

THIS IS THE LAST WILL AND TESTAMENT OF ME, JAMES MATTHEWS

SENIOR OF LEITH STREET BALLARAT IN THE COLONY OF VICTORIA MINING MANAGER.

AFTER PAYMENT OF ALL JUST DEBTS FUNERAL AND TESTAMENTARY EXPENSES.

I GIVE DEVISE AND BEQUEATH UNTO MY BELOVED WIFE ELIZABETH MATTHEWS ALL THE INTEREST ACCRUING FROM THE WHOLE OF MY ESTATE REAL AND PERSONAL AND THE USE OF THE HOUSE AND FURNITURE THAT I NOW LIVE IN DURING HER LIFE AND IT IS MY WISH IF THE INTEREST FROM MY ESTATE DOES NOT AMOUNT TO THE WEEKLY SUM OF TWO POUNDS THAT THE AMOUNT OF TWO POUNDS SHALL BE PAID TO MY WIFE PER WEEK OUT OF THE INTEREST AND PRINCIPLE OF MY ESTATE AND IF MY WIFE SHOULD GET MARRIED THAT THE SAID AMOUNT TO BE PAID TO HER SHALL CEASE AND THAT SHE SHALL NOT REMAIN IN THE HOUSE,

AND IT IS MY WISH THAT IF MY WIFE SHOULD DIE BEFORE MY YOUNGEST CHILD IS OF AGE THE SAID INTEREST OR WEEKLY AMOUNT THAT WAS PAID TO HER SHALL BE PAID TO MY CHILDREN THAT ARE NOT MARRIED UNTIL THE YOUNGEST CHILD IS OF AGE OF TWENTY ONE YEARS OR AT THE MARRIAGE OF MY WIDOW OR HER DEATH AFTER MY YOUNGEST CHILD IS OF THE AGE OF TWENTY ONE MY WISH IS THAT THE WHOLE OF MY PROPERTY SHALL BE SOLD AND THE SUM OF FIFTY POUNDS EACH TO BE PAID TO MY ELDEST SON JAMES MATTHEWS AND MY SECOND SON JOSEPH MATTHEWS AND A SUM OF ONE HUNDRED POUNDS TO BE PAID TO MY DAUGHTER MARY JANE MATTHEWS IF SHE IS SINGLE IF MARRIED THE SAID LEGACY NOT TO BE PAID TO HER. THE BALANCE OF MY REAL AND PERSONAL ESTATE TO BE EQUALLY DIVIDED BETWEEN THE WHOLE OF MY CHILDREN OR THEIR REPRESENTATIVES AND IT IS MY WISH THAT AFTER MY DEATH THAT THE WHOLE OF MY ROLLING STOCK SHARES HORSES ETC. SHALL BE SOLD AND THE WHOLE OF THE MONEY PUT OUT IN INTEREST ON OR BANK SECURITIES.

AND I HEREBY APPOINT DANIEL AUCTIONEER OF BALLARAT AND DUNCAN CAMERON OF BALLARAT LEGAL MANAGER AND MY WIFE ELIZABETH MATTHEWS EXECUTORS OF THIS MY WILL IN WITNESS WHEREOF I HAVE HEREWITH SET MY HAND THIS 31 DAY OF MAY ONE THOUSAND EIGHT HUNDRED AND EIGHTY EIGHT.

SIGNED BY THE SAID JAMES MATTHEWS AND BY HIM

JAMES MATTHEWS.

DECLARED TO BE HIS LAST WILL AND TESTAMENT

etc etc. ~ WITNESSES.

A referring to on the annexed affidavit of David Cook Dabean
to David Cook Dabean sworn the last day
of September 1888 before me
for copy of the same

the annexed affidavit of David Cook Dabean
Barnes and a female challenge sworn before me
the last day of September 1888



This is the last Will and Testament of Me

James Matthews Senior of Leith Street Ballarat
in the Colony of Victoria Mining Manager

After payment of all just debts funeral and
testamentary expences

I Give devise and bequeath unto my
Beloved wife Elizabeth Matthews all the interest
arising from the whole of my Estate real or personal
and the use of the House and furniture that I now live in
during her life and it is my wish if the interest from
my Estate does not amount to the weekly sum of two
pounds that the amount of two pounds shall be paid
to my wife per week out of the interest and principal of
my Estate and if my wife should get married that
the said amount to be paid to her shall Cease and that
she shall not remain in the House

And it is my wish if my wife should die before my youngest
Child is of age the said interest or weekly amount that was paid
to her shall be paid to my children that are not married until the
youngest Child is of age of twenty one years or at the marriage of my widow
or her death after my youngest Child is of the age of twenty one my wish
is that the whole of my property shall be sold and the sum of fifty pounds each
to be paid to my eldest son James Matthews and my second son Joseph Matthews and
a sum of one hundred pounds to be paid to my daughter Mary Jane Matthews
if she is single if married the said sum not to be paid to her the
Balance of my real or personal Estate to be equally divided between
the whole of my Children or their Representatives and it is my wish that
after my death that the whole of my Polling Book Shares Stocks &c shall
be sold and the whole of the Money put out in interest on the whole
or Bank Deposit

and I hereby appoint David Cook another of Ballarat and
David Cook another of Ballarat Legal Manager and my wife Elizabeth
Matthews executrix of this my will in witnesses whereof I have hereunto set my Hand
the 31 day of May one thousand eight hundred and eighty eight
Signed by the said James Matthews and by them
declared to be his last will and testament in the
of us present at the same time and in his right
and presence and at his request and in the
presence of each other Subscribed our names
as witnesses
David Cook another of Ballarat
N. S. Nicholas, 170 Dalbot Street Ballarat

James Matthews