declaration in support of refund | | | | | 10 | 0 |
| | Drawing same 7 fos | | | | | 14 | 0 |
| | Engrossing in duplicate | | | | | 14 | 0 |
| 28 | Received Transfers perusing and noting same all in order | | | | | 10 | 0 |
| | Letter to you acknowledging receipt and that the matter would be closed directly Mr Millar returned to Horsham | | | | | 5 | 2 |
| 30 | Attending at Commercial Bank producing Transfers and Titles and getting up draft for balance of purchase money of Spring Bank and getting receipt | | | | | 10 | 0 |
| | The like attendance at National Bank and lodging draft for your A/c | | | | | 10 | 0 |
| | Letter to you advising closing of matter | | | | | 5 | 2 |
| | APPLICATION TO BE REGISTERED AS PROPRIETPR as ADMINISTRATOR OF DECD | | | | | | |
| | Examining and noting 12 Titles for preparation of Application to be registered as proprietor of Free holds and drawing and engrossing same | | | | 2 | 2 | 0 |
| | The Like Leaseholds 10 Titles sent for execution with Transfers | | | | 2 | 2 | 0 |
| | Attending Titles Office lodging for registration | | | | | 10 | 0 |
| | Paid registration fees 10/- on each and 20 extra Titles at 2/- | | | | 3 | 0 | 0 |
| | Attending Titles Office receiving Titles on Registration | | | | | 10 | 0 |
| | re SALE TO A. T. CRICK | | | | | | |
| | Attending Mr Cathcart producing Titles for inspection | | | | | 10 | 0 |
| | Drawing notice to Secretary of Kowree Shire as to change of ownership under Section 136 Local Government Act and engrossing induplicate | | | | | 16 | 8 |
| | Letter to him therewith | | | | | 5 | 0 |
| | The like Secretary of Kowree Water Trust | | | | | 16 | 8 |
| | Letter to him therewith | | | | | 5 | 0 |
| | Received from Mr Cathcart draft Deed of Bargain and Sale of Chattels for perusal and approval | | | | | | |
| | 20 fos perusing same and checking schedules | | | | 1 | 0 | 0 |
| | Copy to keep | | | | | 10 | 0 |
| | Received Transfer for perusal and approval perusing and checking same with Title | | | | 1 | 1 | 0 |
| | Forward | | | | 49 | 10 | 9 |

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Brought Forward | | | | 27 | 12 | 1 |
| | money until the Transfers had been signed and the Titles delivered to him and I pointed out that as he was at Horsham and you were in Melbourne these things could not be done simultaneously and suggesting that he should pay the balance of the purchase money to a Bank here to be paid over on delivery of the Titles and Transfers to which course he agrees | | | | | 10 | 0 |
| | Attending him at Commercial Bank when he deposited £2944. 8. 4. balance of purchase money of Spring Bank | | | | | 10 | 0 |
| | Preparing memo of deposit in duplicate for signature by Manager and despatch to you | | | | | 5 | 0 |
| | The like attendance at National Bank and Certificate of Manager as to Spring Hills purchase | | | | | 15 | 0 |
| | Long letter to you explaining the A/cs in connection with the various Transfers and the method adopted by me for depositing the purchase money so as to facilitate closing and forwarding the Transfers and applications by the Company to be registered proprietor of the estate of the deceased | | | | | 13 | 4 |
| Mar 20 | Letter to you with Certificate by Manager of National Bank that he held the balance of the Spring Hills purchase money | | | | | 5 | 2 |
| Mar 23 | Received long letter from you that you had paid Crown rents and made all the land freehold thus upsetting the A/c and returning Transfers and papers and requiring the matter to be re-arranged perusing and noting | | | | | 5 | 0 |
| | Long letter to you in reply pointing out that an option had been given to purchasers to take as leasehold which could not now be altered and suggesting that if you made application for a refund supported by declaration as to the facts the Crown would refund the rents and that in any case the Transfers must go through now as Leaseholds so as to save duty and to give notice to Department not to prepare Grants till further advised | | | | | 13 | 4 |
| Mar 24 | On comparing the receipts for rents paid by you I noticed that your figures differed from mine in that you had paid extra rents Attending at local Receipt and Pay Office to have certificate already obtained by me from Receiver and Paymaster checked and exzmined the Register myself and found my Certificate correct | | | | | 10 | 0 |
| | Letter to you on the matter and further dealing Forward | | | | 31 | 18 | 11 |

1.5.2

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Brought Forward | | | | 11 | 14 | 2 |
| | perusing and noting your reply to arrange for same | | | | | 5 | 2 |
| | Attending the Mortgagee making the required arrangements | | | | | 10 | 0 |
| | Paid Mortgagees costs &c. | 2 | 2 | 0 | 2 | 2 | . |
| Feb 14 | Received letter from Mr Cathcart Solicitor for A. T. Crick requesting appointment to inspect Title on Contract of Sale of Edenhope Hotel and letter making same | | | | | 5 | 0 |
| | Attending Mr Cathcart producing Title for his inspection | | | | | 10 | 0 |
| Feb 28 | Received letter from you requesting particulars of Awonga land tenancy and to note that rent must be paid by A. T. Crick for the Hotel up to acceptance of Title and noting same and reply promising particulars when I should have seen Mr A. T. Crick | | | | | 5 | 2 |
| Mar 5 | Purchaser having reported that there was some claim for wire netting instalments against the estate telegram to Secretary of Lowan Shire for any such – The estate is in the Kowree Shire but there has been severance and such a claim might be outstanding in the Lowan Shire and paid | 2 | 11 | | | 5 | 0 |
| | Received reply that £36 due on "Keytes Mallee by James Crick" and received letter | | | | | 2 | 11 |
| | Letter to Secretary next day giving particulars of Instalments claimed – perusing and noting | | | | | 5 | 0 |
| | Letter to Secretary Lowan Shire demurring to claim and asking for particulars of date when he alleged Crick became the owner | | | | | 5 | 2 |
| | Received his reply that he did not know and to refer to Titles Office – noting same to be returned | | | | | | |
| 5/- | as a possible liability of the estate | | | | | 5 | 0 |
| | re YOU to JAMES MILLAR | | | | | | |
| Feb 16 | Attending Mr Millar conferring on advisability of taking up the whole purchase as for cash when he demurred to such a course because of the outstanding Mortgage it being a rule of his firm not to take properties subject to Mortgage and explaining to him that it was immaterial to whom the purchase money went and whether it was in the shape of the payment of an instalment to you or a payment to the Mortgagee and after a good deal of debate I promised to write to you to get an extension of the time for paying the deposit if he would decide to take it as cash and he requested me to ascertain this fact first | | | | | 10 | 0 |
| | Forward | | | | £ 17 | 4 | 7 |

1.10.2

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Brought Forward | | | | 17 | 4 | 7 |
| | Letter to you accordingly and perusing your reply extending time | | | | | 5 | 2 |
| | Attending him informing him and decided to take the purchase for cash and the Leaseholds as Lease-hold | | | | | 10 | 0 |
| | Drawing notice to Shire Secretary of change of ownership under Section 136 of the Local Government Act 1891 on Contract of Sale on Spring Hill and Spring Bank Allots to Mr Millar and requesting information as to claims by Shire for rates and charges 5 fos | | | | | 10 | 0 |
| | Engrossing in duplicate one copy to be returned signed by the Secretary as having been received 10 fos | | | | | 6 | 8 |
| | The Like notice to Secretary of Kowree Water Trust allots | | | | | 16 | 8 |
| | Letter to Secretary of Kowree Shire with notices | | | | | 5 | 2 |
| | Notice to Secretary Lowan Shire having particular reference to wire netting instalments | | | | | 10 | 0 |
| | Received his reply that he knew of none | | | | | | |
| | Received reply from Secretary Kowree Shire giving particulars of rates claimed and acknowledging notice perusing and noting claim | | | | | 5 | 0 |
| | Notices to Secretary of Natimuk and Goroke Railway Trust of Contracts of Sale of Spring Hills and Spring Bank propertiesand requiring to be furnished with particulars of claims for rates - The Trusts Act incorporating the provisions of the Local Government Act as to rates | | | | | 16 | 8 |
| | Letter to him therewith | | | | | 5 | 2 |
| | Received his reply giving particulars of rates claimed and giving notice and particulars of the current rate in process of being struck but not yet complete and noting same | | | | | 5 | 0 |
| | On receipt of draft Transfer preparing statement of settlement of purchase involving examination of the whole Contract adjustment of rates Mortgage interest Crown rents and fees for Grant 7 fos | | | | | 14 | 0 |
| | Engrossing in duplicate | | | | | 14 | 0 |
| | Perusing and examining draft Transfer of Spring Hills Freehold property and comparing same with Titles and approving thereof for execution by you | | | | 1 | 1 | 0 |
| | The Like Spring Hills Leasehold Transfer | | | | 1 | 1 | 0 |
| | The like Spring Bank Freehold Transfer | | | | 1 | 1 | 0 |
| | The like Spring Bank Leasehold Transfer | | | | 1 | 1 | 0 |
| Mar 19 | Attending Mr Millar conferring on question of closing the sales as he demurred to paying his | | | | | | |
| | Forward | | | | 27 | 12 | 1 |

THE EXECUTOR OF THE WILL & ESTATE OF JAMES CRICK DECEASED

Dr to,

J. WELDON POWER,
Proctor, Horsham.

## E S T A T E  C O S T S

| | | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|---|
| 1899 | | | | | | | | |
| Dec | | Attending Mr A. T. Crick who called to see me about getting some rams to put with the breeding ewes saying that Administrator had informed him that the Solicitor had advised against the outlay and he wished to show it was an essential one and I agreed with him and promised to write you | | | | | | |
| | 16 | Letter to you explaining the necessity of the case urging that authority be telegraphed to Mr Crick | | | | | 13 | 4 |
| 1900 | | | | | | | | |
| June | 24 | Attending you going through statement of estate and discussing the position generally and advising on the question of realisation Instructions to inspect Title held under Mortgage and to see if arrangement could be made to pay Mortgagee off | | | | | 13 | 4 |
| | 25 | Attending you on your return from Gymbowen and receiving instructions to have everything ready as to the Titles for an immediate realisation sale and discussing with you and Mr Fincham the terms to be offered and the reserve to be fixed on the land as to which latter you would decide at the time of the sale and instructions to prepare Contract of Sale | | | | | 10 | 0 |
| | | Attending Mr W. J. Millar Mortgagee arranging for production of Tutle and discussing with him the question of paying off but he proved intractable and as his Mortgage was due in just 12 months I decided that nothing much would be gained by paying him off | | | | | 10 | 0 |
| | | Production fee on inspecting Title | | | | 1 | 1 | 0 |
| | | Inspecting and extracting Mortgage & Title | | | | | 13 | 4 |
| | | Instructions for Contract of Sale including careful perusal and examination of the Freehold and Leasehold Titles and checking the deductions for | | | | | | |
| | | Forward | | | | £ 4 | 1 | 0 |

| | | £ | s | d | £ | s | d |
|---|---|---|---|---|---|---|---|
| | Brought Forward | | | | 4 | 1 | 0 |
| | rents and fees as the properties were to be offered at a Freehold price and arranging and determining the special conditions to attach to the various lots | | | | 2 | 2 | 0 |
| | Drawing Contract and conditions of sale 8 fos | | | | | 16 | 0 |
| | Engrossing | | | | | 5 | 4 |
| | Fair copy for duplicator | | | | | 4 | 0 |
| | 14 copies there being seven lots and possibly a contract and copy reqyired for each lot at 1/- | | | | | 14 | 0 |
| | Copy Conditions of Table A for Auctioneer so that if he were required to explain the reference to these in the Contract he could do so 15 fos | | | | | 7 | 6 |
| | Attending Auctioneer with Contracts of Sale and explaining reference to Table A that he must if required read these conditions and be careful to explain that the Titles were part Leasehold and that the purchaser would have the option of taking a Leasehold Transfer and thereby saving duty | | | | | 10 | 0 |
| Feb 15 | Attending you on return from Gymbowen conferring on position generally and instructions as to the various sales and you would arrange with the Bank to have Titles sent to meand further referring to some dissatisfaction displayed by the family as regards the realisation of the estate Instructions to send Mrs Crick a copy of the Will with explanatory letter as to the duties and obligations imposed on the Company as Administrator and in particular as to the effect of Clause in the Will empowering the Executors to carry on and manage the estate | | | | 1 | 1 | 0 |
| | Copy will for Mrs Crick 20 fos | | | | | 10 | 0 |
| Feb 16 | Long letter to her (13 fos) explaining the whole position and the duty of the Company to realise and her future relations with the Company as regards the maintenance of the minors etc | | | | | 13 | 4 |
| | Received letter from yo that Crown Grant to Allot 47 Gymbowen had not yet been issued and with Letters of Administration and order to get up Grant. | | | | | | |
| | Attending Receipt and Pay Office presenting letters and order but grant not yet ready and ter attending again when Grant obtained | | | | | 10 | 0 |
| Feb 21 | Letter to you for authority to arrange with the Mortgagee for production of Title to Spring Hill preemptive to purchaser and at Titles Office and | | | | | | |
| | Forward | | | | £ | 11 | 4 2 |