

59.

In the Supreme Court
of Tasmania
In Equity.

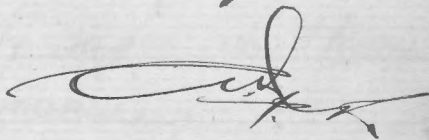
In the matter of the Trusts
of the Will of John Perkins
King deceased

and

In the matter of "The
Trustee Act 1832"

Affidavit
by Frank Morris Gill
verifying statements in Petition

This 30 Sept 1871



S. W. Westbrook
of No 62 Macquarie Street
Hobart in Tasmania Solicitor
for the Petitioners

In the Supreme Court
of Tasmania
In Equity



In the matter of the trusts
of the Will of John Perkins
King deceased

and
In the matter of the Trustee
Act 1852"

I Francis Morris Gill of Picmont
near Swansea in Tasmania Farmer make
oath and say as follows:-

1. That the statements contained in the first
paragraph of the Petition filed in this matter
are true as I know from having perused
and examined an office copy of the last Will of
John Perkins King late of Picmont near
Swansea in Tasmania Esquire deceased dated
the Second day of February One thousand eight
hundred and eighty one
2. The said John Perkins King died at
Bowell near Swansea aforesaid on or about the
thirtieth day of April One thousand eight hundred
and eighty two without having altered or revoked
his said Will as I know of my own knowledge
3. The said Will was on the Twenty ninth day
of April One thousand eight hundred and eighty
two duly proved by Alexander McGregor and
John Webber King / two of the Executors named

- in the said Will / reserving power to Bernard Shaw the remaining Executor therein named thereafter to prove the same as I know from having perused the Probate of the said Will in the office of the Registrar of the Supreme Court
4. The said Will was registered in the Registry of Deeds Office at Hobart on the second day of February One thousand eight hundred and eighty three as I know from having perused the Memorial thereof
5. The said Alexander McGregor departed this life at Hobart aforesaid on or about the fourth day of August now last as I know from having searched the records kept in the office of the Registrar of Births, Deaths and Marriages
6. The said Bernard Shaw by Deed Poll dated the twenty ninth day of May One thousand eight hundred and eighty two renounced the trust reposed in him under or by virtue of the said Will as I know from having perused the Memorial thereof in the Registry of Deeds Office at Hobart aforesaid
7. The said John Webster King is now in parts beyond the seas and he has been so for some years or thereabouts as I know from my own knowledge and there is no probability so far as I know of his returning to reside in Tasmania

Sworn at Hobart aforesaid this
fourteenth day of September One
thousand eight hundred and ninety
six Before me

Frank M. Gil

[Signature]

A Commissioner of the Supreme Court
of Tasmania

This Affidavit is filed on the part and behalf of the Petitioners by
Samuel William Westbrooke of No 62 Macquarie Street Hobart
aforesaid Solicitor for the Petitioners

In the Supreme Court
of Tasmania
In Equity

In the matter of the
Trusts of the Will of John
Perkins King deceased

and
In the matter of The
Trustee Act 1852.⁴

Summons
to amend Order

S. W. Westbrooke & Son

In the Supreme Court
of Tasmania
In Equity

In the matter of the Trusts of the
Will of John Perkins King
deceased

In the matter ^{and} of the Trustee Act 1852

Let all parties concerned attend me or His
Honour the Judge sitting in Chambers in the
Court House Macquarie Street Hobart in
Tasmania on the 4th day of
October Instant at 10.30 o'clock in the fore
noon to show cause why an Order made the
fifth day of October One thousand eight hundred
and ninety six by His Honour the late
Chief Justice should not be amended, varied
or altered by making the costs therein ordered
to be paid to be taxed as between Solicitor
and Client and that such costs when so
taxed be paid to the Petitioner's Solicitors
Dated this 1st day of October One
thousand nine hundred and one

A. J. C. J.

This Summons was taken out by Messrs
S. W. Westbrook & Son of No 62 Macquarie
Street Hobart in Tasmania Solicitors
for the Petitioner mentioned in the said Order

Note I do not intend to serve this Summons on any person

In the Supreme Court
of Tarragonia
In Equity

In the matter of the
Trusts of the Will of John
Perkins King deceased

(and)
In the matter of "The
Trustee Act 1852"

Affidavit
by Mr Edward Layson
verifying signature to consent
to act as Trustee

Filed 30th Sept 1892

[Signature]

7/100

S. W. Westbrook

In the Supreme Court
of Tasmania
In Equity.



In the matter of the Trusts
of the Will of John Perkins
King deceased

(and)
In the matter of "The
Trusts Act 1853"

I Edward Dawson of Hobart in Tasmania
Agent make oath and say:

1. The seal of The Perpetual Trustees Executors
and Agency Company of Tasmania Limited set and
subscribed to the paper writing herunto annexed
purporting to be the consent dated the twenty ninth
day of Sept^r. One thousand eight hundred and ninety
six of the said Company to accept the office of Trustee
of the Will of the said John Perkins King deceased
is of the proper seal of The Perpetual Trustees Executors
and Agency Company of Tasmania Limited as I
know from having seen the said seal affixed to the
said consent

E. Dawson

Sworn at Hobart aforesaid this
Twenty ~~ninth~~ day of September One
thousand eight hundred and
ninety six

Before me

W. M. M. M.

A Commissioner of the Supreme
Court of Tasmania

This Affidavit is filed on the part and behalf of the
Petitioners by Samuel William Westbrook of No 62 Macquarie
Street Hobart aforesaid Solicitor for the Petitioners

In the Supreme Court
of Maryland
In Equity.

In the matter of the
trust of the Will of John
Perkins King deceased

(and)
In the matter of "The
Trustee Act 1852"

Consent
to act as Trustee

S. W. Westbrook

In the Supreme Court
of Tasmania
In Equity.

In the matter of the trusts of
the Will of John Perkins
King deceased

In the matter ^{and} of the Trustee
Act 1852

The Perpetual Trustees Executors and Agency
Company of Tasmania Limited do hereby
testify their consent to accept the office of Trustee
and to act in the trusts of the Will of the said
John Perkins King in case this Honorable Court
shall think fit to appoint the said Company to
that office In Witness whereof the said Company
has caused its common seal to be hereunto affixed
this Twentyninth day of September One thousand eight
hundred and ninety six in the presence of

The Common Seal of the Co. was affixed
hereto in the presence of

W. B. M. G. Y.



C. Dawson
W. B. M. G. Y.

This is the Consent referred to in the Affidavit of Edward
Dawson herewith annexed. Given before me this 12th
day of September 1896

W. B. M. G. Y.

Comd.