

Dated 29 June 1885.

(Copy)

WIP

— of —

William M. Beath.

J. M. Beath
Proctor,
Ballarat

This is the Last Will and Testament of me
William Dixon Bean of Ballarat in the Colony of Victoria
Merchant I appoint my Wife Mary Bean and my son
Charles William Bean of Ballarat of a said Merchants
Clerk and James Henry Crowser of the same place Commercial
Traveller to be Executors and also Trustees
of this my Will I give devise and bequeath unto the said
Mary Bean Charles William Bean and James Henry
Crowser / herein throughout called my said Trustees /
their Executors administrators and assigns All my
real and personal estate of what kind soever and where
soever situated I hold the same unto my said Trustees
their Executors administrators and assigns Upon the
Trusts hereinafter declared concerning the same that
I do hereby give and bequeath unto the said James Henry
Crowser ^{in trust} the sum of fifty pounds to the said James Henry
Crowser ^{in trust} to permit and suffer my wife to hold
and enjoy all the furniture and effects that may be in
or upon my dwelling house at the time of my death for
her amuse and benefit absolutely and also upon trust
if my said wife shall so desire to carry on my trade or
business of an ironmonger and general merchant at
Ballarat aforesaid for the term or period of five years
from the date of my decease or for such lesser period as
my said wife shall think fit and to pay and divide
the profits arising therefrom shall yearly between my said
wife and myself in the following proportions two thirds ~~to~~
thereof to my said wife and one third thereof to my said son
and I also direct and empower my said Trustees to receive
and take the rents and profits arising from any other
properties of which I may be seized or possessed and to
pay and divide the same for and during the term of five
years from the date of my decease between and amongst
my said wife and son in the proportions aforesaid namely
two thirds thereof to my said wife and one third thereof
to my said son and I empower my said Trustees during

Wm Bean
Witness
J. W. Mann
No B 3098

the life of my said wife with her consent and after her death at their discretion to sell and dispose of my said real and personal estate, a such part or parts thereof as they may think fit either by public auction or private contract and upon any such sale as sales to make and give to the purchasers thereof such conveyances transfers assignments or assurances as shall be requisite or necessary in that behalf And I direct my said Trustees shall stand possessed of all monies arising from the sale of my said real and personal estate or any part or parts thereof upon trust to pay and divide the same between and amongst my said wife and my said son and my two daughters in the following shares and proportions namely three sixths to my said wife and the remaining three sixths equally to my said son and my two daughters. Mariannely Glasson and Clara Louisa Corbould. And I will and direct that the realisation of my said estate shall not take place until after the expiration of five years from the date of my decease except by and with the written consent of my said wife if living and in case of her death then the same may be realised at the discretion of the then trustees of my will And I will and direct that in the event of my wife dying before me then that the share or property to which she would have been entitled by this my will shall go to and be divided between and amongst my two daughters in equal shares and proportions. And it is my will and I declare that if my said wife shall desire to withdraw from carrying on the said business at any time before the expiration of the said term of five years hereinbefore mentioned she shall be at liberty to do so and in such an event the said Charles William Beau shall have the right of purchase of her then share or interest therein at a valuation in the usual way. And I will and direct

that in case my said son or my said daughters or
any of them should depart this life before they should
be entitled to receive the share of property respectively
bequeathed to them by this my will and should leave
lawful issue then a either of them surviving then such
last mentioned issue who being a son or sons should
attain the age of twenty one years, a being a daughter or
daughters should attain that age or marry should
be entitled by way of substitution in a course of distribution
according to the stocks, and not according to the
number of individual objects to such and the same
share as their his or her parent or ancestor would if
living have taken. I revoke all former Wills by me at
any time heretofore made and declare this to be my
true last Will and Testament In Witness whereof I
have hereunto set my hand this twentieth day
of June one thousand eight hundred and eight five

Signed by the said William Moxon
Bean and by him declared to be his
last Will and Testament in the presence
of us present at the same time who at
his request, and in his presence and in
the presence of each other have hereunto
subscribed our names as witnesses

W. M. Bean.

J. F. Mann

Edwin Ballant

W. B. Fogg.

Clerk to J. F. Mann