

John McILVRIDE (1833-1906)

1841 Census Muthill Village, Perthshire, Scotland

Grace Mc HUEDE	40yrs	b Perthshire
Grace Mc HUEDE	10yrs	b Perthshire
John Mc HUEDE	7yrs	b Perthshire
George Mc HUEDE	2yrs	b Perthshire

1851 Census Muthill Village, Perthshire, Scotland

Peter McILVRIDE	Head	59yrs	Mason	b Muthill, Perthshire
Grace McILVRIDE	Wife	56yrs		b Muthill, Perthshire
John McILVRIDE	Son	18yrs	Apprentice shoemaker	b Muthill, Perthshire
George McILVRIDE	Son	12yrs		b Muthill, Perthshire

Evening Post 18 Sep 1869 Birth

On the 8th inst, at Balloch, Wainuiomata, the wife of Mr John M'Ilvrive, of a daughter.

1881 Hutt Electoral Roll

George McILVRIDE, Blacksmith, Freehold Part Section 26, Hutt; John McILVRIDE, Farmer, Freehold land, Wainuiomata

1893 Otaki Electoral Roll

Isabella McILVRIDE, Married woman, Wainuiomata; John McILVRIDE, Farmer, Freehold land, Wainuiomata; Katherine Elizabeth McILVRIDE, Spinster, Wainuiomata

Evening Post 12 Feb 1906 Death

On the 10th February, 1906, at his residence, 21, Russell-terrace, John M'Ilvrive, late Postmaster, Wainui-o-mata, aged 72yrs. Crieff and Muthill (Scotland) papers please copy.

Evening Post 12 Feb 1906 Personal Matters

On Saturday last the death occurred of Mr John M'Ilvrive, a very old resident of the Wellington District. For many years he was postmaster at Wainuiomata, but for the last ten years he resided in Wellington. He had been in ill-health for the last four months and just before Christmas he had a paralytic seizure, followed some days later by a second stroke, which left him paralysed till his death. He is survived by his wife, four daughters and one son.

Otago Witness 2 May 1906

The following are the largest estates for deceased persons finally certified for stamp duty this month:- ... John M'Ilvrde, £1126

Karori Cemetery Monumental Inscription – Area 8 Block A Row 5 Plot 9

ILMO Isabella McGregor McIlvrde b w of John McIlvrde d 22 Dec 1899 a 66 also of John McIlvrde b hus of above d 10 Feb 1906 a 72.

Evening Post 10 Feb 1908 In Memoriam

In loving memory of my dear husband, John M'Ilvrde, who departed this life on the 10th February, 1906. 'Tis sinful I know to wish you were here, But life is so lonely without one so dear; A husband so loving, faithful, and kind, Hard in this world his equal to find. Inserted by his loving wife Lena.

Evening Post 14 Dec 1911 Interpretation of a Will John McIlvrde, Deceased

An originating summons asking for the interpretation of the will of the late John McIlvrde, of Wellington, settler, came before Mr Justice Chapman today. The parties were Alfred Ernest Cousins, of Wellington, engraver, and Thomas Devine, of Whiteman's Valley, farmer, trustees of the will of John McIlvrde, plaintiffs, and Selina McIlvrde, of Wellington, widow, Isabella Agnes Cousins, of Wellington, wife of A. E. Cousins, Grace McKenzie, wife of Alexander McKenzie, of Ajmere, India, Christina Prouse, wife of Richard Prouse, of Levin, sawmiller, Peter John McIlvrde, of Lower Hutt, electrical engineer, and Catherine Elizabeth McIlvrde, of Auckland, spinster, defendants. Plaintiff asked for answers to the following questions:- Are plaintiffs bound in the first place to exhaust the capital sum of £420 4s 7d, being the proceeds of the sale and conversion of testator's real and personal estate other than the Russell-terrace house and the furniture, goods, chattels, etc., in making good the annuity of £26 by the will bequeathed to Selina McIlvrde in so far as the income of the capital sum is insufficient to meet the annuity before mortgaging the Russell-terrace house and furniture? Or is the duty of plaintiffs to in the first place mortgage the property, preserving intact the balance of such capital sum now in their hands and replacing out of the proceeds of the mortgage that part which has been expended by them in making good the balance of the annuity? Are the trustees bound in any event to mortgage the property? His Honour said he would take time to consider his decision.

Evening Post 3 Feb 1912 A Will Interpreted – Question of Mortgage

Reserved judgment was given by Mr Justice Chapman to-day in an originating summons asking for the interpretation of the will of the late John McIlvrde, of Wellington, settler. The parties were:- Alfred Ernest Cousins, of Wellington, engraver, and Thomas Devine, of Whiteman's Valley, farmer, trustees of the will of John McIlvrde, plaintiffs, and Selina McIlvrde, of Wellington, widow, Isabella Agnes Cousins, of Wellington, wife of A. E. Cousins, Grace McKenzie, wife of Alexander McKenzie, of Ajmere, India, Christina Prouse, wife of Richard Prouse, of Levin, sawmiller, Peter John McIlvrde, of Lower Hutt, electrical engineer, and Catherine Elizabeth McIlvrde, of Auckland, spinster, defendants. Mr C. H. Treadwell appeared for the trustees and one set of beneficiaries, Mr O. R. Beere for the residuary legatees, and Mr A. W. Blair for the life tenant. Plaintiffs asked for answers to the following questions:- 1. Are plaintiffs bound in the first place to exhaust the capital sum of £420 4s 7d, being the proceeds of the sale and conversion of testator's real and personal estate other than the Russell-terrace house, and the furniture, goods, chattels, etc., in making good the annuity of £26 by the will bequeathed to Selina McIlvrde in so far as the income of the capital sum is insufficient to meet the annuity before mortgaging the Russell-terrace house and furniture? 2. Or is it the duty of plaintiffs to in the first place mortgage the property,

preserving intact the balance of such capital sum now in their hands, and replacing out of the proceeds of the mortgage that part which has been expended by them in making good the balance of the annuity? 3. Are the trustees bound in any event to mortgage the property? The answers to the questions were:- 1. The trustees are not to exhaust the capital of the residuary estate before resorting to the house and furniture in Russell-terrace. 2. It is their duty to mortgage the property to reinstate and relieve the capital of the residuary estate. 3. The trustees are bound to mortgage the Russell-terrace property to reinstate the residuary estate, and also for the further purpose of keeping up the annuity, unless the widow releases them. "A more difficult question," added his Honour, "is whether, supposing that proves insufficient, the 'annuity or yearly sum' is to be treated as an annuity left by testator to his widow, payable in any event, and therefore a charge upon his whole estate, or whether it is not in effect a gift of income plus the aid given to it by the power to resort to the house and furniture. This question is not asked by the originating summons, and the case was not argued as if it had been asked. I have, therefore, come to no conclusion upon it. Should the parties wish the Court to answer it, I think the summons should first be amended by adding it to the questions already there." The further question was adjourned to enable counsel to consider the judgement.