

In the Supreme Court of New Zealand
Wellington District
Palmerston North Registry.

IN THE ESTATE OF JAMES PROUSE
late of Levin in the Provincial
District of Wellington Farmer -
deceased. _____

Deceased sworn to have died on the 9th day of February 1919.
Estate sworn under £30,000.

BE IT KNOWN TO ALL MEN that on this Nineteenth
day of February One thousand nine hundred and nineteen
the last Will and Testament of JAMES PROUSE late of—
Levin in the Provincial District of Wellington Farmer
deceased a copy of which is hereunto annexed has been
exhibited read and proved before the Honourable Mr.—
Justice Chapman a Judge of this Honourable Court and—
Administration of the Estate effects and credits of—
the deceased has been and is hereby granted to JAMES—
PERCIVAL PROUSE and HERBERT STANLEY PROUSE both of—
West Wanganui in the Provincial District of Nelson -
Sawmillers the Executors in the said Will and Testa-
ment named they being first sworn faithfully to exe-
cute the said Will by paying the debts and legacies
of the deceased as far as the property will extend
and the law binds. _____

G I V E N under the seal of
the said Supreme Court at --
Palmerston North this
day of _____ in the -
year One thousand nine hund-
red and nineteen. _____

Registrar.

THIS IS THE LAST WILL AND TESTAMENT of me JAMES PROUSE of Levin in the Provincial District of Wellington in the Dominion of New Zealand Farmer I APPOINT my sons JAMES PERCIVAL PROUSE and HERBERT STANLEY PROUSE both of West Wanganui in the Provincial District of Nelson Sawmillers (hereinafter referred to as "my Trustees") Trustees and Executors of this my will I GIVE DEVISE AND BEQUEATH to my son JAMES PERCIVAL PROUSE my one-eighth share in the sawmilling and flaxmilling business of Prouse and Saunders I ALSO BEQUEATH to my said son James Percival Prouse all that parcel of land containing about Six hundred acres being the Eastern moiety of my freehold property situate at Mangarakau purchased from the Tai Tapu Estates Limited I GIVE AND BEQUEATH to my son Herbert Stanley Prouse all that parcel of land containing Six hundred and forty acres more or less being the Western moiety of my freehold property situate at Mangarakau aforesaid I GIVE DEVISE AND BEQUEATH to my sons the said James Percival Prouse and Herbert Stanley Prouse in equal shares all live stock belonging to me at the time of my death grazing on the hereinbefore mentioned free-hold properties I GIVE AND BEQUEATH to my sister-in-law MARTHA MONTGOMERY BURNS SEDCOLE the sum of Three hundred Pounds I GIVE DEVISE AND BEQUEATH the residue of all my real and personal property of what nature and kind soever and wheresoever situated unto my Trustees upon trust to sell call in and convert into money the same or such part thereof as shall not consist of money and with and out of the proceeds of such sale calling and conversion and such part of my estate as shall consist of money to pay all just debts funeral and testamentary expenses and to stand possessed of the residue (hereinafter referred to as "the residuary trust funds") upon the

following trusts:-----

- (a) To maintain my son NORMAN PROUSE a Mental Patient.
- (b) To pay to my wife Clara Ann Prouse the annual sum of Two hundred pounds. -----
- (c) To divide the nett balance of the income arising from the residuary trust funds equally among my children other than the said Norman Prouse and including my said Trustees. -----

AND I DECLARE that my wife the said Clara Ann Prouse --- shall have the right to occupy my dwelling-house together with twenty acres of land surrounding the same fronting - Queen Street and Arapaepae Road Levin without payment of any rent during her lifetime but if my wife shall occupy such house and land as aforesaid the taxes thereon shall be payable by her. -----

(d) Upon the death of my said wife to divide the residuary trust funds equally among all my children exclusive of the said Norman Prouse AND I DECLARE that in the event of the said Norman Prouse recovering full mental capacity it is my wish that my beneficiaries pay to him such sum as he would have been entitled to as his share of the residuary trust funds if he had participated --- therein such sum to be contributed by my beneficiaries in equal shares. -----

AND I DIRECT that in the execution of the foregoing --- trusts or any of them my Trustees shall have the following powers and authority namely:-----

(a) To postpone the sale calling in and conversion of my real and personal estate or any part thereof for so --- long as they think fit notwithstanding that it may be of a wasting speculative or reversionary nature and pending such sale calling in and conversion the whole of the nett income of property actually producing income shall be applied as from my death as income and on the other hand as -

and from such sale calling in and conversion or falling in of any reversionary property no part of the proceeds of such sale calling in conversion or falling in shall be paid or applied as past income.

(b) To let any hereditaments for the time being unsold either from year to year or for any term of years or otherwise at such rent and subject to such covenants and conditions as they think fit also to accept surrenders of leases and tenancies and generally to manage the same as they think fit.

(c) To exercise the same powers of managing improving and developing all or any part of my property as if they were the absolute owners thereof.

(d) To settle and determine all questions which may arise in relation to my real and personal estate or any part thereof and also to determine whether any money for the purposes of this my will is to be considered as income or capital and what expenses ought to be paid out of the income and capital respectively and also to apportion blended funds and every such determination or appointment shall be final and binding on all persons beneficially interested in this my will AND I FURTHER DIRECT that if any child of mine shall predecease me leaving issue who shall survive me and attain the age of twenty-one years such issue shall take and if more than one equally between them the share which their his or her parent would have taken of and in my residuary estate if such parent had lived to attain a vested interest.

AS WITNESS my hand this 31st day of August One thousand nine hundred and eighteen.

SIGNED by the Testator the said JAMES PROUSE as and for his last Will and Testament in the presence of us both present at the same time who at his request in his sight and presence and in the presence of each other have hereto subscribed our names as attesting witnesses.

JAMES PROUSE

W. Stewart Park, Solicitor, Levin,
A. M. Matier, Law Clerk to W. S. Park, Levin.

