

In His Majesty's High Court of Justice.

The Principal Probate Registry.

BE IT KNOWN that *Horatio Nelson Ballingwood of Rystwood House Forest Row Sussex.*

died on the *9th* day of *April* 19*49*

at *Bamberwell House Beckham Road London S.E.*

AND BE IT FURTHER KNOWN that at the date hereunder written the last Will and Testament with a codicil thereto.

(a copy whereof is hereunto annexed) of the said deceased was proved and registered in the Principal Probate Registry of His Majesty's High Court of Justice 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

Kathleen Edith Monks-Hooper (formerly Ballingwood spinster) of Rystwood House aforesaid wife of Carl Victor Prosper Monks-Hooper daughter of deceased the surviving Executor named in the said Will.

And it is hereby certified that an Affidavit for Inland Revenue has been delivered wherein it is shewn that the gross value of the said Estate in Great Britain

(exclusive of what the said deceased may have been possessed of or entitled to as a Trustee and not beneficially) amounts to *£41939 - 14 - 5*

and that the net value of the estate amounts to *£41653 - 14 - 2*

And it is further certified that it appears by a Receipt signed by an Inland Revenue Officer on the said Affidavit that *£8350 - 1 - 0* on account of Estate Duty and interest on such duty has been paid.

Dated the *28th* day of *June* 19*49*

Commissary Registrar
Registrar.

PL35865/
12148

Probate.

Extracted by *Frank White & Williams*
6 A Cranbrook Road, Ilford.

E. S. Morda Hooper } R. Commissioner for Oaths

THIS IS THE LAST WILL AND TESTAMENT of me HORATIO NELSON COLLINGWOOD of Ryst Wood House Forest Row in the County of Sussex Gentleman I HEREBY REVOKE all other Wills and testamentary dispositions at any time heretofore made by me.

1. I APPOINT my dear Wife Kate Ellen Collingwood my daughter Kathleen Edith Collingwood and James Hudspeth Tate of the firm of Messrs. Peat Marwick Mitchell & Company of Royal Exchange Middlesbrough in the County of York Chartered Accountant to be the Executors and Trustees of this my Will and they or other the Trustees or Trustee for the time being hereof are hereinafter referred to as "my Trustees".
2. I BEQUEATH the following pecuniary legacies free of duty namely:
 - (a) TO my sisters Amy Alberta Booty and Gertrude Annie Leefe the sum of One Hundred Pounds each.
 - (b) TO my nephew Clive Collingwood Williams and my niece Ruth Frances Bayley the sum of One Hundred Pounds each.
 - (c) TO my niece Dorothy May Hayward the sum of Fifty Pounds.
 - (d) TO my nephews Ralph Collingwood Snaith and John Collingwood Reed the sum of One Hundred Pounds each.
 - (e) TO my Great nephew Paul Ryott Williams the sum of One Hundred Pounds.
 - (f) TO Cephas Hind who has been in the service of Collingwood & Son Limited for many years the sum of One Hundred Pounds.
 - (g) TO each of the employees of Collingwood & Son Limited (except the said Cephas Hind) who shall be in the service of the said Company at the time of my death and who at such date shall have been in such service for twenty years and upwards and shall not then be under notice (either given or received) to leave such service the sum of Fifty Pounds.
3. I BEQUEATH to my said Wife absolutely and free of duty the whole of my household furniture plate linen china glass books pictures and domestic and personal effects I ALSO BEQUEATH to my said Wife free of duty but not free of income tax an annuity of One Thousand Pounds payable quarterly during her life and to commence from the date of my death And I DIRECT my Trustees as soon as may be convenient after my death to appropriate and retain in respect of such Annuity a sufficient part of my estate or of the investments representing the same to answer out of the income thereof the said Annuity in respect of which such appropriation is made And I DECLARE that such income shall be the primary fund for answering the said annuity and the capital of the said investments shall form the secondary fund for answering the same in the event of the income proving insufficient and further that after any such appropriation shall have been made my residuary estate or the income thereof shall no longer be liable to provide for the said Annuity in respect of which such appropriation shall have been made And I DECLARE that the balance (if any) of the income of the appropriated fund not required in any year for answering the annuity in respect of which the fund was appropriated shall

1 Morda Hooper

be part of the income of my residuary estate and shall be distributed accordingly And I DECLARE that as and where the said Annuity shall cease the appropriated fund shall sink into and become part of my residuary estate.

4. I GIVE DEVISE AND BEQUEATH all my real and personal estate whatsoever and wheresoever not hereby or by any Codicil hereto otherwise specifically disposed of Unto my Trustees Upon Trust to sell call in and convert the same into money and out of the moneys to arise from such sale calling in and conversion and out of my ready money to pay my funeral and testamentary expenses and debts the legacies and Annuity hereinbefore bequeathed and the duties thereon and to pay up in full any shares or stock held by me in Collingwood & Son Limited which shall not be fully paid up and to stand possessed of the residue of such money and any part of my estate for the time being unsold or unconverted (hereinafter called "my residuary estate") Upon trust as hereinafter mentioned.

5. MY Trustees shall hold one equal half part of my residuary estate upon trust for my daughter Kathleen Edith Collingwood absolutely and as to the other equal half part thereof (hereinafter referred to as "Arnold's moiety") I DIRECT that my Trustees shall hold the income thereof on protective trusts for the benefit of my son Arnold Nelson Collingwood for the period of his life but so that if the discretionary trust arising under subsection 1 (ii) of Section 33 of the Trustee Act 1925 shall become operative the persons in whose favour such discretionary trust may be exercised shall include not only the persons in that behalf mentioned or referred to in the said subsection but also my said daughter Kathleen Edith Collingwood and her children or more remote issue (if any) and my son Cuthbert Collingwood And upon the death of my said son Arnold Nelson Collingwood I DIRECT that my Trustees shall hold Arnold's moiety upon trust if my said son shall have left a widow him surviving to pay to such widow during her widowhood out of the annual income of Arnold's moiety such sums (if any) as my Trustees may from time to time in their absolute and uncontrolled discretion think fit but so that the amounts paid to such Widow under this present trust during any year as from the death of my said son Arnold Nelson Collingwood shall not exceed in the whole one equal half part of the income of Arnold's moiety for such year And I FURTHER DIRECT that subject to the trusts hereinbefore declared my Trustees shall hold Arnold's moiety both as to capital and income upon trust for all or any the children or child of my said son Arnold Nelson Collingwood who being sons or a son attain the age of twenty-one years or being daughters or a daughter attain that age or marry and if more than one in equal shares.

6. IF there shall not be any child of my said son Arnold Nelson Collingwood who shall attain a vested interest in Arnold's moiety then in such case subject to the trusts hereinbefore declared and to the powers implied by statute so far as the same shall have effect my Trustees shall hold Arnold's moiety in trust for my said daughter Kathleen Edith Collingwood absolutely.

7. IN the event of the failure or determination of the trusts hereinbefore declared

concerning my residuary estate I DIRECT that my Trustees shall hold my residuary estate subject to the said trusts and to the powers implied by statute so far as such trusts or powers shall have effect upon trust to divide the same equally between my nephew John Collingwood Williams my nephew Clive Collingwood Williams my niece Dorothy May Hayward my nephew John Collingwood Reed and my niece Ruth Frances Bayley PROVIDED that if any of my said nephews or nieces shall die in my lifetime leaving issue living at my death the share to which such deceased nephew or niece would have been entitled if living at my death shall be held in trust for all or any of his or her issue who shall attain the age of twenty-one years and if more than one in equal shares per stirpes and so that no issue shall take any share whose parent is living at my death and capable of taking PROVIDED also that if any of my said nephews or nieces shall die in my lifetime without leaving issue living at my death or without leaving issue who shall attain a vested interest under the trust lastly hereinbefore contained then in such case the share to which such deceased nephew or niece would have been entitled if living at my death (including any share accruing under the present clause) shall be divided in equal shares between and be added by way of accruer to the shares hereinbefore bequeathed to the others of my said nephews and nieces or their issue but so that for the purposes of such division any share bequeathed to the issue of a deceased nephew or niece shall be treated as a single share.

8. MONEY applicable for investment hereunder may be invested (A) in the purchase of any securities or investments having at the time of such purchase or investment an official quotation in the London Stock Exchange other than shares in mining companies (B) upon the security of personal property of any nature (C) in or upon any Debentures Debenture Stock Preference or Ordinary or other stock or shares of Collingwood & Son Limited or of any other company which upon a reconstruction or amalgamation or otherwise may be formed to acquire or may in fact acquire the business or any part of the business now carried on by Collingwood & Son Limited.

9. I DECLARE that my Trustees may postpone for such period as they shall in their absolute and uncontrolled discretion think fit the sale calling in and conversion of any part or parts of my estate as aforesaid without being responsible for any loss which might be thereby occasioned and I expressly authorise my Trustees to retain in the same state of investment as at the date of my death any part or parts of my estate including any or all shares or stock held by me in Collingwood & Son Limited notwithstanding the same may not be trustee investments or shall otherwise be of a speculative hazardous or wearing out nature and I expressly exonerate my Trustees from all loss which may be occasioned by their so doing.

10. I DECLARE that no trustee of this my Will shall be liable for any loss not attributable (a) to his own dishonesty (b) to the wilful commission by him of an act known by him to be a breach of trust and in particular shall not be bound to take any proceedings against a

co-trustee for any breach or alleged breach of trust committed by such Trustee.

11. I DIRECT my Trustees to keep proper books of account of my estate and not less than once a year to have the same audited by Messrs. Peat Marwick Mitchell & Company Chartered Accountants of Middlesbrough or some other Chartered Accountant or firm of Chartered Accountants of good repute who shall at the same time inspect all securities and shall report in writing to my Trustees on the Accounts and Securities.

12. I DECLARE that any Trustee in the conduct of the trust business may instead of acting personally employ and pay an agent whether being a Solicitor Chartered Accountant or other person to transact all business and do all acts required to be done in the Trust including the receipt and payment of money And any Trustee being a Solicitor Chartered Accountant or other person engaged in any profession or business. shall be entitled to be paid all usual professional or proper charges for business transacted time expended and acts done by him or any partner of his in connection with the trusts hereof including acts which a Trustee not being in any profession or business could have done personally.

13. MY Trustees shall have power in the administration of my estate and the execution of the trusts of this my Will to decide what money represents income and what represents capital and whether any outgoing ought to be borne by income or capital and generally to decide any question which may arise in relation to the premises and any such decision whether made on a question specifically raised or to be inferred from any of the accounts or records of the trust shall be conclusive and binding upon all persons interested hereunder.

IN WITNESS whereof I have set my hand at the end of this my Will contained in this and the three preceding sheets of paper this *eleventh* day of *June* *
One thousand nine hundred and forty-four.

H. Nelson Collingwood

SIGNED by the said HORATIO NELSON COLLINGWOOD the Testator as and for his last Will and Testament in the presence of us both being 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:

L. J. Singer
P. Bedwell

Ryde Wood House Forest Row Cook
Ryde Wood House Forest Row Gardiner

TELEPHONE
17 FOREST ROW.

100

J.R. Monks-Hooper.

RYST WOOD HOUSE,
FOREST ROW,
SUSSEX.

J.R.
A Commissioner for Oaths

This is a Codicil to the last Will & Testament
of the Hon. Nelson Collingwood of Rystwood
House Forest-Row in the County of Sussex
gentleman such Will being dated the 11th day of
June 1944 & made in appointment of my wife
Kate Ellen Collingwood as an Ex-ecutor and
Trustee of my said Will in witness whereof I
have hereunto set my hand the 28th day of
September 1946

Signed by the said Hon. Nelson

Nelson Collingwood.

Collingwood as a codicil to his
last Will & Testament in the presence
of us present at the same time who in his
presence and in the presence of each other
have hereunto subscribed our names as
witnesses

A.R. Williams
A.R. Williams his wife. *Solentia* Pl/at