

490

IN THE SUPREME COURT
OF VICTORIA

126490
Probate Jurisdiction 126490

In the Will of Rudolph August -
Bernhard Burghard (commonly known as
Rudolph Burghard) late of 319 Church
Street Richmond in the State of
Victoria Gentleman deceased

AFFIDAVIT OF EXECUTORS



Brocket & Kemp
237 Collins Street
Melbourne

IN THE SUPREME COURT
OF VICTORIA

Probate Jurisdiction

In the Will of Rudolph August Bernhard Burghard
(commonly known as Rudolph Burghard) late of 319
Church Street Richmond in the State of Victoria
Gentleman deceased

We Adelaide Burghard of 319 Church Street Richmond in the State of -
Victoria Widow and Thomas Trevascus of Jrrong Road Armadale in the said
State Gentleman make oath and say -

1. That we are seeking to obtain Probate of the Will of the abovenamed
Rudolph August Bernhard Burghard deceased and are each of the full
age of twenty one years
2. The said deceased died on the eight day of June one thousand nine
hundred and twelve
3. The said deceased was married at the time of his death
4. The said deceased left a Will bearing date the fourteenth day of
April one thousand nine hundred and eight which is as we believe the
last Will and Testament of the said deceased and which is unrevoked
5. The said 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 us these deponents
executors thereof
7. The paper writing hereunto annexed marked "A" is the true last Will
and Testament of the said deceased as we verily believe
8. The said Will was executed in the presence of William Brocket of 237
Collins Street Melbourne Solicitor and Thomas Herbert Graham -
McIlwraith Street Princes Hill Tramway Employe
9. The said deceased left real estate in the State of Victoria not -
exceeding the value of Five thousand seven hundred and fifty pounds
and personal property in the said State not exceeding the value of

One hundred and sixty five pounds particulars of which real and personal estate are set out in the Inventory hereunto annexed - marked "B"

10. 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 executors 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 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 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 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

11. A N D I the said Thomas Trevascus for myself make oath and say - That I am identical with the Thomas S. Trevascus mentioned and described in the said Will. I have no second christian name but (being brought up by an uncle named Stevens) at School I was called Thomas Stevens Trevascus to distinguish me from an elder cousin of the same name as myself. I still frequently sign my name "T. S. Trevascus"

Severally sworn by both the above named deponents at Melbourne in the State of Victoria this *second* day of August 1912 Before me

Adelaide Burghard
Thomas Trevascus

John J. ...
a Commissioner of the Supreme Court of Victoria for taking affidavits

IN THE SUPREME COURT
OF VICTORIA

126490

Probate Jurisdiction

In the Will of Rudolph August
Bernhard Burghard (commonly known
as Rudolph Burghard) late of 319
Church Street Richmond in the State
of Victoria Gentleman deceased

I N V E N T O R Y



Brocket & Kemp
237 Collins Street
Melbourne

IN THE SUPREME COURT
OF VICTORIA

"B"

This is the Inventory marked "B" referred
to in the annexed affidavit of Adelaide
Burghard and Thomas Trevascus sworn this
second day of August 1912

Before me

John Lewis

A Commissioner of the Supreme Court of
Victoria for taking affidavits

Probate Jurisdiction

In the Will of Rudolph August Bernhard
Burghard (commonly known as Rudolph
Burghard) late of 319 Church Street
Richmond in the State of Victoria -
Gentleman deceased

I N V E N T O R Y

Real Estate

All that piece of land being part of Crown
Allotment B Portion fifty seven parish of
Pahran County of Bourke having a frontage
of twenty four feet eight and a quarter
inches to Chapel Street Windsor by a depth
of one hundred and fifty three feet or
thereabouts along Union Street on which is
erected the brick building containing 11
rooms with offices known as the Bowling
Green Hotel

£5750. 0. 0

Personal Estate

Personal effects, clothing &c

3..

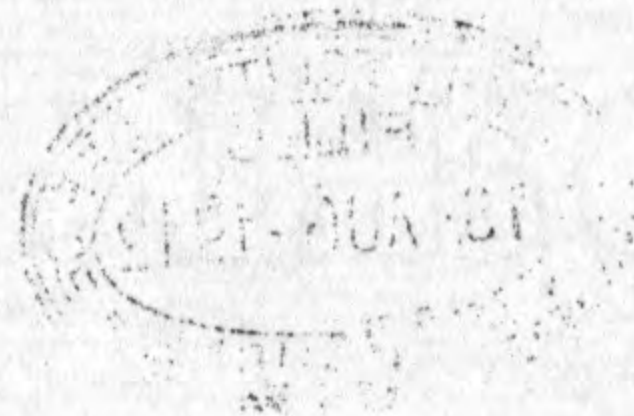
Money in Current account in Bank of
Australia & New Zealand Melbourne

130. 15. 4

Debt due to the estate - R. Ritter
Flinders Street Melbourne Cash lent

80..

£5963. 15. 4

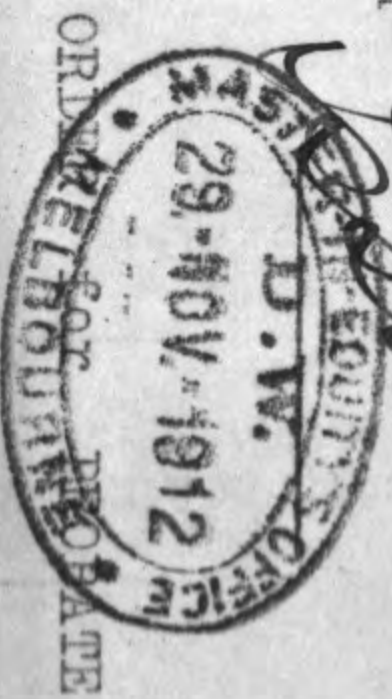


IN THE SUPREME COURT
OF VICTORIA

126490

Probate Jurisdiction

IN THE WILL of Rudolph August
Bernhard Burghard (commonly known
as Rudolph Burghard) 1 of 319
Church Street Richmond in the -
State of Victoria Gentleman -
deceased



[Handwritten signature]
18/9/12

Brocket & Kemp
237 Collins Street
Melbourne

IN THE SUPREME COURT
OF VICTORIA

Probate Jurisdiction

IN THE WILL of Rudolph August Bernhard
Burghard (commonly known as Rudolph Burghard)
late of 319 Church Street Richmond in the
State of Victoria Gentleman deceased

BEFORE THE REGISTRAR

The nineteenth day of August 1912

Upon application this day made by the proctor for the
applicant and upon reading the several affidavits of Adelaide
Burghard and Thomas Trevascus and Arthur Hedley Fewster respect-
ively sworn and filed herein

THIS COURT DOTH ORDER that probate of the Will of the
above named Rudolph August Bernhard Burghard deceased be -n-
granted to Adelaide Burghard of 319 Church Street Richmond in the
State of Victoria Widow and Thomas Trevascus of Orrong Road - -
Armadale in the said State Gentleman the executrix and executor
appointed by the said Will

By the Court



Registrar of Probates



IN THE SUPREME COURT

12641999
VICTORIA

Probate Jurisdiction

IN THE WILL of Rudolph August
Bernhard Burghard (commonly known
as Rudolph Burghard) late of 319
Church Street Richmond in the
State of Victoria Gentleman -
deceased

PROBATE.

*I certify that the sum
of twenty nine pounds
two shillings and one
penny the duty herein
has been paid
Herbert Wells
Commissioner of Taxes
26.11.12*

Brocket & Kemp

237 COLLINS STREET

MELBOURNE

IN THE SUPREME COURT
OF VICTORIA

Probate Jurisdiction

IN THE WILL of Rudolph August Bernhard -
Burghard (commonly known as Rudolph Burghard)
late of 319 Church Street Richmond in the
State of Victoria Gentleman deceased

BE IT KNOWN that on the nineteenth day of August in the year
of our Lord One thousand nine hundred and twelve the Will (a true
copy whereof is hereunto annexed) of Rudolph August Bernhard -
Burghard (commonly known as Rudolph Burghard) late of 319 Church
Street Richmond in the State of Victoria Gentleman deceased who
died on the eighth day of June one thousand nine hundred and
twelve and who had at the time of his death real estate within
the jurisdiction sworn not to exceed in value the sum of Five
thousand seven hundred and fifty pounds and personal estate -
within the jurisdiction sworn not to exceed in value the sum of
One hundred and sixty five pounds was proved by Adelaide Burghard
of 319 Church Street Richmond in the State of Victoria Widow and
Thomas Trevascus of Orrong Road Armadale in the said State - -
Gentleman the executrix and executor appointed by the said Will
they having been first sworn that they would well and truly - -
collect and administer according to law the estate of the said
Rudolph August Bernhard Burghard deceased and would exhibit and
deposit in the office of the Master in Equity a true and perfect
inventory of the said estate within three months of the order
granting probate and a true and just account of their administrat-
ion of the said estate within fifteen months of the said order.

G I V E N at Melbourne this *27th* day of -
September in the year of our Lord One thousand nine hundred and
twelve

DW
18/9/12
[Signature]

[Signature]

Registrar of Probates

126490

IN THE SUPREME COURT
OF VICTORIA

Probate Jurisdiction

In the Will of Rudolph August -
Bernhard Burghard (commonly known
as Rudolph Burghard) late of 319
Church Street Richmond in the
State of Victoria Gentleman -
deceased

Affidavit of Publication
and Searches



Brocket & Kemp
237 Collins Street

IN THE SUPREME COURT }
OF VICTORIA }

Probate Jurisdiction

In the Will of Rudolph August Bernhard Burghard
(commonly known as Rudolph Burghard) late of
319 Church Street Richmond in the State of
Victoria Gentleman deceased

I ARTHUR HEDLEY FEWSTER of 237 Collins Street Melbourne in the -
State of Victoria Managing Clerk to Messrs Bocket & Kemp of the same
place Solicitors make oath and say :-

1. The following advertisement appeared in the "Herald" newspaper
published in Melbourne on the thirteenth day of June 1912

"Notice is hereby given that after the expiration of fourteen days
"from the publication hereof application will be made to the Supreme
"Court of Victoria in its probate jurisdiction that Probate of the
"Will of Rudolph August Bernhard Burghard commonly known as Rudolph
"Burghard late of 319 Church Street Richmond in the State of Victoria
"gentleman deceased may be granted to Adelaide Burghard of 319 Church
"Street Richmond aforesaid Widow and Thomas Trevascus in the Will
"called Thomas S. Trevascus of Orrong Road Armadale in the said State
"Gentleman the executrix and executor appointed by the said Will

Dated this 13th day of June 1912

Brocket and Kemp 237 Collins Street Melbourne

Proctors for the Applicants

2. I have since the death of the above named deceased searched and find
that no will of the said deceased is deposited in the Office of the
Registrar General.

3. I have this day searched in the proper Office of this Honourable
Court and find that no caveat has been lodged in this matter

4. No application for probate or administration in this matter has -
heretofore been made to or granted by this Honourable Court or to or

by the Registrar of Probates of this Court.

5. I am clerk in the sole and permanent employ only of Messrs
Brocket & Kemp proctors for the applicant

SWORN at Melbourne this
13th day of
August 1912

A. W. Procter

Before me

P. C. Waddell

A Commissioner of the Supreme Court of Victoria for taking affidavits

IN THE SUPREME COURT
OF VICTORIA

126490
~~126490~~

✓ Probate Jurisdiction

2731
In the Will of Rudolph August
Bernhard Burghard (commonly known
as Rudolph Burghard) late of 319
Church Street Richmond in the
State of Victoria Gentleman +
deceased

P R A E C I P E

*98 Granted
C. B. Kemp
13/8/12*



Brocket & Kemp
237 Collins Street
Melbourne