

In the Supreme Court
OF NEW SOUTH WALES.
PROBATE JURISDICTION.



11/9/15 67576
In the Estate of *Brian Golden*
Antyll Rockley
late of *North Sydney*

in the State of New South Wales
Medical Officer deceased intestate

NOTICE OF MOTION

FOR

Administration and
to dispense with Bond



Bindin & Littlejohn
14 Castlereagh St.
Solicitors

Martyn & Son, Printers, 14 Castlereagh St., Sydney.

Sydney.

In the Supreme Court
OF NEW SOUTH WALES
PROBATE JURISDICTION.

In the Estate of *Brian Golden Antill Pockley*
late of *North Sydney*

in the State of New South Wales *Medical Officer Attached to the*
Australian Naval and Military Expeditionary Force
deceased intestate

TAKE NOTICE that Application is being made herein that Administra-
tion of the Estate of the abovenamed deceased may be granted to

Francis Antill Pockley the father of the said
deceased and that the usual Administration
Bond may be dispensed with

Dated this

Twenty Seventh day of *January* - A.D. 1915

Bridie & Littlejohn

Solicitor for the

Applicant
14 Castlereagh Street
Sydney.

In the Supreme Court
of New South Wales
Probate Jurisdiction

In the Estate of BRIAN GOLDEN
ANTILL POCKLEY late of North
Sydney in the State of New South
Wales, Medical Officer attached
to the Australian Naval and
Military Expeditionary Force
deceased Intestate.

Affidavit of Death.



Vindin & Littlejohn.

In the Supreme Court
of New South Wales
Probate Jurisdiction

In the Estate of BRIAN COLDEN ANTILL
POCKLEY late of North Sydney in the
State of New South Wales Medical Officer
attached to the Australian Naval and
Military Expeditionary Force deceased
Intestate.

On this ~~fourteenth~~ ^{twentieth} day of December in the year one thousand
nine hundred and fourteen *William Jesse Carr*
of Sydney in the State of New South Wales *Private in the*
Australian Naval and Military Expeditionary Force
being duly sworn makes oath and says as follows :-

1. I was a member of His Majesty's Australian Naval and
Military Expeditionary Force on active service in New Guinea.
The abovenamed deceased was one of the Medical Officers
attached to the said Expeditionary Force.
2. I knew and was acquainted with the said deceased who
was killed in active service at Kabakaul in New Britain on
the eleventh day of September one thousand nine hundred and
fourteen and I saw his dead body prior to burial that is to
say on the ~~Eleventh~~ day of September one thousand nine hun-
dred and fourteen.
3. I am not interested in the estate of the said deceased.

Sworn by the deponent on the day)
first above mentioned at Sydney }

Before me :-

W. J. Carr

W. H. Coogan J.P.

In the Supreme Court
of New South Wales
Probate Jurisdiction

In the Estate of BRIAN GOLDEN
ANTILL POCKLEY late of North
Sydney in the State of New South
Wales Medical Officer attached
to the Australian Naval and
Military Expeditionary Force
deceased Intestate.

Affidavit of Administrator.



Vindin & Littlejohn.

In the Supreme Court
of New South Wales
Probate Jurisdiction

In the Estate of BRIAN GOLDEN ANTILL
POCKLEY late of North Sydney in the
State of New South Wales Medical Officer
attached to the Australian Naval and
Military Expeditionary Force deceased
Intestate.

On the *25th* day of *January* in the year one thousand nine hundred and fifteen FRANCIS ANTILL POCKLEY of Wahroonga in the State of New South Wales Duly Qualified Medical Practitioner being duly sworn makes oath and says as follows

1. I am the Father of the abovenamed deceased.
2. The said deceased departed this life on or about the eleventh day of September one thousand nine hundred and fourteen a bachelor and to the best of my knowledge and belief intestate having at the time of his death goods chattels credits and effects in the State of New South Wales and leaving me this deponent him surviving.
3. I have made a careful search among the private papers of the said deceased but have been unable to find any Will of the said deceased. I have also caused enquiries to be made at Kabakaul in New Britain to which place the said deceased had proceeded on active service with the abovementioned Expeditionary Force as to whether the deceased had Executed a Will prior to his death and am informed and verily believe that he did not make any Will prior to his death.
4. I will well and truly administer the estate and effects

of the said deceased and pay his just debts so far as the same will thereunto extend and the law charge me and I will render a just and true account of my administration unto this Honorable Court within twelve months from the date of the grant of administration herein and I believe the said goods chattels credits and effects of the said deceased are under the value of three hundred and seventy five pounds.

5. The deceased had no real estate at the time of his death.

6. I am not an uncertificated bankrupt and am over the age of twenty one years.

7. I have paid all the debts of the deceased which were known to me or of which I have had any notice. A notice was inserted in the Sydney Morning Herald Newspaper requiring all persons having any debt or claim against the estate of the said deceased to send in particulars thereof and there are no claims of which I have had notice remaining unsatisfied.

Sworn by the Deponent on the day)
first above mentioned at Sydney)

Before me :-

Sydney J. H. Kimmoorff *John P. Rodley*

In the Supreme Court
OF NEW SOUTH WALES.
PROBATE JURISDICTION.

In the *Estate of Brian Golden*
Antill Rockley
late of *North Sydney*

in the State of New South Wales *Medical*
Officer deceased. *Intestate*

ADDRESS FOR SERVICE.



Brian Littlejohn

In the Supreme Court }
OF NEW SOUTH WALES.
PROBATE JURISDICTION. }

In the Estate of Brian Coddery Antill Rockley
late of North Sydney
in the State of New South Wales Judicial Officer
deceased. Intestate

TAKE NOTICE that the Address for Service of all Papers in this matter is at the
Office of the undersigned.

Beindin & Littlejohn
Solicitor for Applicant
114 Castlereagh Street
Sydney.

In the Supreme Court
OF NEW SOUTH WALES.
PROBATE JURISDICTION.

Dated

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In the Estate of *Brian Golden*
Antill Dockley
late of *North Sydney*

in the State of New South Wales,
Industrial Officer deceased intestate.

AFFIDAVIT OF PUBLICATION OF
NOTICE AND SEARCH FOR
CAVEAT AND WILL.

Affidavit of *C. S. L. de*

Sworn *27th* day of *January*
A.D. *1915*



Brian Littlejohn
Solicitor.s

A

This is the letter marked "A" referred to in the annexed
Affidavit of ~~Oliver Stewart, Esq.~~ ~~William Sage~~ Sworn at Sydney the
27th day of January 1915
Before me
[Signature] 14
a Commissioner for Affidavits.

Wm. L. Hall
a Commissioner for Affidavits

In the Supreme Court
OF NEW SOUTH WALES
PROBATE JURISDICTION.

In the Estate of *Brian Golden Antill Pockley*
late of *North Sydney*

in the State of New South Wales *Medical Officer attached to the*
Australian Naval and Military Expeditionary Force
deceased intestate

On the *29th* day of *January*

in the year one thousand nine hundred and *fifteen*
Oliver Stuart Slade of *14 Castlereagh Street Sydney*
in the State of New South Wales *Law Clerk*
being duly sworn, maketh oath and saith as follows:--

There appeared
1.—I caused to be inserted in the *Sydney Morning Herald*
Newspaper of date the *fifteenth* day of *December*
last past and in _____ newspaper of
date the _____ day of _____ last past a notice
(a true copy whereof is hereunto annexed marked "A") applying for administra-
tion in the said estate by *Francis Antill Pockley*.

2.—I have this day searched in the proper office of the Supreme Court
and find that there has not been any Caveat entered against the granting of the
said administration.

3.—I have searched in the proper office of the Registrar-General at Sydney
for Deposited Wills and find no will of the deceased remains deposited with the
officer for the time being authorised to have the custody of deposited wills.

SWORN by the Deponent on the day
first above mentioned at *Sydney*

C. S. Slade

Before me

[Signature]
A Commissioner for Affidavits.



"G."

FORM of Affidavit to be sworn and lodged with the application for obtaining any Probate or Letters of Administration relating to the Estates of deceased persons, for the purpose of getting such Probate or Letters of Administration stamped under Act No. 27, 1898, the Stamp Duties (Amendment) Act, No. 24, 1904, and the Stamp Duties (Amendment) Act, No. 3, 1914.

NEW SOUTH WALES, }
TO WIT.

In the ~~Will~~ [or in the Goods] of Brian Golden Antill Pockley -
late of North Sydney in the State aforesaid,

Medical Officer deceased Intestate

ON the twenty fifth day of January

one thousand nine hundred and fifteen Francis Antill Pockley of
Wahroonga in the State of New South Wales Duly
Qualified Medical Practitioner

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

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

1. I am the party making application for the purpose of obtaining ~~Probate of the Will~~ (or Letters of Administration of the Goods, Chattels, Credits, and Effects) of the abovenamed deceased and the party liable for the payment of the duty, if any, on the estates herein included.

2. That 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 also all estate liable to duty under paragraphs a and b of subsection 2 of section 49 of the Stamp Duties Act No. 27, 1898, and section 35 of the Stamp Duties Amendment Act No. 3, 1914, and that the values thereof, as therein set forth, are the true present and full values of the said properties therein mentioned respectively, and includes the whole of the accruing income in the estate up to the date hereof and that the debts therein stated were actually due and owing at the date of the death of the deceased, and are such debts as may be deducted under section 53, Act No. 27, 1898, and section 40 of Act No. 3, 1914.

Fill in date.

(3) Words in full. If estate under the value of £1,000 insert the word Nil.

Any information having reference to this clause should be fully and carefully stated in schedules.

3. The total net value of the estates on which duty is payable in respect of the estate of the deceased is (3) Nil

4. That to the best of my knowledge, information, and belief, there are no estates or assets liable to duty under paragraphs c, d, and e, of subsection 2 of section 49 of the Stamp Duties Act No. 27, 1898, and paragraphs f and g of section 35 of the Stamp Duties (Amendment) Act No. 3, 1914, and paragraph b of subsection 2 of section 49 of the Stamp Duties Act No. 27, 1898, as amended by section 36 of the Stamp Duties (Amendment) Act No. 3, 1914, to be aggregated, for the purpose of assessment of the duty, with the assets of which the deceased died possessed ~~other than those disclosed in the annexed schedules~~ marked

5. In the event of any additional assets being discovered which would render further duty payable, I will advise the Commissioner of Stamp Duties, and will pay any further duty found to be payable by me.

6. The deceased having been domiciled in the State of New South Wales, and the aggregate net value of the estates being under the sum of ten thousand pounds, I claim an assessment of the duty payable at one-half of the Schedule rates set forth in the Schedule to the Stamp Duties (Amendment) Act, 1914, 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.

Sworn by the deponent on the day first abovementioned at

Sydney
before me,

A Commissioner for Affidavits or J.P.

Frank Pockley

St. 2823

(EXTRACTS FROM ACT NO. 27, 1898.)

Persons fraudulently misstating property or debts.

64. Whosoever makes or assists in making any false statement or any fraudulent alterations in any statement or document required under this Act, with intent to evade the payment of duty, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to imprisonment for any period not exceeding three years, and to a fine not exceeding one hundred pounds.

Affidavits and penalty for false oath.

67. (1) Every affidavit required by this Act shall be made before a Justice of the Peace, or a Commissioner for Affidavits. (2) Whosoever knowingly and wilfully makes a false oath or statement concerning any matter in this Act shall be liable to the same punishment as for wilful and corrupt perjury.

(EXTRACT FROM ACT NO. 24, 1904.)

Subsection g of section 22. A person who wilfully fails to comply with any of the foregoing provisions of this section shall be liable to pay to the Commissioner twenty pounds.

(EXTRACT FROM ACT NO. 3, 1914.)

43. Interest at the rate of 5 per cent. per annum is chargeable upon all duty in respect of the estate of deceased persons not paid within six months of the date of death.

St. 2823

NOTE.—Assets to be valued and interest and rents computed to date of grant of Probate or Letters of Administration. *In any cases where no asset exists corresponding to the above headings the word "Nil" must be written against each of them.* Conditionally purchased lands to be valued as freeholds, showing the Balance due to the Crown as charges against the Estate. *Property coming under each of the above headings must be particularised in Schedules.* If there are any assets not coming properly under any of the above headings, such assets must be included in the statement under a special heading describing the same.

* Insert date when debt contracted or date of last item in a running account. No debts to be inserted which were not contracted before the date of death. For debts that may be deducted, see Act No. 27, 1898, section 53, and Act No. 3, 1914, section 40.

67576

Estate of _____

No. _____

St 299



67576

227 Macquarie Street,
Sydney,
14th March, 1916.

The Registrar of Probates,
Probate Office,
Queen's Square,
S y d n e y.

Sir,

I am in receipt of your letter, No. 67576, of the
10th inst., informing me that it is necessary for me to
file accounts in the estate of the late Brian Colden
Antill Pockley, deceased. Is this necessary in this case?
The whole of my son's estate came to me as sole legatee.

If necessary to file accounts now, is it necessary
for me to go on doing so each year, indefinitely?

Thanking you in anticipation of your reply,

I am,

Yours obediently,

L. Antill Pockley

*Inform Mr. Pockley that he
must NOT be
to file year other than
Caled 15/3/16
16/3/16*

NSW STATE ARCHIVES



AF00212020