

This document contains the Will of William Bellingham Cairnes.

RP Rawson  
November 2011

[ABOUT PROV](#)[ACCESS THE COLLECTION](#)[RECORDS MANAGEMENT](#)[COMMUNITY ARCHIVES](#)[PUBLICATIONS](#)[ONLINE EXHIBITIONS](#)

## | Contact us |

Our addresses can be found on the [Contact Us](#) page.

**Telephone:**  
+61 3 9348 5600 or

**Freecall:**  
1800 657 452



## Index to Wills, Probate and Administration Records 1841-1925

You can search this list for names of people whose estates underwent the probate process in the Supreme Court of Victoria.

|                             |   |
|-----------------------------|---|
| <b>Given Name</b>           | Wm B  |
| <b>Surname</b>              | Cairnes   |
| <b>Alternative Name</b>     |   |
| <b>Title</b>                |   |
| <b>File number</b>          | 188/161   |
| <b>Death Date</b>           | 19 Mar 1923                                     |
| <b>Death Date notes</b>     |   |
| <b>Grant Date</b>           | 12 May 1923                                     |
| <b>Grant Date notes</b>     |   |
| <b>Nature of Grant</b>      | P   |
| <b>General Notes</b>        |   |
| <b>Occupation</b>           | Ex Timber Merchant                              |
| <b>Residence</b>            | Geelong   |
| <b>Country of Residence</b> |   |
| <b>State of Residence</b>   |   |
| <b>Residence notes</b>      |   |
| <b>To whom committed</b>    |   |
| <b>VPRS 28 P0 link</b>      |   |
| <b>VPRS 28 P1 link</b>      |   |
| <b>VPRS 28 P2 link</b>      |   |
| <b>VPRS 28 P3 link</b>      | <a href="#">Find this file in our catalogue</a> |
| <b>VPRS 7591 P1 link</b>    |   |
| <b>VPRS 7591 P2 link</b>    | <a href="#">Find this file in our catalogue</a> |
| <b>VPRS 7592 P1 link</b>    |   |

[Return to Results Listing](#)

[Return to Search Page](#)

*Department for  
Victorian Communities*

Page last reviewed: 16 Mar 10

© Copyright 2005 Government of Victoria [Disclaimer](#) [Privacy](#) [Accessibility](#) [Contact Us](#)

188161

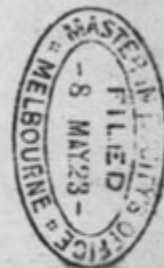
188161

18/5

The Will of

W. B. Cairnes

Dated 14<sup>th</sup> Nov. 1919



HENRY FRANKS & CO.  
BOOKSELLERS AND STATIONERS,  
GEELONG.

191

A

This is the last Will and Testament

of me *William Bellingham Cairnes* formerly  
of *Yarrawonga* but now of *436 Ryrie Street Geelong*  
in the State of *Victoria* made this *fourteenth*  
day of *November* in the year of our Lord one thousand nine hundred and *nineteen*

188161

I hereby revoke all Wills by me at any time heretofore made. I appoint my son  
*Thomas William Cairnes* my daughter *Mary Elizabeth Elvins*  
and my son-in-law *William Harold Dolphin*

to be my Executors, and direct that all my just Debts and Funeral and Testamentary Expenses shall be paid as soon as conveniently may be after my decease.

I Give and Bequeath unto—

I direct that the said *Thomas William Cairnes* and *Mary Elizabeth Elvins* shall be paid the sum of *Five pounds* of each for his and her care and trouble in the execution of the trusts of this my Will. I give to my son *Thomas William Cairnes* my gold watch and chain with *Rifle Club* medal. I give to my son *Henry Moore Cairnes* my gold sleeve-links and gold ring. The oval brooch which I wear belongs to my daughter *Annie Iwin Pitman* and is to be returned to her when I die. I give to my son-in-law *William Harold Dolphin* my diamond neck-stud and I direct that the said *William Harold Dolphin* shall be paid the sum of *Thirty guineas* for his advice and service. I further bequeath the sum of *Ten pounds* of to my granddaughter *Vera May Gleeson*. I direct that my Executors shall sell and realise the remainder of all my real and personal estate and shall divide the net proceeds less the bequests hereinbefore mentioned into forty equal parts or shares and shall pay such shares to my children and grandchildren herein after named in the following proportions namely  
(5) Five shares to my daughter *Mary Elizabeth Elvins*.  
(4) Four shares to my daughter *Theresa Holmes W. Kay*.

Should any alteration or interlineation made before the Will is executed, the Testator and the Witnesses must sign their names: nothing should be struck out, or erased, or this Will might be incapable of proof.

To be struck out if it is necessary to use next page.

Signed by the Testator, in the presence of us, present at the same time, who, at his request, in his presence, and in the presence of each other, have subscribed our names as Witnesses.

1st Witness—Name

Address

Occupation

2nd Witness—Name

Address

Occupation

(4) Four shares to my daughter Annie Irwin Pitman.  
 (4) Four shares to my daughter Emily Bellingham Steel.  
 (5) Five shares to my daughter Elsie May Dolphin.  
 (1) One share to my son George Alexander Cairnes.  
 (4) Four shares to my son Thomas William Cairnes.  
 (4) Four shares to my son Alan Bellingham Cairnes.  
 (1) One share to my granddaughter Nellie Alpeda Irwin.  
 (1) One share to my granddaughter Gertrude Cairnes Rowe.  
 (2) Two shares to be equally divided among the surviving children of Alice Cairnes wife of my son Montgomery Cairnes.  
 (5) Five shares to my daughter Flora Moama Gleeson. I direct my executors to pay the said Flora Moama Gleeson her five shares at the rate of Fifteen shillings per week. And I further direct that my said daughter Flora shall not assign or charge her interest under this my Will. I have already given my son Henry Moore Cairnes considerable monetary assistance and he has requested me to leave him out of my Will. I give to my son George Alexander Cairnes one share only as he too has had financial help from me and I have given him a block of land situated in Bell Street Oreston. Both are good sons and I have the same love and affection for them as I have for my other children. I direct that when I die my body shall be buried at Yarrawonga in the same grave as my darling wife. In witness whereof I have hereunto set my hand to This my Will the fourteenth day of November One thousand nine hundred and nineteen.

William Bellingham Cairnes  
 W B Cairnes

IN THE SUPREME COURT ( of Victoria ) Probate Jurisdiction

IN THE WILL of William Bellingham Cairnes late of 436 Ryrie Street Geelong in the State of Victoria Retired Timber Merchant deceased.

This is the paper writing marked "A" produced and shewn to Thomas William Cairnes and Mary Elizabeth Elvins at the time of swearing their affidavit herein sworn the fourteenth day of May. 1923 Before me.

This is the paper writing marked "A" produced and shewn to William Harold Dolphin at the time of swearing his affidavit herein sworn the 21<sup>st</sup> day of April 1923 Before me.

Alfred Hall  
 A Commissioner of the Supreme Court of the State of Victoria for taking Affidavits

W. H. H. H. H.  
 A Commissioner of the Supreme Court of the State of Victoria for taking Affidavits.

Signed by the Testator, in the presence of us, present at the same time, who, at his request, in his presence, and in the presence of each other, have subscribed our names as Witnesses.

1st Witness—Name James Hill JP  
 Address Herne Hill Geelong  
 Occupation Commissioner Geelong Harbor Trust  
 2nd Witness—Name J. J. Carson  
 Address North Geelong  
 Occupation Bank Clerk

N.B.—The person making the Will should sign it at the end of the Will itself, that is, immediately at the end of the Writing.

I have this day the twenty-eighth day of February 1920 made & given to my son in Law J. H. Wittin mentioned Diamond of next of kin to my son in Law William Harold Dolphkin W. B. Cairnes.

Directions.

STATE shortly and concisely and without attempting legal phraseology, the manner in which you desire to dispose of your property. Careful attention to the following remarks will supply so much of the Law as necessary.

Particular attention must be paid to the legal formalities required in the execution of the Will.

Codicils should not be attempted by non-professional persons; it is better to re-write the Will than to make a codicil to it.

All Property may be disposed of by Will.

No person under the age of twenty-one years can make a Will.

Every married woman can, on attaining twenty-one, make a Will disposing of all real and personal property which belonged to her at her marriage, or has been acquired by her, or has devolved upon her since her marriage, including wages, earnings, money and property gained or acquired by her in any employment, trade or occupation in which she is engaged, or which she carries on separately from her husband, or by the exercise of any literary, artistic or scientific skill.

Every Will should be signed at the foot or end thereof by the person making it or by some other person, in his presence and by his direction; such signature must be in the presence of two witnesses at least, who must sign their names and addresses against the attestation clause before either leaves the Testator's presence.

A person, or the wife, or the husband of a person who takes anything under the Will should not be a witness. Though the Will would not be effected thereby, the gift to such person, or to the husband or wife of such person, is altogether void.

An Executor is a good witness, though it is better that he should not be one. Any legacy to him would therefore be made void.

A legacy is made void or "lapses" by death before the Testator's.

A Will is revoked by the marriage of the person making it; except by marriage, it can only be revoked by another Will, or writing executed like a Will, or by destruction. After the Will has been duly executed, no addition to, or alteration in it, may be made. Should any alteration be requisite, the right course will be to write a fresh Will.

After acquired property passes by the Will.