

1719

DATED <sup>12.</sup> September 26 1887

# Will

George. Shillinglaw. Dale  
Builder and Contractor  
Christchurch. New Zealand

Private as prayed.

*Geo. S.*

26/4/88

3474.

## INSTRUCTIONS FOR THE EXECUTION OF WILLS.

The Will should be in writing in preference to print.

It must be signed at the end by the Testator, either by his signing his name, or making his mark; or by some other person doing so for him in his presence, and by his direction.

Such signature or mark must be made or acknowledged by the Testator in the presence of two or more witnesses (but not less than two) both being present at the same time.

All such witnesses must subscribe their names, addresses and occupations to the Will, in the presence of the Testator and of each other.

No obliteration, interlineation, or other alteration made in any Will after the execution thereof will be valid, unless the signature of the Testator and the subscription of the witnesses be in the margin opposite or near to such alteration, or at the foot of or opposite to a Memorandum written at the end or some other part of the Will, referring to such alteration.

Any Gift, Legacy, or Beneficial Interest given to an attesting Witness of a Will, or to his or her Wife or Husband will be void (except charges or directions for payment of a debt or debts); therefore all persons taking any such interest, or whose Wife or Husband shall take any such interest should abstain from being an attesting witness to a Will.

The marriage of a person subsequent to the making of a Will renders the Will void, and Wills made by persons under the age of twenty-one years, and all verbal Wills will be henceforth void.

N.B.—There are exceptions to the foregoing formalities in the case of Soldiers on actual service and Mariners or Seamen at Sea, Petty Officers and Seamen in the Royal Navy, Non-Commissioned Officers of Marines and Marines; and that the words of the Act as regards "Wills being in writing" are taken only as meaning to exclude verbal Wills, and not to be in opposition to printed or lithographed Wills.

A

Sold by  
SIMPSON & WILLIAMS,  
Law Stationers,  
High street,  
Christchurch.

# This is the Last Will and Testament

Name  
Address  
Occupation  
in full.

of me *George. Shillinglaw. Dale*  
*George. Shillinglaw. Dale of Christchurch in the*  
*Colony of New Zealand Builder and Contractor*  
made this *Twentieth* day of *September*  
one thousand eight hundred and *Eighty Seven* After payment  
of my just debts funeral and testamentary expenses I give devise and deqeath  
unto *My Wife Anne. Dale*  
all my Real and. Personal Property  
What so ever and where so ever  
Situate unto *My Wife Anne Dale*  
Absolutely and I appoint *My. Said*  
*Wife* Sole Executrix of this *My. Will*  
In. Witness where of I the said  
*George. Shillinglaw Dale* have  
hereunto set my hand this *Twentieth*  
day of *September* one *Thousand Eight*  
*hundred and Eighty Seven*

and I appoint *My. Wife. Anne. Dale*

Executrix of this my Will In witness whereof I have to this my last  
Will and Testament set my hand the day and year first above written

Signed by the said Testator

*George. Shillinglaw. Dale*

as and for his last Will and Testament  
in the presence of us being present at the  
same time who in his presence at his  
request and in the presence of each other  
have hereunto subscribed our names as  
witnesses.

*John Ernest Francis*  
*Cashel St Linwood*  
*David Hewitt*  
*Cashel St Linwood*

This is the paper writing marked "A" referred to in the affidavit of  
*David Hewitt* sworn before me this *Twentieth* day of *April* 1889.  
*H. C. Carter*  
a Solicitor of the Supreme Court of New Zealand.

<sup>1719</sup>  
Superior Court

W. Will of Jm<sup>r</sup> Shillingham

Date decemr.

J. C. P. H.

Order of Probate

Sealed 30 April 1889

R. L. B.  
5A

Shillingham  
check

In the Supreme Court of New Zealand  
Christchurch District

In the matter of the will of George Shillinglaw  
Deceased of the City of Christchurch in the  
said District Trustee and Contractor deceased.

In Chambers

Given under the 26 day of April 1889.



Upon the application of the Shingler of Counsel for  
Ann Dale of the said City of Christchurch Widow  
and after reading the <sup>Sworn</sup> affidavits of the said Ann  
Dale and David Thomson John Harris Esqrs. on  
the 17<sup>th</sup> day of April instant and the paper  
writing marked "A" referred to in the said  
affidavits dated the 20<sup>th</sup> day of Sept. 1887  
and purporting to be the Last will and Testament  
of the said George Shillinglaw Deceased.

It is Ordered that probate in Summa  
form of the said will of the said George Shillinglaw  
Deceased be granted to the said Ann Dale  
as the Sole executrix named in the said will  
and also that the said Ann Dale shall on  
or before the 26 day of July next file  
in the office of this Honorable Court an

inventory of the estate and effects of the said  
deceased and now before the 11<sup>th</sup> day of  
November 1889 a full account in writing of  
her admin: of the estate of the said  
deceased.

By the Court

L. S.

L. G. Thomas  
Deputy Registrar

settled  
A. L. S. R.  
29.4.89

1719  
Supreme Court

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re Will of George Stillingham  
Date deceased \_\_\_\_\_

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Affidavit of  
Executrix \_\_\_\_\_

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Filed 17 April 1889  
Alf. S. H.

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P. N. Stringer  
Solicitor  
Ch Ch

*In the Supreme Court of New Zealand*  
*Canterbury District*

In the matter of the Will of George Shillinglaw  
Dale late of the City of Christchurch in the said  
District Builder and Contractor deceased —

I Anne Dale of the City of Christchurch aforesaid  
Widow Do swear —

1. That I am the Widow of the said George Shillinglaw Dale deceased
2. That I knew the said George Shillinglaw Dale when alive and that the said George Shillinglaw Dale was resident at the City of Christchurch aforesaid within this District and that the said George Shillinglaw Dale died at the City of Christchurch aforesaid within this District on or about the eleventh day of November One thousand eight hundred and eighty eight
3. That I believe the paperwriting now produced and shewn to me bearing date the twentieth day of September One thousand eight hundred and eighty seven and marked "A" to be the Last Will and Testament of the said George Shillinglaw Dale deceased and that I am the sole Executrix therein named I swear that I will faithfully execute the said will by paying the debts and legacies of the deceased as far as the property will extend and the Law binds
4. That to the best of my knowledge information and belief the estate effects and credits of the said deceased to be administered by me are under the value of Six hundred pounds

Sworn at Christchurch aforesaid } Anne Dale  
This third day of April 1889 }  
Before me }  
C. G. Sauer }  
Solicitor of the Supreme Court of New Zealand }

1719  
Supreme Court

*v* Will of George Shillinglaw  
Date deceased \_\_\_\_\_  
\_\_\_\_\_

Affidavit of execution  
of will \_\_\_\_\_  
\_\_\_\_\_

Filed 17 april 1889  
R. J. S.  
S. R.

\_\_\_\_\_  
P. A. Shinger  
Solicitor  
Ch. Ch.

*In the Supreme Court of New Zealand  
Canterbury District*

*In the matter of the will of George Shillinglaw  
Dale late of the City of Christchurch in the said  
District Builder and Contractor deceased*

*I David Herriott of Cashel Street Linwood near the  
City of Christchurch aforesaid Storekeeper Do swear:-*

1. *That I am one of the attesting witnesses to the execution  
by the said George Shillinglaw Dale deceased of the paper  
writing now produced and shewn to me bearing date the  
twentieth day of September One thousand eight hundred  
and eighty seven marked 'A' and purporting to be the  
Last Will and Testament of the said George Shillinglaw  
Dale deceased*

2. *That the said will and testament was signed by the  
said George Shillinglaw Dale in the attestation clause of  
the said will on the said twentieth day of September One  
thousand eight hundred and eighty seven in the sight  
and presence of me this Deponent and of John Ernest  
Francis of Cashel Street Linwood aforesaid Clerk and that  
the said John Ernest Francis and I this deponent at the  
request of the said George Shillinglaw Dale deceased in  
his sight and presence and in the sight and presence of  
each other subscribed our names thereto as witnesses*

3. *That at the time of the said George Shillinglaw Dale  
signing the said will as before mentioned the said will  
was open out before the said George Shillinglaw Dale and  
me and the said John Ernest Francis and the whole  
contents of the said will were visible to me and the  
said John Ernest Francis and the said George  
Shillinglaw Dale acknowledged the said will to be his*



last will and testament and requested me and the  
said John Ernest Francis to witness his execution of  
the said will which we did accordingly —

Sworn at Christchurch aforesaid }  
this Sixteenth day of April 1889 } David Curriott  
Before me

H. Cotton

A Solicitor of the Supreme Court of New Zealand

1719  
Supreme Court

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re Will of George Mullinglaw  
Date deceased —

Notice of Motion

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Set down 17 April 1889  
R. P. S. R.

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J. W. Munger  
Solicitor  
Ch. Ch.

*In the Supreme Court of New Zealand  
Canterbury District*

*In the matter of the Will of George Shillingham  
Dale late of the City of Christchurch in the said  
District Builder and Contractor deceased*

*On Wednesday the 24<sup>th</sup> day of April  
instant <sup>at 11. am</sup> or as soon thereafter as Counsel can be  
heard Counsel on behalf of Anne Dale of the City of  
Christchurch aforesaid Widow will move this Honorable  
Court for an order for leave to issue Probate herein to  
her the said Anne Dale as the sole Executrix named  
in the said Will grounded on Affidavits of the said  
Anne Dale <sup>and David Herdoff</sup> filed herein this day*  
*Dated this 17<sup>th</sup> day of April 1889*

*J. W. Stringer  
Solicitor for the said Anne Dale*



<sup>1719</sup>  
Superior Court

Or. Will of George Shillingland  
Dah. Decemson

J. Coe

Probate

Sealed 3 May 1889  
A. B.  
P. R.

J. W. Shilling  
Solicitor  
Chick

In the Supreme Court of New Zealand  
Canterbury District

In the matter of the will of George Shillingham  
Deceased the City of Christchurch in the said  
District Executor and Contractor deceased.

Be it known to all men that on this 26<sup>th</sup> day  
of April in the year one thousand eight hundred  
and eighty nine the last will and Testament of  
George Shillingham Deceased the City of  
Christchurch in the said District Executor and  
Contractor deceased (a copy of which is hereto  
annexed) hath been exhibited and read before  
John Edward Dunscombe Esquire a Judge  
at Christchurch in the said District of the said  
Court and Administration of the Estate Affairs  
and assets of the deceased hath been and is  
hereby granted to Anne Dale of the same  
City of Christchurch Widow the Sole Executrix  
in the said will and Testament named being  
first sworn well and faithfully to execute  
the said will by paying the debts and legacies  
of the deceased as far as the property will



Sworn to £600. and that the Executor did read the

11<sup>th</sup> day of November 1888.

behind and the land binds.

Given under the Seal of the said  
Superior Court of New Zealand this  
26<sup>th</sup> day of April 1889. . . .

attested  
R. L. P. R.  
30.4.89

(L. S.)

A. G. Thomas  
Deputy Registrar

No. 1719

In the Supreme Court of New Zealand,

Canterbury District.

In the matter of *George Shillinglaw Dafe*

Deceased.

Received from the Registrar of the Supreme Court, the  
*probate and copy will* in the above estate.

*Percy. E. Withers*

*3 May* 1889.

*Percy. E. Withers*  
Deputy Commssioner of Stamp Duties,

Christchurch.