

SIMCOCKS, LILLIAN MAUDE

BALLASALLA

PROBATE FORM No. 1

IN THE HIGH COURT OF JUSTICE
OF THE ISLE OF MAN

COMMON LAW DIVISION
TESTAMENTARY JURISDICTION

1963
157

TO THE CHIEF CLERK, ROLLS OFFICE.

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

The Petition of (a) HERBERT HAROLD SIMCOCKS of
"Rushen Abbey House" Ballasalla in the Parish of
Malew, Company Director, and ROBERT KINLEY EASON
formerly of "37" Athol Street in the Borough of Douglas,
Advocate, and now of "1" Hope Street Douglas aforesaid,
High Bailiff

SHEWETH as follows:—

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

1. (b) LILLIAN MAUDE SIMCOCKS late of "Always" Abbey Road
Ballasalla in the Parish of Malew, Widow,

died on or about the 18th day of February 1963
leaving a will, dated the 23rd day of December 1957

(c) with
Codicil
thereto dated
(if applicable).

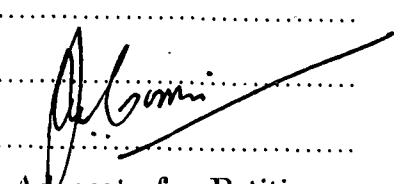
(c)

whereof she appointed Your Petitioners

Executors...

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

WHEREFORE petitioners apply for a grant
of Probate of the said Will
of the deceased to Your Petitioners


Advocate for Petitioner.

ROLLS OFFICE, ISLE OF MAN.

.....^{12th} day of *March* 19*63*.....



The foregoing Petition having this day been lodged at the
Rolls Office, the consideration of the same will be proceeded with
on the^{16th} day of *March* 19*63*..... at *10-0*
o'clock in the *fore* noon.

H. Cunnell

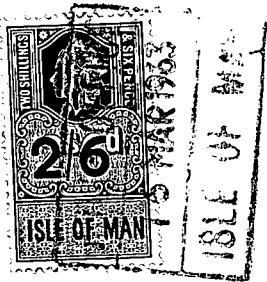
Chief Clerk.



IN THE HIGH COURT OF JUSTICE

COMMON LAW DIVISION

TESTAMENTARY JURISDICTION



(a) Name of deceased.

In the Goods of (a) LILLIAN MAUDE SIMCOCKS deceased.

(b) Name, address and occupation of deponent.

I, (b) HERBERT HAROLD SIMCOCKS of "Rushen Abbey House" Ballasalla in the Parish of Malew, Company Director

being sworn make oath and say as follows:—

(c) Name, address and occupation of the deceased.

1. (c) LILLIAN MAUDE SIMCOCKS late of "Always" Abbey Road Ballasalla in the Parish of Malew, Widow,

died on the 18th day of February 1963 at "Always" Abbey Road Ballasalla aforesaid

leaving a Will, dated the 23rd day of December 1957

(d) with
Codicil
thereto dated
(if applicable).

(d)

whereof she appointed Deponent and ROBERT KINLEY EASON formerly of "37" Athol Street in the Borough of Douglas, Advocate, and now of "1" Hope Street Douglas aforesaid, High Bailiff

Execut.ors...

2. The gross value of the personal estate of the deceased in the Isle of Man does not exceed £8,000..(eight thousand pounds).

Sworn at Douglas, Isle of Man,.....

this 12th day of March 1963.

Before me,

J. A. Russell

A COMMISSIONER FOR OATHS.

H. H. Simcock



Affidavit verifying Alterations in Will.

In Her Majesty's High Court of Justice of
the Isle of Man

COMMON LAW DIVISION.

TESTAMENTARY JURISDICTION.

(a) Name of
deceased.

In the Goods of (a) LILLIAN MAUDE SIMCOCKS

deceased.

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

I, (b) JOHN ROBERT CLAGUE of "37" Athol Street in the Borough
of Douglas, Advocates' Managing Clerk

make oath and say that I am one of the attesting witnesses to

(c) "Last Will
and Testament"
or "Codicil to
the last Will and
Testament."

the (c) Last Will and Testament

of the said (d) LILLIAN MAUDE SIMCOCKS of "Always" Abbey Road

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

~~of~~ Ballasalla in the Parish of Malew, Widow

deceased, the said (c) Last Will and Testament

, being now hereunto annexed

and bearing date the 23rd day of December

19 57, and having particularly observed the alteration by

(e) Fully
describe
alteration(s).

way of (e) the addition of the words "provided that this clause shall not
preclude my daughter the said Lillian Molly Kennaugh from purchasing the
said dwelling house and premises "Always" aforesaid in the event of all other
of my children indicating that neither of them wish so to acquire the same"

following the thirteenth line
line of the third page of the said (c) Last Will and Testament

make oath and say as follows:—

That the said Testatrix executed the said (c) Last Will and Testament on the day of the date thereof by signing her

name at the foot or end thereof as the same now appears thereon,

(f) Names of witnesses.

in the presence of me, the said (f) John Robert Clague

, and Phyllis Margaret Faragher

, the other subscribed witness

thereto, both of us being present at the same time, and we there-

upon attested and subscribed the said (c) Last Will and Testament

, in the presence of the said testatrix

and in presence of each other.

And I further make oath and say that the said recited alteration... was/were made in the said (c) Last Will and Testament

previously to the execution thereof.

The said (a) Lillian Maude Simcocks was of sound mind, memory, and understanding at the time of the execution of her... said (c) Last Will and Testament

Sworn at Douglas, Isle of Man

this 12th

day of March 1963

Before me,

J. H. Russad

A COMMISSIONER FOR OATHS.



John Robert Clague

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

COMMON LAW DIVISION.

TESTAMENTARY JURISDICTION.

IN THE GOODS OF

LILLIAN MAUDE SIMCOCKS

DECEASED

Affidavit

Verifying Alterations in Will.

OATH FOR EXECUTOR

IN THE HIGH COURT OF JUSTICE

COMMON LAW DIVISION

TESTAMENTARY JURISDICTION

IN the Estate of LILLIAN MAUDE SIMCOCKS deceased.

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

* If Affirmation made, strike out "make oath and say," and insert "do solemnly and sincerely affirm, &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 House"

Ballasalla in the Parish of Malew, Company Director, and ROBERT KINLEY EASON formerly of 37 Athol Street in the Borough of Douglas Advocate and now of 1 Hope Street Douglas aforesaid High Bailiff

*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‡ LILLIAN MAUDE SIMCOCKS

of "Always" Abbey Road Ballasalla in the Parish of Malew, Widow,

~~formerly of~~

deceased, who died on the 18th day of February 19 63

at "Always" Abbey Road Ballasalla aforesaid

§ Insert relationship of Deponent as given in the Will.

that§ Deponent 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 thereof," as the case may be.

that¶ we are the _____ Executors in the said Will _____ named, 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 £ 8,000. 0. 0d. 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 12th day of March 1963
Before me,

J.A. Russell

H.H. Simcock
R.K. Eason

In Her Majesty's High Court of Justice of the Isle of Man

COMMON LAW DIVISION — (TESTAMENTARY JURISDICTION).

BE IT KNOWN that LILLIAN MAUDE SIMCOCKS of Always Abbey Road Ballasalla in the Parish of Malew widow

died there on 18th day of February 1963

AND BE IT FURTHER KNOWN that at the date hereunder written the last Will and Testament dated the 23rd day of December 1957

(hereunto annexed) of the said deceased was proved and registered in Her 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 House Ballasalla aforesaid company director son of deceased and ROBERT KINLEY EASON of 1 Hope Street Douglas High Bailiff formerly of 37 Athol Street Douglas aforesaid advocate the Executors named in the said Will.

Dated at Douglas

this 16th day of March 1963



Chief Clerk,

Rolls Office.

This is the paper writing referred to in the
annexed Affidavit of JOHN ROBERT CLAGUE
sworn before me this 12th day of MARCH 1943



S. Kinail

A COMMISSIONER FOR OATHS

Executors

I LILLIAN MAUDE SIMCOCKS of "Always" Abbey Road
Ball asalla in the Parish of Malew in the Isle of Man
Widow 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 third*
day of December One thousand nine hundred and fifty seven

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 Trustee") to be the Executors and
Trustees of this my Will

I GIVE and BEQUEATH all my clothing jewellery and all
articles of personal adornment to all my daughters
living at the date of my death equally between them share
and share alike absolutely

I GIVE and BEQUEATH all household furniture silver
silver-plate plate linen china pictures books and all
other the contents of the dwelling house and premises
occupied by me at the date of my death not hereinbefore
specifically bequeathed in this my Will to be equally
divided between all my children living at the date of
my death absolutely and for this purpose I EXPRESS the
wish without creating any trust that such children shall
be able by Agreement to choose such articles of household
furniture and effects as they shall respectively wish to
keep and that all articles of household furniture and
effects then remaining should be sold and the proceeds
of such sale divided equally between such children

Captioning Authority

S. Kinail

probo
L.M.
P.M.F.

AND as to the two dwelling houses owned by me and situate and known as "Always" Abbey Road aforesaid and "The Beeches" Abbey Road aforesaid Together with all land belonging thereto respectively and all buildings and erections thereon I LEAVE and DEVISE the same unto my Trustees Upon Trust to sell the same subject as hereinafter provided by Public Auction or Private Treaty and to divide the proceeds thereof after paying all expenses attending such sale equally between all or any my children or child living at the date of my death the same to be equally divided between them absolutely provided however that if any child or children of mine shall be then dead but leaving any child or children him 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

I ESPECIALLY DIRECT that my Trustees at my death permit my daughter LILLIAN MOLLY KENNAUGH to purchase the dwelling house and premises at present occupied by her and known as "The Beeches" Abbey Road aforesaid for such sum as shall be fixed therefor by a competent and qualified Valuer as being the fair value thereof at the date of my death Provided Always that this option to

purchase shall be exercised by my daughter the said Lillian Molly Kennaugh within three calendar months from the date of my death

AND as to the dwelling house and premises situate and known as "Always" Abbey Road aforesaid I HEREBY FURTHER ESPECIALLY DIRECT that my Trustees shall on my death permit any of my children other than my daughter the said Lillian Molly Kennaugh to purchase the same at such sum as shall be fixed therefor by a competent and qualified Valuer as being the fair value thereof at my death Provided Always that such purchase shall be completed within three calendar months from the date of

pres.
LMS.
PMF.

my death *provides that this clause shall not preclude my daughter Lillian Molly Kennaugh from purchasing the said dwelling house and premises if she is one of all other of my children and if she is the only one of my children to acquire the same.*

AND as to the rest residue and remainder of my estates 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 Trustees Upon Trust sell the said real estate and subject as hereinafter provided and call in and convert into money such part of my personal estate as shall not consist of money and after the payment thereof of my just debts funeral and testamentary expenses to divide the same equally between all or any my children or child living at the date of my death 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 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

I DIRECT that my son the said HERBERT HAROLD SIMCOCKS shall be given by my Trustees the option to purchase all my 300 shares in Rushen Abbey and Gardens Limited which are registered in my name in the books of that Company at a price to be fixed therefor by the Auditor and such option to be exercised by the said Herbert Harold Simcocks within three calendar months from the date of my death. This option shall not apply to the 800 shares in that Company which although they belong to me are not in my name in the books of the Company at this date

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 Lillian Maude Simcocks have hereunto subscribed my name the day month

1995

and year first before written

SIGNED PUBLISHED AND DECLARED BY THE :
Testatrix as and for her Last Will and :
Testament in our presence who in her :
presence at her request and in presence :
of each other have hereunto subscribed :
our names as witnesses:

Lillian H. Lemcock

J. R. L. L. L.

P. M. L. L.

Dated

23rd December

1957

LAST WILL AND TESTAMENT

÷ OF ÷

LILLIAN MAUDE SIMCOCKS

Dickinson, Cruickshank & Co.
Advocates,
Douglas.

In the High Court of Justice of
the Isle of Man

COMMON LAW DIVISION

TESTAMENTARY JURISDICTION

IN THE GOODS OF

LILLIAN MAUDE SIMCOCKS
.....
.....
.....

DECEASED.

Petition
FOR PROBATE

Wt. No. 008/047.—1,000/10/62.—V.P. Ltd.