

IN THE SUPREME COURT
OF NEW SOUTH WALES
PROBATE JURISDICTION

In the Will of MARY GRANT WHITING
late of Parramatta
in the State of New South Wales
Widow, deceased.

TAKE NOTICE that Application is being made herein that Probate of the last Will and
Testament dated the 31st July, 1961

~~and~~ ~~Solicitors the 1st dated respectively~~

of the abovenamed deceased may be granted to TERENCE KEITH SMYTH WHITING

the Execut or named in the said Will

AND FURTHER TAKE NOTICE that the address for service of all papers in this matter
is at the undermentioned address.

DATED this

17th

day of

April

19 70.

(Signed)

Shepherd & Shepherd

(Name)

SHEPARD & SHEPARD,
SOLICITORS,

(Address)

21 George Street,
PARRAMATTA. 2150.

IN THE SUPREME COURT
OF NEW SOUTH WALES
PROBATE JURISDICTION

No. 2

In the Will of MARY GRANT WHITTING
late of Parramatta
in the State of New South Wales

Widow, deceased.

ON the 16th day of April, in the year
One thousand nine hundred and seventy, TERENCE KEITH SMYTH WHITTING
of 5 Gollan Avenue, Parramatta North
in the State of New South Wales Medical Practitioner
being duly sworn make oath and say as follows:—

1.—That the abovenamed deceased departed this life at Harris Park
in the State aforesaid on or about the Tenth day of December,
in the year One thousand nine hundred and sixty nine
having first duly made and published her last Will and Testament in writing
dated the thirty first day of July in the year One
thousand nine hundred and sixty one whereby she appointed
me Terence Keith Smyth Whitting
this deponent sole execut or thereof.

2.—The document produced and shown to me at the time of swearing
this my affidavit and marked by me by signing my name
in the margin thereof and by the person before whom this affidavit is sworn is
I believe the last Will and Testament of the abovenamed deceased and
attesting witnesses thereof are H.W. Shephard and J. Graham. My means of identifying the
said Will are that the deceased was my mother, whose signature is well-known to me.

3.—The said deceased had whilst living and at the time of her death ~~real and~~
personal estate and effects within the State of New South Wales.

4.—The Testatrix did not marry subsequently to the execution of the said Will ~~(and~~
~~validly)~~.

5.— I will pay all the just debts and legacies of the said deceased so far
as the estate of the said deceased will extend and the law bind me and
I will render a just and true account of my administration thereof
unto the Registry of the Supreme Court within twelve months from the date of grant of
Probate herein.

6.—The said Estate is under the value of One hundred and thirty thousand five hundred and
twenty one dollars.

7.— I am over the age of twenty-one years.

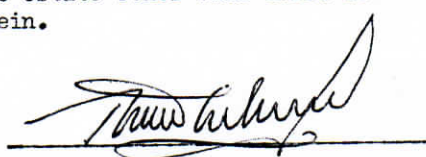
8. I am not aware of any claims against the estate other than those set out in the
affidavit for Stamp Duty purposes filed herein.

SWORN by the Deponent on the day
first above-mentioned at ~~Sydney~~ Parramatta,
Before me H. V. Taylor

~~A Commissioner for Affidavits or~~ J.P.

or

Solicitor of the Supreme Court of New South Wales.



**IN THE SUPREME COURT
OF NEW SOUTH WALES
PROBATE JURISDICTION**

In the Will of **MARY GRANT WHITING**
late of **Parramatta**
in the State of New South Wales
Widow, deceased.

ON the ^{16th} day of **April** in the year
One thousand nine hundred and **seventy**, **TERENCE KEITH SMYTH WHITING**
of **Parramatta North**
in the State of New South Wales **Medical Practitioner**
being duly sworn make oath and say as follows:—

1.—The said deceased departed this life at **Harris Park**
in the State aforesaid, on the **Tenth** day of **December**,
in the year One thousand nine hundred and **sixty nine**.

2.—I knew and was well acquainted with the said deceased in **her** **lifetime**
for a period of **fifty seven** years and

*I saw **her** **dead body** after **her** **decease**, that is to say
on the **tenth** day of **December**, **one thousand nine hundred and sixty nine**.

*I believe the said deceased is identical with the person referred to in the certified copy of the
Entry in the Register of Deaths hereunto annexed and marked with the letter "A."

* ~~3.—I am not interested in the estate of the said deceased.~~

SWORN by the Deponent on the day
first above-mentioned at **Parramatta**,

Before me

Th. V. Taylor

~~Commissioner for Affidavits of J.P.~~

or

Solicitor of the Supreme Court of New South Wales.

687601

Terence Keith Smyth
M. V. Taylor

THIS IS THE LAST WILL AND TESTAMENT of me MARY GRANT WHITING
of North Parramatta in the State of New South Wales Widow
I HEREBY REVOKE all wills and testamentary dispositions
heretofore made by me I APPOINT my son TERENCE KEITH SMYTH
WHITING of Parramatta Medical Practitioner Executor of this
my will I GIVE DEVISE AND BEQUEATH my land and residence
in North Parramatta and all furniture and effects therein
UNTO my daughter ROSAMOND MARY WHITING absolutely I GIVE
DEVISE AND BEQUEATH the residue of my real and personal
estate to be equally divided among all my children as tenants
in common.

M. G. W.
H. W.
24

IN WITNESS whereof I have hereunto set my hand to
this my will this *31st* day of *July* ~~June~~ One thousand nine
hundred and sixty one.

SIGNED by the Testatrix as and)
for her last will and testament)
in the presence of us both)
present at the same time who at)
her request in her presence and)
in the presence of each other)
have hereunto subscribed our)
names as witnesses:-)

H. W. Sheshaver

Solicitor
Parramatta

J. Graham
his clerk

Mary G. Whiting
.....

"D"

No. D

Form of Affidavit to be lodged with application for administration

NEW SOUTH WALES

IN the estate of * MARY GRANT WHITING

(Block Letters)

TO WIT.

* Please use block letters.

† State last occupation. If retired, last occupation also to be stated.

‡ Strike out which ever is unnecessary.

If more than one applicant, the form to be filled up accordingly.

late of Parramatta in the State aforesaid,† Widow deceased, ‡ TestateIntestateON the 16th day of April,one thousand nine hundred and seventy, TERENCE KEITH SMYTH WHITING of
Parramatta aforesaid, Medical Practitioner

being duly sworn, maketh oath, and saith as follows:—

1. I am/we are the party/parties making application for the purposes of obtaining administration of the estate of the abovenamed deceased and the party/parties liable for the payment of the duty, if any, on the estate herein included.

2. The abovenamed deceased who died on the Tenth day of December,
1969, aged 81 years, was at the time of death § a widow and
was domiciled ¶ in New South Wales.

3. The annexed inventory contains a true statement of all and singular the real and personal estate of or to which the abovenamed deceased was possessed or entitled and all property liable to duty under the Stamp Duties Act, 1920, as amended, and of the values thereof, and includes the whole of the accruing income in the estate up to the date of death. The debts therein stated were actually due and owing at the date of the death of the deceased, and are such as may be deducted under Section 107 of the Stamp Duties Act, 1920, as amended.

4. The final balance of the estate of the abovenamed deceased is One hundred and twenty eight thousand eight hundred & eighty five dollars ninety three cents.5. In the event of any additional assets being discovered, I/we will advise the Commissioner of Stamp Duties, and will pay any further duty found to be payable.~~6. The deceased having been domiciled in the State of New South Wales and the amount of the dutiable estate when aggregated with the value of the foreign assets after deducting all debts due and owing other than debts referred to in sub-section 2 of Section 107 being under the sum of thirty thousand dollars I/we claim an assessment of the duty payable at concession rates set forth in Section 112C of the Stamp Duties Act, 1920, as amended, on the properties set out in the annexed schedule marked "A" after deducting the proportion of the debts chargeable thereon as the said properties pass to the lawful~~
~~|| of the deceased.~~~~7. The deceased having been domiciled in the State of New South Wales and the amounts of the dutiable estate when aggregated with the value of the foreign assets after deducting all debts due and owing other than debts referred to in sub-section 2 of Section 107 being under the sum of twenty thousand dollars I/we claim exemption from duty on the properties set out in the annexed schedule marked "B" after deducting the proportion of the debts chargeable thereon as the said properties pass to the lawful~~
~~|| of the deceased.~~8. The annexed schedule marked "C" contains a true statement of all and singular the real and personal estate and the values thereof of or to which the abovenamed deceased was possessed or entitled outside the State of New South Wales at the time of death other than real and personal estate ~~liable to duty under the Stamp Duties Act, 1920, as amended.~~

9. The deceased was not possessed of or entitled to any property in New South Wales or elsewhere at the date of his death other than the property set out in the annexed inventory.

10. The annexed schedule marked "D" contains a true statement of the persons entitled to the property included in the dutiable estate, their relationship, if any, to the deceased, the description and value of such property and how same was derived.

11. The annexure hereto marked "E" is a certified copy of the will of the deceased.

12. Particulars of property in which the deceased or any other person had an interest limited to cease on the death of the deceased, as provided by Section 102 (2), (g) of the Stamp Duties Act, 1920, as amended, and the name of the person who created the limited interest, are shown in the annexed schedule marked "F".

Sworn by the deponent on the
day first abovementioned at
Parramatta,

before me,

M. V. Taylor
A Commissioner for Affidavits
(or) Justice of the Peace.

FULL particulars of the debts actually due and owing by the deceased at the date of death which may be deducted from the value of the assets under Section 107 of the Stamp Duties Act, 1920, as amended.

* Insert date when debt contracted or date of last item in a running account. No debts to be inserted which were not contracted before date of death.

Particulars of property in which the deceased or any other person had an interest limited to cease on the death of the deceased:—

If there was no such interest limited to cease on the death of the deceased, the word "Nil" is to be written across this Annexure.

W. V. Taylor Jr. J.P.

copy

STATUTORY DECLARATION.

I, TERENCE KEITH SMYTH WHITING of Parramatta, in the State of New South Wales, Medical Practitioner, do hereby solemnly and sincerely declare as follows:-

1. I am the Executor of the Will of the within-named deceased.
2. I refer to the Deed Box held by the Bank of New South Wales, Parramatta on behalf of the deceased, and say that I have inspected the whole of the contents of such box and found therein Share Certificates relative to the various shares disclosed in Schedules Nos. 4 and 5 of the Stamp Affidavit filed herein. There were no other items in the said box.
3. The said deceased was not a Member of any Funeral Fund or benefits Lodged, Medical Benefits or Hospital Contributions Fund, from which anything could be claimed towards her funeral or hospital expenses.
4. I refer to the devise under the Will of the said deceased in respect of her land and residence in North Parramatta in favour of her daughter, Rosamond Mary Whiting, and say that the only real estate in North Parramatta in which the deceased had any interest was property known as No. 14 Katia Street, North Parramatta. The deceased's interest in such property was a life interest only under a Marriage Settlement made by her mother A.M. Smyth, as disclosed in Annexure "F" to the Stamp Affidavit filed herein. The deceased had no power of appointment in respect of the said property.
5. I refer to the debt due by the estate to Thomas Davis & Co., in respect of accountancy fees, and say that the whole of the work included in the said account was completed prior to the date of death of the said deceased.
6. I refer to the Income Tax Assessment in the sum of \$1323-18 for the year ended 30th June, 1969, and say that such assessment is still unpaid.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900.

SUBSCRIBED AND DECLARED

at Parramatta the 16th
day of April, 1970,
before me,-

T K S Whiting

H. V. Taylor

A Justice of the Peace.

IN THE SUPREME COURT
OF NEW SOUTH WALES
PROBATE JURISDICTION

IN THE WILL of MARY GRANT WHITING late of
Parramatta in the said State, Widow, deceased.

SCHEDULE NO. 1.

<u>FURNITURE</u> in residence 14 Katia St., Parramatta	337 - 75	
in storage with A.R.C.Thomas	<u>29 - 50</u>	<u>\$367 - 25</u>

SCHEDULE NO. 2.

<u>MONEY ON CURRENT A/C.</u> Bank New South Wales, Parramatta	<u>\$6728 - 14</u>
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SCHEDULE NO. 3.

MONEY ON DEPOSIT:

Bank N.S.W. Parramatta I.B.D. 4055	2037 - 50	
do. do. Savings A/c. No. 405	8634 - 43	
Commonwealth Savings Bank, Parramatta A/c. No. 184488	<u>751 - 04</u>	
		<u>\$11422 - 97</u>

SCHEDULE NO. 4.

SHARES ON EXCHANGE:

As per letters from Companies & Valuation herewith	<u>\$21827 - 25</u>
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SCHEDULE NO. 5.

SHARES UNLISTED:

150 Pref. \$2-00 shares in John Sands Holdings Ltd.	<u>\$300 - 00</u>
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SCHEDULE NO. 6.

DIVIDENDS DECLARED BUT UNPAID:

John Sands Holdings Ltd.	236 - 62	
C. S. R.	<u>16 - 00</u>	<u>\$252 - 62</u>

SCHEDULE NO. 7.

GOVERNMENT STOCK:

Special Bond Series "R" 30/6/1976 : As per valuation	<u>\$754 - 80</u>
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SCHEDULE NO. 8.

DEBT DUE TO ESTATE:

Accrued interest in estate K. M. Whiting, As per letter from Perpetual Trustee Co. Ltd.	<u>\$3566 - 54</u>
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These are the Schedules numbered "1", "2", "3", "4", "5", "6", and "7",
referred to in the attached Affidavit of TERENCE KEITH SMYTH WHITING
sworn at Parramatta the 16th day of April, 1970, before me,-

T. V. Taylor

A Justice of the Peace.

SCHEDULE NO. 10.

INTEREST IN DECEASED PERSON'S ESTATE:

Life interest in Estate late Ada Mary Smyth with General Power of Appointment given under the Will which the deceased exercised by her Will
As per letter from Perpetual Trustee Company Ltd.
Statement and valuation herewith

\$63009 - 49

SCHEDULE NO. 11.

OTHER PERSONAL PROPERTY:

Contingent on the death of M.K. Burnell, a daughter of A. M. Smyth without children, one third of the assets from which she received a life interest will be distributable under the trusts applicable to the share of the late M.C. Whiting under the Will of the said A.M. Smyth : Mrs. Burnell now aged 81 years and has no children : As per letter statement and valuation herewith One third

\$20722 - 96

SCHEDULE NO. 8.

DEBENTURE JOHN SANDS PTY. LTD. \$1550-00
Interest 18-08

\$1568 - 08.

mt
THESE are the schedules numbered "8" and "10" and "11" referred to in the attached Affidavit of TERENCE KEITH SMYTH WHITING sworn at Parramatta the 16th day of April, 1970, before me,-

W.T. Taylor

A Justice of the Peace.

VALUATION OF FURNITURE AND EFFECTS
OF THE ESTATE OF THE LATE MARY GRANT WHITING
LATE OF 14 KATIA STREET, NORTH PARRAMATTA.

Account: Messrs. Shephard & Shephard
Solicitors,
21 George Street,
PARRAMATTA.

18th March, 1970

We have to-day inspected the furniture and effects of the abovementioned Estate at 14 Katia Street, North Parramatta, and the following is our valuation of these items.

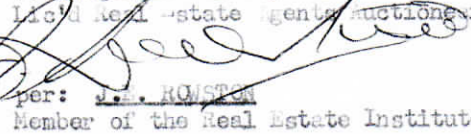
<u>BEDROOM No. 1.</u>	3' wooden end bed with kapok mattress	6.00
	Wardrobe with two mirrors	8.00
	5 drawer chest of drawers	8.00
	Dressing table and mirror	3.50
	bedside table	1.00
	bedside chair	3.50
	Piano stool	2.00
	wall to wall Feltex	6.00
	4 holland blinds at 25 cents each	1.00
	electric light fitting	2.00
<u>BEDROOM No. 2</u>	9'x 12' carpet square	15.00
	3 metal venetian blinds at 2.50 each	7.50
	electric light shade	1.00
<u>LIVING ROOM</u>	Writing Bureau	16.00
	Arm chair	6.00
	Tub chair	12.00
	small occasional table	1.50
	3 pce lounge suite with loose cushions	15.00
	brass top occasional table.	10.00
	occasional table	1.50
	Polished set of book shelves	6.00
	white painted set of book shelves	3.00
	side board	6.00
	extension dining table	12.00
	wall to wall body carpet in hall & living rm	35.00
	7 holland blinds at 25 ¢ each	1.75
	standard lamp	6.00
<u>HALL</u>	telephone table.	1.50
	telephone stool	.50
	Bench stool	1.50
	Wall mirror with bronze surround	2.50
<u>KITCHEN</u>	"Frigidaire" refrigerator	50.00
	Marble top wash stand	1.50
	Tray-mobile	1.50
	sundry crockery and glassware	4.00
	sundry cutlery	2.50
	sundry pots and pans	2.50
	2 striped linen blinds at \$1.00 each	2.00

Total carried forward...

\$ 266.25

ESTATE OF THE LATE MARY GRANT WHITING

Amount brought forward...		\$266.25
<u>SUNROOM</u>	divan and inner spring mattress	12.00
	David Jone's treadle machine (out of repair)	2.00
	1 high back lounge chair	2.00
	kitchen chair	25
	wooden clothes rack	1.50
	dressing table and mirror	2.50
	3 holland blinds at 25 cents each	75
	1 scatter mat	1.50
<u>LAUNDRY</u>	"Hoover-matic" twin tub washing machine	25.00
	"Electrolux" barrell style vacuum cleaner with attachments	10.00
<u>TOOL SHED</u>	Hand lawn mower	1.50
<u>EXTERNAL</u>	2 aluminium roll-up awnings @ 6.00 each	12.00
	Total.	<u>\$337.75</u>

E.B. ROWSTON & SONS PTY. LTD
75 Macquarie Street, Parramatta.
Lic'd Real Estate Agents Auctioneers & Valuers

per: E.B. ROWSTON
Member of the Real Estate Institute.

Valuations carried out in any part of N.S.W.

PHONE: AUCTION ROOMS
635-6688

28 PHILLIP STREET
PARRAMATTA

REMOVALS OFFICE:
21A SORRELL STREET
PARRAMATTA
PHONES: 630-1241-2

No. 1

3rd March, 1970

VALUATION OF GOODS AS IN STORAGE AT REPOSITORY No. 5 BOURKE STREET,
PARRAMATTA NORTH.

BY A. R. C. THOMAS

Valuator and Licensed Furniture, Timber and General Auctioneer

VENDORS In the Estate of MARY GRANT WHITING (Deceased).

ADDRESS Late of NORTH PARRAMATTA.

1 Dinner Waggon. (oak).	6	00
1 Single Iron Bed in parts.	1	00
1 Marble Washstand.	6	50
1 Oval Marble Top Table.	10	00
3 Dining Room Chairs.	6	00
	<u>\$29</u>	<u>50</u>

DECLARATION.

This is to certify that I have inspected
the withinmentioned goods as shown to me
and to the best of my knowledge the list
and value of same are true and correct.

SIGNED.....
A. R. C. THOMAS.

PERPETUAL TRUSTEE COMPANY LIMITED

(EXECUTOR TRUSTEE, ATTORNEY UNDER POWER, AGENT ETC.)

33-39 HUNTER STREET SYDNEY

TELEPHONE 2 0377

CABLE & TELEGRAPHIC ADDRESS PERPETUAL SYDNEY

BOX NO 4172 GENERAL POST OFFICE

N.S.W. 2001

PLEASE QUOTE
REFERENCE

J.D

19th March, 1970.

The Commissioner of Stamp Duties,
Phillip Street,
Sydney. 2000

Dear Sir,

Estate late Mrs. Ada Mary Smyth

This Company is the surviving trustee of the estate of the late Mrs. Ada Mary Smyth who died on the 11th August 1946 Probate being granted on the 23th February, 1947.

We certify that the interest of the late Mrs. Mary Grant Whiting as at the date of her death on the 10th December, 1969 in the estate of the late Mrs. Ada Mary Smyth was:-

1. Life interest in one fourth of the above estate represented by assets set aside in her life interest account as per the attached as at the 10th December, 1969.
2. Contingent on the death of Mrs. M. K. Burnell, a daughter of the late Mrs. A. M. Smyth without children, the assets from which she derives her life interest will be distributable and one third thereof will follow the trusts applicable to the share of the late Mrs. M. G. Whiting. Mrs. M. K. Burnell is a widow aged 81 years. List of assets of her life interest account as at the 10th December, 1969 is attached.
3. General Power of Appointment given her under the Will of the late Mrs. A. M. Smyth which was exercised by the late Mrs. M. G. Whiting in terms of the residuary devise and bequest in her Will dated the 31st July, 1961.

Yours faithfully,

(J. A. DEAN)

Asst. Trust Officer.

A MEMBER COMPANY OF
PERPETUAL TRUSTEES
AUSTRALIA LTD. GROUP

PTA

INCORPORATING

PERPETUAL TRUSTEE COMPANY LIMITED (NSW) PERPETUAL TRUSTEE COMPANY (CANBERRA) LIMITED (ACT)
THE PERPETUAL EXECUTORS AND TRUSTEES ASSOCIATION OF AUSTRALIA LIMITED (VICTORIA)
QUEENSLAND TRUSTEES LIMITED (QUEENSLAND)

