

SIMCOCKS, ALFRED MONTAGUE
BALLASALLA

PROBATE FORM No. 1.

1954

469

IN THE HIGH COURT OF JUSTICE
OF THE ISLE OF MAN.
COMMON LAW DIVISION.
TESTAMENTARY JURISDICTION

TO THE CHIEF CLERK, ROLLS OFFICE.

(a) Name,
address, and
occupation of
Petitioner.

REGISTERED

TUES. - 5 OCT 54

10 O'CLOCK
NO. 2355

The Petition of (a) LILLIAN MAUDE SIMCOCKS of "Always"
Abbey Road Ballasalla in the Parish of Malew Widow
WILLIAM MONTAGUE SIMCOCKS of "Brunshaw" Beach Road
Port St. Mary in the Parish of Rushen Electrical
Engineer. MARY LILLIAN MOLLY KENNAUGH of The Beeches
Abbey Road Ballasalla aforesaid Married Woman
ALFRED HOWARD SIMCOCKS of North Abbey Ballasalla
aforesaid Advocate and HERBERT HAROLD SIMCOCKS of
Rushen Abbey Ballasalla aforesaid Company Director

SHEWETH as follows:—

(b) Name,
address, and
occupation of
deceased.

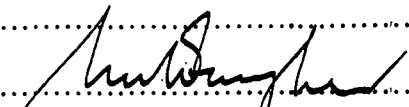
1. (b) ALFRED MONTAGUE SIMCOCKS
late of "Always" Abbey Road Ballasalla in the Parish
of Malew Company Director
died on or about the 25th day of September
1954, leaving a will, dated the 29th day of January 1953
but in fact executed on the 29th day of January 1954
with ~~xx~~ Godiel thereto dated

(c) Name,
address, and
occupation of
executor.

whereof he appointed (c) Your Petitioner the
said HERBERT HAROLD SIMCOCKS and ROBERT KINLEY EASON
of 37 Athol Street in the Borough of Douglas Advocate
Executors.

2. The deceased was at the time of his death possessed of or
entitled to personal estate in the Isle of Man.

WHEREFORE petitioner s apply for a grant
of Probate of the said Will
of the deceased to Your Petitioner the said
HERBERT HAROLD SIMCOCKS and ROBERT KINLEY EASON


Advocate for Petitioners.

ROLLS OFFICE, ISLE OF MAN.

.....^{1st} day of *October* 19⁵⁴.....

The foregoing Petition having been this day lodged at the
Rolls Office, the consideration of the same will be proceeded with
on the *Second*..... day of *October* 1954
at *9* o'clock in the *fore* noon by leave
of a *Steward*.

H. C. Currell

Chief Clerk.



In His Majesty's High Court of Justice of the Isle of Man.

COMMON LAW DIVISION — (TESTAMENTARY JURISDICTION).

BE IT KNOWN that ALFRED MONTAGUE SIMCOCKS of Always Abbey Road Ballasalla in the Parish of Malew Company Director

died there on the .. 25th .. day of September 1954

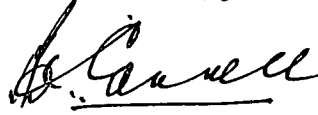
AND BE IT FURTHER KNOWN that at the date hereunder written the last Will and Testament dated the 29th day of January 1953 but proved to have been executed on the 29th day of January 1954.....

(hereunto annexed) of the said deceased was proved and registered in His Majesty's High Court of Justice of the Isle of Man and that Administration of all the Estate which by law devolves to and vests in the personal representative of the said deceased was granted by the aforesaid Court to HERBERT HAROLD SIMCOCKS of Rushen Abbey Ballasalla aforesaid Company Director son of deceased and ROBERT KINLEY EASON of 37 Athol Street in the borough of Douglas Advocate the

Executors named in the said Will

Dated at Douglas

this 2nd day of October 1954



Chief Clerk,

Rolls Office.



ARL Drink

A Commissioner for Oaths
for the Isle of Man.

Executors.

Captioning Authority

I, ALFRED MONTAGUE SIMCOCKS of "Always" Abbey Road Ballasalla in the Parish of Malew in the Isle of Man Company Director HEREBY REVOKE all prior Wills heretofore made by me and declare this only to be my Last Will and Testament which I make publish and declare this Twenty Ninth day of January One thousand nine hundred and fifty three.

I DECLARE that my domicile and place of residence is in the Isle of Man

I NOMINATE CONSTITUTE AND APPOINT my son HERBERT HAROLD SIMCOCKS and ROBERT KINLEY EASON of 37 Athol Street in the Borough of Douglas Advocate (hereinafter referred to as "my Trustees") to be the Executors and Trustees of this my Will

I LEAVE AND BEQUEATH all my holdings of shares or of any other nature whatsoever in Rushen Abbey and Gardens Limited unto my wife LILLIAN MAUDE SIMCOCKS for her sole and separate use absolutely

AND WHEREAS I have from time to time transferred and assigned certain holdings of shares belonging to me in Rushen Abbey and Gardens Limited to certain members of my family as follows:-

To my son WILLIAM MONTAGUE SIMCOCKS One Hundred (100) shares

To my daughter LILLIAN MOLLY KENNAUGH One Hundred (100) shares

To my son ALFRED HOWARD SIMCOCKS One Hundred (100) shares

To my daughter-in-law ETHELREDA SIMCOCKS Fifty (50) shares

ARL Drink
W. B. M.

To my son the said HERBERT HAROLD SIMCOCKS Two Hundred and Fifty (250) shares

AND WHEREAS such transfers and assignments were carried out upon certain undertakings in writing given by the assignees thereof and in particular upon condition that the annual income and dividends received therefrom shall be paid to me and to my wife the said Lillian Maude Simcocks for and during our joint lives and upon the death of either of us to the survivor of us for the life of such survivor and that on the death of such survivor the said holdings of shares shall be dealt with in accordance with any direction given by me either by deed or by Will

Now therefore I DO DIRECT that as and from the death of the survivor of myself and my wife the said Lillian Maude Simcocks that all the said holdings of shares shall subject as hereinafter provided be purchased and paid for by such assignees in accordance with the number of shares so transferred and assigned to them as aforesaid at a sum to be then fixed by the Auditor of the said Company as being the true and fair value of the said holdings of shares at the date of the death of such survivor and that the proceeds thereof shall be paid to my Trustees within three months of the date of the death of such survivor AND in the event of any or either of such assignees not being desirous of purchasing the holdings of shares so transferred and assigned to them as aforesaid or any part thereof I DIRECT that in such case my Trustees shall offer such holdings of shares or such parts thereof as aforesaid to my son the said Herbert Harold Simcocks provided he is at that date

still in active control and undertaking the management of the said Company such shares to be paid for by the said Herbert Harold Simcocks at the same price as that at which they had been offered to the said assignees and the proceeds thereof shall be paid to my Trustees AND in the event of there being any of such holdings of shares not purchased either by the assignees as aforesaid or the said Herbert Harold Simcocks my Trustees shall realise the same to best advantage in accordance with the procedure provided for this purpose in the Company's Articles

My Trustees shall stand possessed of the proceeds of the sale of such holdings of shares in Rushen Abbey and Gardens Limited however realised upon Trust to divide the same equally between all or any my children or child living at the date of the death of the survivor of myself and my wife the said Lillian Maude Simcocks the same to be equally divided between them share and share alike absolutely provided however that if any child or children of mine shall be then dead but leaving any child or children him or her or them surviving then living such child or children shall take if more than one equally between them the share or shares of or to which their deceased parent would have been entitled under this my Will had such parent been then living but in this respect I EXPRESSLY DIRECT that for this purpose CHRISTOPHER HOWARD MONTAGUE COWLEY who has been adopted and thereby otherwise provided for shall not be deemed to be a child of my son the said Alfred Howard Simcocks

AND as to the rest residue and remainder of my estates

Handwritten signatures and initials:
 J.R.B.
 A.H.S.
 M.B.M.

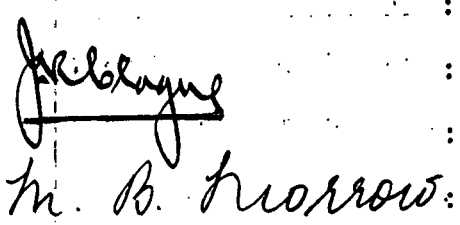
both real and personal wheresoever situate and of whatsoever kind of or to which I shall be seised possessed or entitled at the date of my death or over which I shall have any power of testamentary disposition whatsoever I LEAVE DEVISE AND BEQUEATH the same unto my wife the said Lillian Maude Simcocks for her sole and separate use absolutely

I DIRECT that the said Robert Kinley Eason shall be entitled to act professionally in connection with the execution of the trusts hereof and to be paid all proper and professional charges for any work done by him in connection therewith

I wish to place on record that my reason for appointing my son the said Herbert Harold Simcocks Executor and Trustee of this my Will is because so large a part of my Estate comprises my interests in Rushen Abbey and Gardens Limited and of which my son the said Herbert Harold Simcocks is the Manager

IN TESTIMONY WHEREOF I the said Alfred Montague Simcocks have hereunto subscribed my name the day month and year first before written

SIGNED PUBLISHED AND DECLARED :
by the Testator as and for his
Last Will and Testament in our :
presence who in his presence at :
his request and in presence of :
each other have hereunto sub- :
scribed our names as witnesses:-:

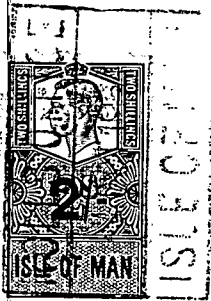
Dated the 29th day of January
1954

LAST WILL AND TESTAMENT

- of -

ALFRED MONTAGUE SIMCOCKS

Dickinson, Cruickshank & Co.,
Advocates,
Athol Street,
Douglas.



IN THE HIGH COURT OF JUSTICE
COMMON LAW DIVISION
TESTAMENTARY JURISDICTION

(a) Name of In the Goods of (a) ALFRED MONTAGUE SIMCOCKS
deceased.

.....deceased.

(b) Name, I, (b) ROBERT KINLEY EASON
address, and
of deponent. of 37 Athol Street in the Borough of Douglas Advocate

being sworn make oath and say as follows :—

(c) Name, 1. (c) ALFRED MONTAGUE SIMCOCKS
address, and
of the
deceased. late of "Always" Abbey Road Ballasalla in the Parish
of Malew Company Director

died on the 25th day of September 1954
at "Always" Abbey Road Ballasalla aforesaid

leaving a Will, dated the 29th day of January 1953
but which was in fact executed on the 29th day of
January 1954

(d) with
Codicil
thereto dated
(if applic-
able).

(d)

whereof ...he appointed ..his son HERBERT HAROLD SIMCOCKS
of Rushen Abbey Ballasalla in the Parish of Malew
Company Director and Deponent

ExecutORS...

2. The gross value of the personal estate of the deceased in the
Isle of Man does not exceed £ 7,000:00:0.....

(e) Names, addresses, occupations and relationship to deceased of the next of kin of the deceased.

3. The deceased left surviving him. (e) ..his widow.....

.....LILLIAN MAUDE SIMCOCKS of "Always" Abbey Road.....

.....Ballasalla in the Parish of Malew.....

4. Deceased ever had the following children and no more namely:-.....

.....(a) a son WILLIAM MONTAGUE SIMCOCKS who resides at "Brunshaw" Beach Road Port St. Mary in the Parish of Rushen Electrical Engineer.....

.....(b) a daughter MARY LILLIAN MOLLY KENNAUGH who resides at The Beeches, Abbey Road Ballasalla in the Parish of Malew Married Woman.....

.....(c) a daughter AMY MAUDE MARJORIE WALTON who resides at Porters Lake Post Office Halifax County Nova Scotia in Canada Married Woman.....

.....(d) a son ALFRED HOWARD SIMCOCKS who resides at North Abbey Ballasalla in the Parish of Malew Advocate.....

.....(e) a son the said HERBERT HAROLD SIMCOCKS.....

5. No other child of the deceased pre-deceased the deceased leaving any issue him her or them surviving.....

6. The deceased left surviving him no person who would under the provisions of the Adoption Act 1953 have been entitled to participate in the distribution of the personal estate of the deceased had the deceased died intestate.....

Sworn at ..Douglas.....
Isle of Man
this 1st. day of ..October.....
1954 ..

Before me

[Signature]
asw

[Signature]

A Commissioner for Oaths
for the Isle of Man.



In the High Court of Justice of the
Isle of Man.

COMMON LAW DIVISION
TESTAMENTARY JURISDICTION

IN THE GOODS OF

ALFRED MONTAGUE SIMCOCKS

.....

.....

.....

DECEASED.

Affidavit

In Support of Petition for Probate



IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN
COMMON LAW DIVISION TESTAMENTARY JURISDICTION.

IN THE GOODS of ALFRED MONTAGUE
SIMCOCKS deceased

I, MARJORIE BARBARA MORROW of 37 Athol Street in the Borough of Douglas Spinster being duly sworn make Oath and say as follows:-

I am one of the subscribing witnesses to the Last Will and Testament of ALFRED MONTAGUE SIMCOCKS late of "Always" Abbey Road Ballasalla in the Parish of Malew Company Director deceased, the said Last Will and Testament being hereunto annexed and bearing date the 29th day of January 1953

The said ALFRED MONTAGUE SIMCOCKS executed the said Last Will and Testament on the 29th day of January 1954 (and not on the 29th day of January 1953 as appears on the face of the said Will) by signing his name at the foot or end thereof as the same now appears thereon in the presence of me and of JOHN ROBERT CLAGUE the other subscribed witness thereto, both of us being present at the same time, and we thereupon attested and subscribed the said Last Will and Testament in the presence of the said ALFRED MONTAGUE SIMCOCKS and in the presence of each other

The said date of the 29th day of January 1953 is to my personal knowledge an error in typing and I am satisfied that the said Will was executed on the 29th day of January of the current year 1954 and this is confirmed by the date endorsed on the said Will

The said ALFRED MONTAGUE SIMCOCKS was of sound mind,

memory and understanding at the time of the execution of his
said Last Will and Testament

SWORN at Douglas, Isle :
of Man, on the 1st day :
of October 1954. :

M. B. Morrow

Before me:- :

A. R. Quirk

A. Commissioner for Oaths :
for the Isle of Man. :



In the High Court of Justice of
the Isle of Man
Common Law Division
Testamentary Jurisdiction

IN THE GOODS of ALFRED MONTAGUE
SIMCOCKS deceased

A F F I D A V I T

VERIFYING EXECUTION OF WILL

IN THE HIGH COURT OF JUSTICE
OF THE ISLE OF MAN.
COMMON LAW DIVISION.
TESTAMENTARY JURISDICTION



In the goods ofALFRED MONTAGUE SIMCOCKS.....
.....
.....

1 Names, additions,
and residences of
principal party or
parties and sureties.

KNOW all men by these presents that we (1) HERBERT HAROLD
SIMCOCKS of Rushen Abbey Ballasalla in the Parish of
Malew Company Director ROBERT KINLEY EASON of 37
Athol Street in the Borough of Douglas Advocate...
JOHN ROBERT CLAGUE of 37 Athol Street in the
Borough of Douglas Advocates' Managing Clerk and
THOMAS CHRISTIAN CRAIGE of 52 Athol Street in the
Borough of Douglas Accountant

2 Amount to be fixed
by Court.

are jointly and severally and any two of us jointly bound unto our
Sovereign Lady the Queen in the sum of (2) SEVEN THOUSAND
POUNDS (£7,000)
pounds to the payment whereof, well and truly to be made to our
said Lady the Queen, her heirs and successors, we bind and oblige
ourselves jointly and severally, and any two of us jointly, our
Executors and Administrators, firmly by these presents.

As witness our subscriptions hereto appended.

3 Name of principal
party or parties.

THE CONDITION of our obligation is such that if the above
named (3) HERBERT HAROLD SIMCOCKS and ROBERT KINLEY
EASON

4 Name and descrip-
tion of deceased.

..... (hereinafter called "the Executors")
who seek to obtain a grant of Probate of the last Will and Testa-
ment of (4) ALFRED MONTAGUE SIMCOCKS
late of "Always" Abbey Road Ballasalla in the Parish
of Malew Company Director.....

but now deceased who died on or about the 25th day of
September 19 54 at "Always" Abbey Road Ballasalla

aforesaid

do, when lawfully called on in that behalf, make or cause to be
made, a true and perfect inventory of all and singular the personal
estate and effects of the said deceased which have or shall come into

- 5 Their, His or Her
as the case may be.
6 Them, Him or Her
as the case may be.

(5).....their..... hands, possession, or knowledge, or into the
hands of any other person for (6).....them..... and the same so
made do exhibit, or cause to be exhibited, into the proper Registry
in that behalf whenever required by law so to do: and the same
personal estate and effects of the said deceased which shall at any
time come into the hands or possession of the Executors , or into
the hands or possession of any other person or persons for (6)
...them.....or which without default might have come into
the hands or possession of the Executors , do well and truly
administer according to law that is to say, do pay the debts and
liabilities of the said deceased, so far as the said personal estate
will extend and the law bind the Executors , then this obligation
to be void and of no effect, or else to remain in full force and virtue.

At Douglas, Isle of Man.....
the 1st day of October 1954..

The executing parties to the foregoing

Bond acknowledged the same to be their
Act and Deed

Before me,

AR Drink

DEPUTY CHIEF CLERK,
ROLLS OFFICE.

At
the day of 19.....

The executing part..... to the foregoing
Bond acknowledged the same to be.....
Act and Deed

Before me,

J. J. Sumner
R. R. Coa
Frederique
Hebbraing



OATH FOR EXECUTOR.



In the High Court of Justice of the Isle of Man. COMMON LAW DIVISION. (TESTAMENTARY JURISDICTION.)

ROLLS OFFICE, ISLE OF MAN.

IN the Estate of ALFRED MONTAGUE SIMCOCKS deceased.

["I," or "We."]
Insert the Names, Residence and Business, or Addition of the Deponent.

*If Affirmation made, strike out "make oath" and insert "do solemnly and sincerely affirm" that, &c.

Each Testamentary paper to be signed by the person sworn, and the person administering the Oath.

†Insert Codicil or Codicils, if any, and the number of same.

‡Insert the Names, Residence and Profession, or Addition of the deceased.

WE, HERBERT HAROLD SIMCOCKS of Rushen Abbey Ballasalla in the Parish of Malew Company Director and ROBERT KINLEY EASON of 37 Athol Street in the Borough of Douglas Advocate

*make Oath and say, that we believe the paper writing hereto annexed, and marked by us to contain the true and original last Will and Testament† of‡ ALFRED MONTAGUE SIMCOCKS

of "Always" Abbey Road Ballasalla in the Parish of Malew, Company Director

~~formerly of~~

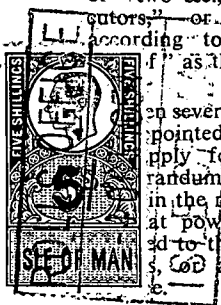
deceased, who died on the 25th day of September 1954

at "Always" Abbey Road Ballasalla aforesaid

§Insert relationship of Deponent as given in the Will.

that§ the said Herbert Harold Simcocks is a son of the deceased

¶"I am the sole Executor," or "the surviving Executor," or "one of the Executors," or "we are the Executors," or "the surviving Executors," or "two &c., of the Executors," or "Executor according to the tenor of" as the case may be.



When several Executors are appointed, and all do apply for grant, a random should be in the margin hereat power is to be added to the other Executors, &c. as the case

that¶ we are the..... Executors in the said Last Willnamed, and that we will well and faithfully administer according to law all the Estate which by law devolves on and vests in the personal representative of the said deceased, and that we will exhibit a true and perfect inventory of the said Estate, and render a just and true account thereof, whenever required by law so to do; and that the gross value of the personal Estate of the said deceased within this Isle does not exceed £ 7,000: 0: 0 to the best of our knowledge, information and belief.

Sworn by the said Herbert Harold
Simcocks and Robert Kinley Eason

at Douglas, Isle of Man

on the 1st day of October 1954

Before me,

AR Quirk

A Captioning Authority.
A Commissioner for Oaths
for the Isle of Man.

H. H. Simcocks
R. K. Eason

In the High Court of Justice of
the Isle of Man.

COMMON LAW DIVISION.
TESTAMENTARY JURISDICTION

IN THE GOODS OF

.....ALFRED MONTAGUE SIMCOCKS

.....

.....

DECEASED.

Petition
FOR PROBATE.

Wt. P.6941.—1,000/3/53. V.P., Ltd.