

Item



R 22 220 957

Ordered For	Mervyn Dougherty
Date to View	13 May 2013
Ordered On	11:04, 8 May 2013
Container Code	C 302 136
Archives Reference No	AAOM W3265 6029 Box 279
Item Reference	
Record Number	17588
Part Number	
Alternative Record No	
Title	
PEERS, James	

Dates	1915
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Preservation Details	Issuable
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WGTN G UC 71 c

C 302 136

DOUGHERTY Mervyn



P 11 599



R 22 220 957

17588

IN THE

Supreme Court of New Zealand,
WELLINGTON DISTRICT.

and Codicil

In the matter of the Will of

James Peers,

late of Tikokino,

in the Provincial District of

Hawkes Bay, Settler,

deceased.

ELECTION TO ADMINISTER ESTATE OF
TESTATE PERSON

(WITH WILL ANNEXED).



Certified copy will & Codicil
issued Phillips Holdings Shy & Co
J.W.M.
24/4/47

Issued
Certified
copy will
24/4/47.



J. W. MACDONALD,

SOLICITOR,

Public Trust Office,

Wellington.

"B."

SCHEDULE of property of James Peers

deceased, as now known to the Public Trustee.

Cash in Post Office Savings Bank.	£	53:	3:	0
Cash in possession.		3:	0:	0
Furniture.		2:	10:	0
Realty.		115:	0:	0
	£	173:	13:	0

This is the schedule marked "B" referred to in the annexed election by
me, dated the 29th day of June, 1915.

J. S. Donaldson
Deputy Public Trustee.

In the Supreme Court of New Zealand,
Wellington District.

IN THE MATTER of the Public Trust Office
Act, 1908; and its amendments; and

IN THE MATTER of the Will and Codicil
of James Peers, late of Tikokino, in
the Provincial District of Hawkes Bay,
Settler, deceased (hereinafter called
"the said deceased.")

WHEREAS it has been reported to the Public Trustee and he
has reasonable cause of belief that the said deceased died
on or about the 27th day of January, 1915; AND WHEREAS
the Public Trustee, after due enquiries, believes that the
documents hereto annexed and marked "A" and "C" and bearing
date the 21st day of April, 1898, and the 22nd day of Feb-
ruary, 1900, respectively, are the last Will and testament
and Codicil of the said deceased, and that such Will and
codicil have been validly executed according to the laws
governing the execution of wills: AND WHEREAS Mary Ann
Fletcher Roberts and Reginald Garrett were appointed exe-
cutors of the said Will and codicil but have renounced all
their right and title to probate and execution of the said
Will and codicil: AND WHEREAS, as now known, the real and
personal estate of the said deceased is set forth in the
schedule hereto annexed and marked "B," and the gross value
of the same does not exceed the sum of £400: AND WHEREAS
probate of the said Will and codicil has not been obtained
NOW, THIS IS TO NOTIFY all whom it may concern that, in
pursuance of section 18 of the Public Trust Office Amend-
ment Act, 1913, the Public Trustee being so entitled DOTH
HEREBY ELECT TO ADMINISTER the property of the said de-
ceased, according to the provisions of such Will and codicil.

AS WITNESS the hand and corporate seal of Frederick
Fitchett the duly appointed the Public Trustee for the
time being, this 29th day of June, 1915.

The Public Trustee,
By his Deputy,

J. S. Ronaldson
Deputy Public Trustee.

This is the last Will and testament
of me James Peers, of Hampden, in the Provincial
District of Hawke's Bay, Settler.

I revoke all testamentary writing heretofore
executed by me. I give and bequeath to my
daughter Mary, Ann, Fletcher, Roberts the sum
of two hundred and seventy pounds. £ 270. —

Any money after the payment of two hun-
dred and seventy pounds. £ 270. — to my daughter
Mary, Ann, Fletcher, Roberts, to be equally divided
between the children of my son the late Joseph
Peers. Each child on reaching the age of
twentyone years shall be entitled to receive
his or her share of the money.

I devise and bequeath to my daughter Mary,
Ann, Fletcher, Roberts, three roods and eight perches
of Land, situated in the Township of Hampden in
the Provincial District of Hawke's Bay, and the
whole of the Land comprised in section No 132. with
all the rights and appurtenances thereto belonging.

And I declare that should my said daughter
Mary, Ann, Fletcher, Roberts die without leaving
lawful issue, then in such case, I devise the
said three roods and eight perches of Land to be
sold, and the money to be held in trust for the child-
-ren of my son, the late Joseph Peers, to be equally
divided between the said children, and to be paid to
them as they each reach the age of twentyone years.

And I appoint my said daughter Mary, Ann,
Fletcher, Roberts, and Robert Parkinson, of Hampden,
and in the case of the death of my daughter Mary,
Ann, Fletcher, Roberts. George Parkinson junr of
Hampden, executors of this my will.

In Witness whereof I have hereto signed my
name by mark. This Twentysixth day of April.

One thousand eight hundred and ninety eight.
Signed by the said Testator His
by his mark as and for his James X Peers
Will and Testament in Mark
the presence of us present
at the same time who at
his request in his presence
and in the presence of each
other hereto subscribed our
names as witnesses.

John Launey Buchanan J.P.
Shefferson
Hampden

J. J. Taram
Schoolmaster
of Amparn

This is the Will marked "A" pro-
duced to Frank Coe Taram
at the time of his swearing an
affidavit in the matter of the
within Will, before me this
18th day of May
1915.

W. J. Taram

A Solicitor of the Supreme
Court of New Zealand.

This is the document marked
....."A".....referred to in the annexed
Election by me, dated the...29th..
day of.....June.....1915.

J. J. Taram
Deputy Public Trustee.

11

This is a codicil to the last will and testament of me James Peers of
Hampden settler hereonbefore written and dated the twenty first day of
April one thousand eight hundred and ninety eight I hereby revoke the
appointment of Robert Parkinson as an executor under my said will and
appoint Reginald Garrett of Hampden Storeman executor in his stead In
all other respects I confirm my said will In witness whereof I have hereto
set my hand this twenty second day of February one
thousand nine hundred —

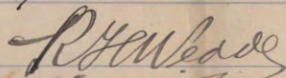
Signed by the said Testator by his mark as
and for a codicil to his last will and testament
in the presence of us present at the same time who
at his request in his presence and in the presence
of each other have hereunto subscribed our names
as witnesses and we declare that previously —
thereto the same was carefully read over and
explained to the said testator in our presence —
who appeared perfectly to understand the same

his
James  Peers
mark

E. H. E. Whitton Waipawa

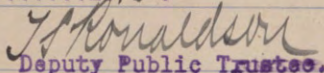
McArrow Law Clerk. Waipawa

This is the Codicil to the last will and Testament of James
Peers, marked B referred to in the affidavit of Edmund
Harry Lee sworn before me at Waipawa this tenth day
of May 1915 and produced and shown to the said deponent
at the time of swearing the same before me



a Justice of the Supreme Court of New Zealand

This is the document marked
"C" referred to in the annexed
Election by me, dated the 29th
day of June 1916.


Deputy Public Trustee.

This is the Codicil marked "B" produced to
at the time of his swearing an affidavit made in the matter of the
within Codicil, before me this
day of
1915.

A Solicitor of the Supreme
Court of New Zealand.