

This is the Will referred to and
inclosed with the letter in
the annexed Affidavit of
William Philip Howell
Joseph Michael Butler and
Michael Heikley sworn at
Birregurra this 14 day of September 1898
Before me J. H. Lord of Birregurra

[118]

This is the last Will and Testament OF ME
John Lane

AFTER payment of all my just debts funeral and testamentary expenses
I GIVE DEVISE and bequeath unto my Eldest Son
Thomas Lane of 124 Queen Street Sydney
Woolhara Sydney all my real and
personal estate

AND I HEREBY APPOINT The Rev William Philip
Howell Church of England Clergyman
of Birregurra

EXECUTOR of this my Will IN WITNESS whereof I have hereunto
set my hand this twelfth day of August in the year
of our Lord One thousand eight hundred and ninety eight

Signed by the said John Lane,
the Testator and by him declared to be his
last Will and Testament in the presence of us
present at the same time who in his presence
at his request and in the presence of each
other have hereunto subscribed our names as
Witnesses

John Lane
Joseph Michael Butler
Birregurra
Patrick Heikley
Birregurra

[No. 3.]

In the Supreme Court of the Colony of Victoria.

IN THE PROBATE JURISDICTION.

(1) And codicil or codicils, if any.

IN THE WILL¹ of John Lane Barraguna late of Barraguna in Victoria, laborer deceased.

I William Philip Howell

of Barraguna in Victoria, Clerk in holy orders, make oath and say—

1. That I am seeking to obtain Probate of the Will¹ of the above-named John Lane Barraguna deceased.

2. The said deceased died on the Thirtieth day of August One thousand eight hundred and ninety-eight

(2) If any codicils, state the number and date of each.

3. The said deceased left a Will² bearing date the Twentieth day of August One thousand eight hundred and ninety-eight which is as believe the last Will and Testament of the said deceased, and which is³ unrevoked.

(3) Or are where codicils.

(4) Insert full christian and surname and residence of each executor.

4. By his said Will the testator appointed⁴ William Philip Howell of Barraguna aforesaid execut^{or} thereof.

(5) If codicils, they must also be marked.

5. The paper writing hereunto annexed marked "A" is the true last Will and Testament of the said deceased as I verily believe.⁵

(6) Insert full christian and surname and residence of each of the subscribing witnesses to the Will.

6. The said Will was executed in the presence of⁶ Joseph Michael Butler and Michael Hickey both of Barraguna aforesaid

(7) If no real estate or no personal property insert but did not leave any real estate (or personal property, as the case may be).

7. The said deceased left property in Victoria not exceeding in value the sum of £29 consisting of real estate of the value of £25 and personal estate of the value of £4

8. 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 execut^{or} 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.

9. 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 his death convey or otherwise dispose of, for other than adequate valuable consideration, any real or personal property of which he was seised or possessed.

Sworn at Barraguna in the Colony of Victoria, this 14th day of September One thousand eight hundred and ninety-eight

W. P. Howell

Before me,

J. W. Lloyd

Registrar of the County Court, A Commissioner of the Supreme Court for taking Affidavits.