

Will - Edward Mallandaine

This is the last Will and Testament of me, Edward Mallandaine, of 19 Simcoe Street, Victoria, Architect. I appoint my wife, Louisa Mallandaine and Joseph Peirson of 38 Douglas Street, Public Accountant, to be the Executors of this my Will. I will and bequeath to my Executors, theirs heirs, exors & advisors, all my estate & effects, real & personal, of which I may die possessed or entitled to, (all funeral & testamentary expenses having been paid), in trust to deal with in manner following:

I will & bequeath to my executor Joseph Peirson the sum of One hundred dollars for his trouble in acting as my executor.

I give & bequeath to my wife Louisa Mallandaine for her life the rent of the two-story house No 82 Menzies St. Victoria, now let for 12 months at a monthly rental of (\$23.50) twenty three 50/100 dollars gross; the municipal rates & taxes are possibly \$7.50 per month, paid yearly of course.

Also the interest of the Cash, standing in my name, at my decease, in the books of the BC Land & Investment Company, now \$600.00.

Also the amount whenever received of a Life Policy, No.12153, in the Indiana Mutual Life Association of Indianapolis, Indiana, U.S probably \$800.00, nominally \$2000.00 but to be read as not exceeding that sum; whatever the amt it shall be placed at 5% interest with the BC Land & Investment Co. or at 6% with the BC Permanent Loan Association of Victoria & Vancouver BC, with this exception that \$400.00 of the amount shall be paid immediately on receipt to my wife at her absolute disposal and the balance invested as just now directed. In the event of the said house and premises No 82 Menzies St becoming tenantless, and in any case, at my wife's decease or sooner if an advantageous chance occurs (it is not my wish to have a forced sale). I direct my executors that the house and premises shall be put up for sale & the amt rec'd – probably \$3000.00 shall be invested as the before mentioned sums without any deduction whatever except for necessary expenses and the interest paid to or collected by my wife. Also see personal effects bequests at my wife's decease I direct the following legacies to be paid, namely:

- a. To Jos. Peirson, one of my executors \$100.00 free of legacy duty.
 1. To my eldest son, Edward Mallandaine Architect now residing at Creston, East Kootenay \$500.00, free of legacy duty.
 2. To my married daughter Mrs. Louisa Burrough of 98 Lorne St Vancouver BC \$750.00 free of legacy duty.
 3. To my loving daughter Harriet Mallandaine of 19 Simcoe St \$750.00 free of legacy duty.
 4. To my son Chas. Mallandaine of 19 Simcoe St for true & faithful assistance \$500.00 free of legacy duty.
 5. To my sister Charlotte Mallandaine of the Firs, Shrivenham, Bucks, Eng, c/o Mrs Butler \$100.00 free of legacy duty.
 6. To my half-sister Fanny Mallandaine of Broadland House near Newport, Isle of Wight, England \$100.00 free of legacy duty.
 7. To my half-sister Mary Georgina Mallandaine and her heirs of the Cottage, Yaxley Eye Suffolk, Eng \$50.00 free of legacy duty.

After payment of the various legacies enumerated I will that the residue of my estate (if any) be paid to my daughter Mrs. Louisa Burrough and her heirs of Vancouver aforesaid to be by her held in trust for any grandchildren share & share alike; Mary Louisa Corson shall receive her portion at the age of 19 yrs & Wm Ed. Thos. Corson shall be paid when & where his mother shall decide. It is my wish that his share shall be used to start or assist him in some industry at procuring a living. My grand-daughter Mary Louisa Corson is hereby directed to be guided entirely by her mother as to disposal of her money. Till the respective times of paying these two last legacies I will & devise that my daughter Mrs. Louisa Burrough shall have the use, interest only, of the said sums, which shall in the interim be properly invested as the amounts already disposed of.

Should the amt of the residue exceed \$500.00, the excess shall be used to increase pro rata the amounts of the first four legacies 1, 2, 3, 3 and no others. In the contrary case the said first four legacies shall be diminished pro rata but not the residue. It is my desire and instruction to my executors that the legacies 5 & 6 of [---unknown---
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shall be paid if possible at my decease, not waiting till my wife's decease, the legatees being old or sick. In the event of pre decease to myself of either or both of the legatees Nos 5 & 6, before the carrying out of this will, it is my direction that the amt of their legacies shall in that case revert and be paid to my daughter Harriet Mallandaine together with her legacy No 3.

All books, pictures, chattels &c, not being household furniture may at the pleasure of my wife, strictly of her own notion, be handed to the intended recipients.

The accompanying list of bequests of chattels is to be considered as of the same authority as the will, though not embodied in the latter, to save undue length; at the same time they shall not supersede any amicable arrangements that may be made among the parties concerned.

In witness to all of which I have hereunto set my hand, the twentieth day of February, One thousand, nine hundred and five (1905 A.P.)

Signed by the above [*unknown*] Ed. Mallandaine as his last Will and Testament in the presence of us present, at the same time and in his presence we have subscribed our names hereto as witnesses.

Theodore Aubin Le Page
George Henry Redferne

Edw Mallandaine

Bequests of Personal effects (chattels)
as addendum to Will of Feb 20, 1905:

1. To my eldest son, Edward, I give and bequeath all my architectural plans & specifications, now in a tin-lined in the building commonly called the school-room; also professional books, various put on one side for him; also one bound book of architectural in a flat box in my bed-room. Also the six vols. Quarto of Rev. Thos Scott's Commentary on the Bible with the stipulation that he read it all through not once nor twice; also Scott's works 8 volume a very valuable work by the same author. Also the pen & ink drawings in frame of a plaster cast centre flower now in the dining room; also The English described by themselves. My Encyclopaedia Britannica 18th edition, new, provided always that if not sold before, it shall be advertised for sale for three months after my death for \$200.00. Provided further that my son Edward if the work be not sold shall pay \$70.00 to the estate and call the work his own.
2. To my late son Frederick (his memory) the completion of his stone tablet. Note: The care of this & the lots at the cemetery I entrust to my son Edward & all my children.
3. To my daughter, Louisa Burrough, I bequeath the pencil landscape in frame (a Swiss scene); a painting in oils (German) also the portrait (oleograph in frame) of a child with puppies. Also a Map on rollers of St Paul's travels on condition (see farther on). Also bound copy of Crystal Palace Exhibition 1851; also one of the household bibles; also vols of bound Illustrated News.
4. To my grand-daughter Mary Louisa Corson, I bequeath her great-aunt's album; also the Perryman system of Education – the remaining books; one volume each of Sargent's first & second readers and other books her grandmother may be willing to spare (see also Will.)
5. To my grandson Wm. Ed. Thos. Corson I bequeath my two flutes which shall be handed to him in good order, all my flute music & flute instruction books, on condition that he learn the instrument. All my late father's music books when he is able to play and meanwhile to be in his mother's custody.
6. To Harriet Mallandaine, my cottage piano and all my private piano-forte music and songs. The pictures of mine on the walls of drawing and dining room; though nothing shall be removed during her mother's life time except with the latter's full consent. The Lord's Prayer in frame in the bed-room & the map of Palestine showing Miracles of Christ (same place). Provided always and this shall apply to the gifts of my daughter Louisa, that if the Parish of St James shall again have an independent school-house, these Maps and Plans together with the M.S.S. charts to be found in the school-room shall be presented to the said school, as and from a former superintendent. The whole of the household furniture and effects now owned by me. One of the family Bibles read of an evening. Nothing to be removed but with her mother's full consent and approval.
7. To Chas. Mallandaine, my self-acting Grand Piano with the three musical barrels now in the drawing-room, never to part with it, with a strong recommendation, if his circumstances will permit, to put it in thorough repair. My school portfolio of drawings & its contents. Also one bound vol. "Ornament", new, in same flat box in my bed-room as the book willed to my son Edward. Also all the painted head's of chalk drawings now on the walls in my bed-room; also my school prizes (French) and the silver medal conferred me at High School. Also my late father's gold watch-chain with the strict injunction never to part with it. Also with his mother's consent my Octo old Bible presented by my grandfather (1844). All my drawing instruments, set of T squares - this does not include one belonging to my son Edward; also large detail drawing board in the window of school-room; also the large drawing table & trestles & the trestles in the yard of the house. Note: the two presses full of drawings and papers and the tops of them in the yards are the property of my son Edward.
8. To my ever kind and self-denying wife Louisa Mallandaine of 19 Simcoe St, I will & bequeath all my books, furniture and household effects of whatever kind and all personal effects not otherwise bequeathed and now in the house Simcoe St as above, and not belonging of her own right to my daughter Harriet. All to be at her sole will and disposal; and nothing so bequeathed shall be removed without her will and consent.

Signed published and declared by the said Edw. Mallandaine
the testator in conjunction with last Will & Testament
of even date in our presence & in the presence of each
other who have subscribed our names as witnesses.

Theodore Aubin Le Page
George Henry Redferne