

Victoria, Australia, Wills and Probate Records, 1841-2009 for Miles Staunton

Wills > 069/514 - 068/313

Save

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69431

In the Supreme Court  
of the Colony of Victoria

In its Probate Jurisdiction

In the Will of Miles Staunton  
(in the said Will named Miles  
Staunton late of Korait in the  
Colony of Victoria Farmer  
deceased.

Affidavit of Executors



Ketcher & Mackay  
Solicitors Murrumbidgee  
Proctors for the Executors



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"A"

This is the last will and testament of me Lewis Stanton of  
 Kermit in the colony of Victoria former. I revoke all previous wills and  
 testamentary dispositions made heretofore by me. I appoint James  
 Francis Duffus of Kermit approved James Ridgell and James Downey the  
 younger of Kermit approved James (hereinafter called my trustees) executors  
 and trustees of this my will. After payment of all my just debts funeral  
 and other expenses I direct that my trustees shall pay to my son  
 Michael James Stanton the sum of one hundred pounds of lawful money to  
 be paid within twelve months of my death. I direct that my trustees shall  
 hold in trust for the benefit of my wife Mary Stanton and my daughter  
 Catherine Stanton to permit them to have the full use and enjoyment  
 and to receive the rents and profits thereof during their lives of all that free  
 of land containing somewhat more or less situated in the parish  
 of Kermit and known as the homestead and Birrell's paddock and  
 occupied by me together with the dwelling and other buildings thereon  
 and the household furniture and other effects contained therein with all stock  
 machinery and implements thereon and upon the death of my wife  
 Mary Stanton then the said with the dwelling furniture and effects stock  
 machinery and implements shall become the absolute property of my  
 daughter Catherine Stanton, but should my daughter die before my wife  
 and leave no children then I direct that the said property be divided equally  
 between my daughter Mary Jane and Margaret both survivors of them at the  
 death of my wife Mary Stanton. I give devise and bequeath all that piece  
 of land containing somewhat more or less in the parish of Kermit  
 part of my farm and being the two town paddocks thereof unto my daughter  
 Mary Jane Stanton for her absolute use and benefit and I give devise  
 and bequeath all that piece of land in the parish of Kermit situated  
 on the banks of the Snowy Hill Lake and containing sixteen acres more  
 or less to my daughter Margaret Stanton for her absolute use and  
 benefit and I further direct that my trustees shall hold in trust for  
 my wife Mary Stanton to permit her to have the full use and enjoyment  
 and to receive the rents and profits thereof during her life of all that  
 free of land containing somewhat more or less in the parish of Kermit and  
 known as the town paddock  
 Witness my hand and seal this 10th day of November 1875  
 Lewis Stanton  
 J. A. Morris



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Wills &gt; 069/514 - 066/313

Save v

In the Supreme Court  
of the colony of Victoria

In its Probate Jurisdiction

In the Will of Miles Staunton  
(in the said Will named Miles  
Stanton) late of Koroit in  
the colony of Victoria Farmer  
deceased.

We James Francis Duffus of Koroit in the colony  
of Victoria Licensed Victualler and James Downey  
the Younger of the same place Farmer jointly and  
severally make oath and say

1. That we are seeking to obtain Probate of the Will  
of the above named Miles Staunton deceased
2. The said deceased died on the twenty eighth day  
of July One thousand eight hundred and ninety  
eight at Koroit aforesaid
3. The said deceased left a Will bearing date the  
Seventeenth day of December One thousand eight  
hundred and ninety four which is as we believe the  
last Will and Testament of the said deceased and which  
is unrevoked.
4. By his said Will the testator appointed us the said  
James Francis Duffus and James Downey the Younger  
executors 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 George  
Swanson Taylor of Koroit aforesaid Bank Manager  
and Edwin Randolph Morris of the same place clerk

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with all stocks and improvements thereon and upon the death  
of my wife Mary Stanton the said land and  
improvements shall become the absolute possession of my daughter  
Catherine Mary Jane and Margaret should they be then living or  
to the children, if any, of either of my daughters who shall be then  
deceased such children to have their mother's share divided equally  
between them, and with respect to the remainder of my real and  
personal estate I direct that it be divided amongst my daughters  
Catherine Mary Jane and Margaret or their survivors or survivors  
of them in equal shares. In witness whereof I have hereunto  
set my hand this seventeenth day of September 1898

*Myles* <sup>his</sup> *Stanton*  
*marks*

Signed and acknowledged by the said Myles Stanton the testator as his  
last will and testament (by writing his name here to be being unable  
to write from want of education) in the presence of us who in his presence  
and sight at his request and in the right and presence of each other he  
having first signed as aforesaid have hereunto subscribed our names  
as witnesses and we certify that previous to the said testator making  
his marks here to as aforesaid the said will was fully read over and  
explained to him when he appeared to perfectly understand the same.

*J. P. Taylor* *James Murray Stewart*  
*J. R. Morris* *John R. Stone*

This is the paper writing or last will marked  
A referred to in the annexed Affidavit of  
James Francis Buffers and James Downey  
the Younger sworn before me this nineteenth  
day of September 1898

*J. A. Turnbull*

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



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office of the Master in Equity within fifteen calendar months next ensuing the order granting probate. That to the best of our 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.

Sworn by the deponents the said James Francis Duffus and James Downey the Younger at Kororoit in the Colony of Victoria this twentieth day of September One thousand eight hundred and ninety eight.

J. F. Duffus,  
James Downey Junr

Before me

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