R. Andrew Mather

Attested Copy of Will.

Dated 13 Feb. 1882.
Dated 17th February 1862

Mr R Andrew Marker

Attested Copy

W ill

Young Walker & Allport
This is the Last Will of me Robert Andrew Mather of Hobart in Tasmania Draper.

I revoke all testamentary instruments herebefore executed by me and I appoint my two sons Robert Mather and Thomas Bourne Mather both of Hobart aforesaid Drapers and James Backhouse Mather of Hobart aforesaid Solicitor Executors and Trustees of this my will. I bequeath to my wife Anne Mather all the household furniture linen shine glass books pictures provisions and other household effects belonging to me at the time of my death and to all the rest of my estate and effects both real and personal I devise and bequeath the same unto and to the use of the said Robert Mather Thomas Bourne Mather and James Backhouse Mather their heirs executors administrators and assigns upon trust to dispose of the same according to the directions hereinafter contained (that is to say) I direct that my debts and funeral and testamentary expenses shall be paid as soon as may be out of such parts of my real and personal estate as shall at my death be employed in the drapery business hereinafter mentioned. And interest under a Deed of Partnership bearing date the seventh day of February one thousand eight hundred and eighty one and made between myself of the first part the said Robert Mather of the second part and the said Thomas Bourne Mather of the third part. I am entitled to a certain share as therein mentioned in the drapery business carried on by me in partnership with the said Robert Mather and Thomas Bourne Mather at Prince's Court Buildings Liverpool Street Hobart aforesaid under the style or firm of "Andrew Mather & Co." and in the capital stock in trade property profits and effects thereof. Now I direct that my share in the said partnership property profits and effects (the value of such share having been paid and ascertained in the manner provided in the said Deed of Partnership) after deducting therefrom all my personal debts funeral and testamentary expenses shall be considered as divided into nine equal parts or shares. And I direct my said Executors to
stand possessed of three of such parts or shares I do trust for my own the said Robert Mather of three other of such parts or shares in trust for my own the said Thomas Bourne Mather of one other of such parts or shares in trust for my daughters Ann Benson Shortridge the wife of William Elenor Shortridge of Harrison Lodge Rugby Park in Tainama one of the others of such parts or shares in trust for my son Joseph Benson Mather the younger of Tainama in Tainama also said Schoolmaster and of the remaining one of such parts or shares in trust for my Daughter Jane Elizur Pollard the wife of Josephus Tommy Pollard of No. 39 Queensberry Street Nethan in the County of Victoria Doctor I do direct that the value of the said shares of the said Ann Benson Shortridge Joseph Benson Mather the younger and Jane Elizur Pollard shall as one aggregate sum remain in the said business as a loan to the surviving and continuing partners repayable with interest at the rate of five pounds per centum per annum by the installments and at the times hereinafter mentioned (that is to say) the principal sum to be paid by quarterly installments of one hundred and twenty five pounds each the first of such quarterly installments to be paid at the expiration of three months from the date of my decease and the interest on the said principal sum or so much thereof as shall for the time being remain unpaid shall be added to and paid with each installment of principal and the payment of such installments and interest shall be secured by Bills of Exchange drawn by my Trustees or Trustee other than the said Robert Mather and Thomas Bourne Mather upon and accepted by the surviving or continuing partners in the said firm Provided Always that at any time before the whole of the said shares of the said Ann Benson Shortridge Joseph Benson Mather the younger and Jane Elizur Pollard respectively shall have been paid to them respectively my said sons Robert Mather and Thomas Bourne Mather or the survivor of them I shall feel that the state of the business will safely warrant the withdrawal of the sum required therefor. I say it upon their conscience.
to pay to each of my former creditors who in the year one thousand eight hundred and seventy two accepted a composition of ten shillings and twelve shillings in the pound respectively except to the Commercial Bank which I consider to have been already well paid on account of the large amount of interest at high rates which they have received from me. The balance of the debts due to them by me in the said year And I direct that the sum required for such payment shall be borne by all my said children jointly in the proportion of the shares to which they may be respectively entitled under the preceding direction as to the apportionment of my share in the said business and I hereby empower my Trustees to deduct from the amount of the said shares of my said children respectively such proportion as aforesaid Provided always that if my said sons Robert Master and Thomas Brown Master or the survivor of them in their or his sole and unappropriated discretion shall deem the business unable to bear the payment of the sum required for such payment to my former creditors as aforesaid and shall to declare by writing under their or his hands addressed to my Trustees then I release my Trustees from all responsibility in the matter leaving it to my said court to act as in their sole judgment they may deem best And as to the residue of my real and personal estate not employed in the said business I direct my Trustees to stand possessed thereof Upon trust to sell such residuary real estate by public sale or private contract together or in parcels and to all concerted and get in such residuary personal estate And upon further trust to invest the moneys to arise from such sale conversion and getting in upon Debentures of the Government of Tasmania or Debentures guaranteed by the Government of Tasmania or upon real securities in Tasmania and to vary any such investments from time to time for any other of a little nature And upon further trust to pay the yearly produce of such moneys or of the securities when the same shall be invested to my said wife for her life for her sole
and separate use. And after the decease of my said wife then as to as well the Capital and Securities as the yearly produce thereafter to become due in trust for all my children then living in equal shares. I declare that if any son or daughter of mine shall die in my lifetime or before the period of distribution lastly hereinafore mentioned, as the case may be the share or shares original and accruing in my estate to which each son and daughter so dying would, if living at my decease or at such period of distribution as the case may have been entitled under the trusts aforesaid shall be held by my Trustees upon such trusts and subject to such provisions in favor of the child or children of such son or daughter, respectively as the same would have been held if such son or daughter had died immediately after my decease. And I empower my Trustees during the minority of any grandchild of mine for the time being entitled to a share of the said trust moneys and investments to apply the annual income to the share to which each such minor shall be entitled in or towards his or her maintenance and education or otherwise for his or her benefit or in the option of my Trustees to pay the said annual income to the parent or guardian of such minor without being liable to see to the application thereof. I further direct that the shares of my daughters and granddaughters under this my will shall be enjoyed and disposed of by them respectively as separate property free from marital control or their respective receipts to be sufficient discharge to my Trustees for the same. I further direct that the share in my estate to which my daughter the said Jane Dixon Holland may become entitled to at the death of my said wife may at the discretion of my Trustees be retained by my Trustees for a period not exceeding five years from the death of my said wife and during the same the principal so so retained in their hands as aforesaid my Trustees shall keep the same invested and shall pay the income thereof as and when the same shall from time to time be actually received into the hands of my said daughter for her separate
see her receipt to be a sufficient discharge. I devote all
estates vested in me as Trustee or Mortgagee to the said
Robert Mather Thomas Bourne Mather and James Backhouse
Walter their said executors, administrators and assigns subject
to the trusts and equities affecting the same respectively. I declare
that the powers and discretions hereinafter given to my
Trustee shall be vested in and exercisable by the Trustee or
Trustee for the time being of my will. In witness whereof I have hereunto set my hand this thirteenth day of
February one thousand eight hundred and eighty two—
R. Andrew Mather

Signed by the said Testator Robert Andrew Mather esq and
for his last will and testament in the presence of us present
at the same time who at his request in his sight and presence
and in the presence of each other have hereunto subscribed
our names as attesting witnesses—Tho J King J
R. B. McG Williams

I Robert Andrew Mather have caused to be made in this
my will the alterations hereinafter specified that is to say
in the fifteenth line from the top of the second page
the word ten is erased and the word nine so inserted in
its stead. In the twentieth line from the top of the
said second page the word one is erased and the word one
so inserted in its stead. I declare the above reading so
altered to be my will. As witness my hand this second
day of May in the year of Our Lord one thousand eight
hundred and eighty four—R. Andrew Mather

Signed by the said Robert Andrew Mather in the sight
and presence of us both present at the same time who in
his sight and presence at his request and in the presence
of each other have hereunto subscribed our names as
attesting witnesses—Tho J King J
R. B. McG Williams
I certify that the writing contained in this and the four preceding pages of paper is a true copy of the original Will and undenominated Memorandum whereby it purports to be a copy having been examined and compared therewith this 29th October 1911.

By us

[Signature]

[Signature]

[Signature]