

THIS IS THE LAST WILL AND TESTAMENT of me THOMAS MOORE of Caerleon
Frenchmans Road Randwick near Sydney in the Colony of New South Wales
Gentleman I REVOKE all Wills and Codicils by me at any time heretofore
made I APPOINT BENJAMIN PALMER of Bayswater Road Sydney aforesaid
Gentleman and WILLIAM GEORGE WHITING of Frenchmans Road aforesaid
Accountant Trustees and Executors of this my Will I BEQUEATH the sum
of Two hundred pounds to myniece ANNIE KELSEY now residing with me
for her sole and separate use I BEQUEATH the personal estate of or
which I shall die possessed or entitled unto my said Trustees their
executors administrators and assigns UPON TRUST that my said Trustees
shall as soon as conveniently may be after my decease sell call in
and convert into money such parts thereof as shall not consist of money
And shall out of the moneys to arise from such sale calling and
conversion and out of the ready money of which I shall be possessed at
my death pay my funeral and testamentary expenses and debts and the
legacy hereinbefore bequeathed And shall divide the residue of the
same moneys equally between my daughters Emily Mary Bennett the wife
of Edwin Bennett and Amy Jane Whiting the wife of the said William
George Whiting the share of each of my said daughters to be paid to
her for her separate use on her sole receipt I DECLARE that any sale
of my said personal estate may be made either by public auction or
private contract excepting the sale of my furniture and other household
effects which I direct shall be effected by public auction only
I DEVISE unto my said Trustees their heirs and assigns my messuage or
public house situate in Erskine and Kent Streets Sydney aforesaid known
as the Queensland Hotel (including the premises in Erskine Street
formerly used as a shop and dwelling house) Also my messuage or shop
and dwelling house in Erskine Street aforesaid adjoining now in the
occupation of Mcleod Mens Mercer Also my messuage or shop
and dwelling house in Kent Street Sydney aforesaid and now in the
occupation of Mrs. McDonald Grocer Also the land at Randwick purchased
by me from my late brother Robert White Moore with the messuage or
dwelling house erected thereon wherein I now reside and known as Caerleon
excepting the land which I hereinafter devise for the benefit of my

said daughter Amy Jane and - Tho. Moore - Witnesses W.P. Moore, H.J. Aspinall - her children TO HOLD the said premises with the appurtenances thereto belonging unto my said Trustees their heirs and assigns UPON TRUST to pay to or permit my said daughter Emily Mary to receive the rents and profits thereof for and during the term of her natural life for her separate use independently of her present or any future husband and without any power of anticipation and for such rents and profits her receipt alone shall be a sufficient discharge And from and after her decease Upon Trust for all or any the children or child of my said daughter Emily Mary who either before or after her death shall attain the age of twenty one years their his or her heirs and assigns if more than one in equal shares as tenants in common . I DEVISE unto my said Trustees their heirs and assigns my dwelling house and premises in Bourke Street Sydney aforesaid now occupied by Mrs. Reece Also my messuage or dwelling house situate in Kellet Street Sydney aforesaid and now in the occupation of Mr. Baines Also my messuage or dwelling house known as "Urana" situate in Kellet Street aforesaid and now in the occupation of Richard Teece Also my messuage or dwelling house known as "Chislehurst" situate on the Bayswater Road Sydney aforesaid and now in the occupation of Mr. Bebarfalt Also my messuage or dwelling house known as "Estelle" situate on Bayswater Road aforesaid and now in the occupation of James Orr Also my messuage or dwelling house known as "Nardoo" situate on Bayswater Road aforesaid Also an allotment of land at Randwick Commencing at the intersection of Saint Marks Road and Chapel Road bounded on the South West by Chapel Road bearing north westerly one hundred and eighty five links on the west by a line bearing north three hundred and sixty nine and a half links on the north east by a line bearing east to St. Marks Road on the south east by St. Marks Road bearing south four hundred and sixty two links to the commencing point Also an allotment of land at Annandale in the said Colony Farm Number three hundred and twenty one of the estate of Allandale purchased by me from the Bank of Australia: Also an

allotment of land number sixty seven of Section thirty nine Hastings South in the said Colony purchased by me from the Bank of Australia; also allotment sixty four of Block R Fitzroy North purchased by me from the said Bank of Australia TO HAVE AND TO HOLD the said premises with the appurtenances thereto belonging unto my said Trustees their heirs and assigns UPON TRUST to pay to or permit my said daughter Amy Jane to receive the rents and profits thereof Tho. Moore - Witnesses W.P. Moore H.J. Aspinall - for and during the term of her natural life for her separate use independently of her present or any future husband and without any power of anticipation and for such rents and profits her receipt alone shall be a sufficient discharge and from and after her decease Upon Trust for all or any the children or child of my said daughter Amy Jane who either before or after her death shall attain the age of twenty one years their heirs or her heirs and assigns if more than one in equal share as tenants in common And in the event of either of my said daughters having no child who shall attain the age of twenty one years then I direct that my said Trustees shall hold the said hereditaments and premises hereinbefore devised in favor of such daughter and her children for the benefit of my other daughter and her children Upon the same trusts and subject to the same provisions as are hereinbefore expressed concerning the real estate hereinbefore devised for her and their benefit respectively I EMPOWER my said Trustees to grant leases of my said Real Estate or any part or parts thereof for any term not exceeding seven years in possession and generally to manage and direct all the affairs and concerns thereof as my said Trustees shall in their discretion judge most beneficial I FURTHER EMPOWER my said Trustees to sell the said allotments of land at Hastings South Allandale and Fitzroy North and the said Allotment at Randwick hereinbefore devised for the benefit of my said daughter Amy Jane and her children or any of them or any part thereof respectively together or in parcels by public auction or private contract and

*have first
deeds of children*

*Small
not the white
share in bank*

*Dr. W. upon
me that Mrs
Bennett has
no children
∴ all her share
goes to Mrs
Whitings
other children*

to convey the real estate so sold unto or according to the direction of the purchaser or purchasers thereof with power to make any special conditions as to title or evidence of title or otherwise with power to buy in the premises at any public sale or to rescind either on terms or gratuitously any contract and to resell without being answerable for any loss AND I DIRECT that my said Trustees shall invest the moneys to arise from the sale thereof in their names in such investments or securities as they may in their absolute discretion think fit with power from time to time to vary such investments for others AND I DECLARE that the said investments and the income thereof respectively shall be - Tho. Moore - Witnesses W.P. Moore - H.J. Aspinall - subject to the trusts and provisions hereinbefore contained concerning the Real Estate so sold as aforesaid and the rents and profits respectively or as near thereto as may be I EMPOWER my said Trustees to apply for the maintenance and education or otherwise for the benefit of each grandchild of mine during his or her minority the whole or any part of the income of the share in the said trust premises to which he or she shall for the time being be entitled in expectancy under the trusts hereinbefore contained or at the option of my said Trustees to pay the said income or any part thereof to his or her guardian or guardians without being liable to see to the application thereof and to accumulate the unapplied income by investing the same in manner aforesaid and dispose of the accumulations as part of the same share I DEVISE the residue of my Real Estate unto my said daughters their heirs and assigns in equal shares as tenants in common I DEVISE all Estates vested in me as Trustee or mortgagee unto my said Trustees their heirs and assigns Upon the trusts and subject to the equities affecting the same respectively I DECLARE that the receipts or receipts of my said Trustees for such moneys as shall be payable to them under this my Will shall effectually discharge the persons paying the same from all liability to see to the application thereof AND I DECLARE that my said Trustees shall be answerable for their own respective acts receipts and defaults only and shall be at liberty to retain

and allow to each other out of moneys coming to their hands by virtue of this my Will all expenses incurred in executing the trusts thereof I DECLARE that if the Trustees hereby appointed or either of them or if any Trustees or Trustee to be appointed under this clause shall die or be abroad or desire to be discharged or refuse or become incapable to act then and in every such case it shall be lawful for my said daughters or the survivor of them (notwithstanding their or her coverture) and after the death of such survivor for the surviving or continuing trustees or trustee for the time being (if any) whether refusing or retiring from the office or not or if none for the executors or executor administrators or administrator of the last surviving or continuing Trustee to appoint a new Trustee or Trustees in the place of the Trustees or Trustee so dying or being abroad or desiring to be discharged refusing or becoming incapable to act as aforesaid and upon every such appointment my trust estates shall vest or by proper assurances be vested - Tho. Moore - Witnesses W.P. Moore H.J. Aspinall - in such new Trustees or Trustee either solely or jointly with the surviving or continuing Trustees or Trustee as the case may require And that any new Trustees or Trustee shall have the same powers and authorities as if they or he had been originally appointed Trustees or Trustee under this my Will AND I DECLARE that the previous clauses so far as they concern my Trustees hereinbefore named shall extend and apply to the Trustees or Trustee for the time being of this my Will. IN WITNESS whereof I have set my hand to this my Will and Testament contained in this and the four preceding sheets of paper the thirteenth day of December in the year of our Lord One thousand eight hundred and ninety.

- Tho. Moore -

SIGNED by the said Testator Thomas Moore as and for his last Will and Testament in the presence of us both being present at the same time who at his request in his presence and in the presence of each

other have hereunto subscribed our names as witnesses:-

W. P. Moore Solr.
Solr. Sydney.

H.J. Aspinall Articled Clerk to
A. Mackinlay.

Testator died 28th. December 1890

Probate granted 26th. February 1891 to Executors named in Will
(No. 167 4th. series)

Estate sworn under £28,981.