

274

day of April aforesaid the said testatrix duly executed her said Codicil by a signing her name at the foot or end thereof in the presence of this Appraiser and of the said William Sheringham the other subscribing witnesses and the said William Sheringham the said Appraiser attested and subscribed the said Codicil in the presence of the said testatrix and of each other - James Foster - On the nineteenth day of September 1855 the said James Foster was duly sworn to the truth of this Affidavit before me T. J. Pratt Esq. Not Pub.

274

On the 27th Sept: 1855 Abouon (with the Will and Codicil annexed of the goods chattels and debts of Mary Lambert late of Dringham in the County of Devon Spinster deceased was granted to William Stuart a legatee named in the said Will having been first sworn duly to administer. He is Executor or Residuary Legatee and Sophia Stammers (Wife of Thomas a Stammers the natural and lawful sister and only next of kin and Eleanor Markham Sister (Wife of John Stish) the lawful wife and together the only persons entitled in distribution to the undisposed of residue of the personal estate and effects of the said Decedent having first enquired the Sitters of Abouon with the said Will and Codicil annexed of the Goods of the said Decedent (as by Acts of Court appears).

This is the last Will and Testament

of me John Leach of High Street Wandsworth in the County of Surrey Oil and Colorman Wharves I am possessed of certain leaseholds premises in the Town of Wandsworth aforesaid in which I carry on my business Now I declare my mind and will to be and I do hereby direct that my trustees and executors hereinafter named shall upon my decease assign and transfer the lease where I hold of the said premises unto my eldest son John Leach the younger in case he shall be willing to purchase the same at the price or sum of one hundred and five pounds to and for his own use and benefit And if further direct that my said son shall have the option of purchasing my stock in trade and all and every the implements and utensils used and employed by me in carrying on my said business at a fair and reasonable valuation And I do hereby authorize and empower my said trustees and executors to grant to my said son such time for payment of the said sum of one hundred and five pounds and the amount of the said valuation either by instalments or otherwise as they in the exercise of their discretion shall think fit But in case my said son shall decline to purchase the said lease and stock in trade in manner aforesaid then I direct the same to be sold in manner hereinafter mentioned And whereas by virtue of the Will of Sarah Smith late of Poplar in the County of Middlesex Widow deceased bearing date the nineteenth day of January one thousand eight hundred and fifty my said son John Leach the younger will in the event of his surviving George a Minor Smith the son of the said Sarah Smith and the said George a Minor Smith leaving no child or children living at his decease become entitled to certain freehold property situate in Poplar aforesaid of sufficient value to afford an ample provision for him my said son I do hereby declare my will to be that in the event of my said son coming into possession of the said property either during my lifetime or afterwards or during the lifetime of my wife Margaret Jane Leach that then and in such case my said son shall be excluded from any benefit or interest under this my Will except only so far as regards the provisions hereinafore contained respecting my business unless there shall be no child or children of me the said testator who shall live to obtain a vested interest under this my said Will by virtue of the provisions hereinafter contained I give and bequeath unto my

John Leach

34

said wife All the household furniture plate linen and things of value I
 may be possessed at the time of my decease to and for her own absolute
 use and benefit And as to all the rest residue and remainder
 of my estate and effects whether real or personal and of what nature or
 kind soever or wheresoever situate, including the said household premises
 in Woburnworth aforesaid and my share in tract in case my said son
 shall decline to purchase the same on the terms and conditions herein
 before contained I give over and bequeath the same unto my said wife
 Margaret Jane Jane William Hoggarth James of Cobham in the County
 of Surrey stewards to the Earl of Essex and Oliver and James of Woburn
 in the County of Essex stewards to Sir Digby Oliver Baronet their heirs or
 executors administrators and assigns upon trust that they the said
 Margaret Jane Jane William Hoggarth James and Oliver and James or
 the survivors or survivor of them the or any their executors or administra-
 tors or assigns do and shall as soon as conveniently may be after
 my decease sell dispose of and convert into money all such parts of my
 personal estate as shall not consist of money and collect and get in all
 such debts and dues of money as shall be due to me at the time of my
 decease and so and shall after providing the same for the payment of my
 debts and funeral expenses and the expenses of proving and executing the
 trusts of this my will lay out and invest the money to arise from such
 sale and to be so received and collected as aforesaid upon government
 or real securities at interest in their his or her names or name with
 power to alter vary and transpose the said securities from time to time at
 their his or her discretion and to substitute other securities in lieu thereof
 And so and shall pay the interest dividends and annual produce arising
 therefrom and otherwise the rents and profits of all and every my freehold
 and leasehold tenements lands and hereditaments until the same shall be sold
 as hereinafter mentioned unto my said wife Margaret Jane Jane for and
 during the term of her natural life and in the event of her marrying again
 I direct that the interest dividends and annual produce of the said trust
 money and likewise the rents and profits of the said lands and
 other real and personal estate and the said rents and profits and the
 income of any business she may carry And I direct that her receipt alone
 notwithstanding her coverture shall at all times be a full and sufficient
 discharge for the same and the payment at any time made to her under
 and by virtue of this my will by my executors or by the trustees or trustee
 for the time being under this my will I direct that as soon as conveniently
 may be after the decease of my said wife the trustees or trustee for the
 time being of this my will do and shall proceed to bring to sale all and
 singular my freehold leasehold tenements lands and hereditaments at a
 public sale and in such manner either by public auction or private con-
 tract and in all respects upon such conditions as they or the said trustee
 exercise of their or his discretion think most advantageous And I direct
 that the receipt or receipts of such trustees or trustee for the purchase
 money thereof or any part thereof shall be a good and sufficient discharge
 to the purchaser or purchasers thereof or of any part thereof and that such
 purchaser or purchasers shall not be obliged to see to the application of
 the same or be responsible for the misapplication or nonapplication of
 the same or of any part thereof And I direct that the net proceeds arising
 from such sale shall thereupon as and when the same shall be received
 or invested in like manner as is hereinbefore directed in relation to my per-
 sonal estate Provided always nevertheless And I hereby declare my will
 to be that it shall be lawful for the said trustees or trustee and they or
 any one or more of them and is hereby expressly empowered to sell all or any parts
 of my said real estate at any time and from time to time during my wife's
 lifetime if they or he shall think it advantageous for my estate so to do

which case the proceeds arising from any such sale are to be invested in
 the like securities and such securities are to be held upon the like trusts
 as are hereinbefore declared concerning my personal estate and the same
 and on which the same shall be invested of hereby declare my will and
 will to be that from and after the decease of my said wife the said trust-
 ers or trustee for the time being under this my will shall stand possessed
 of the said fee-farms mortgages tenements lands and hereditaments or such
 parts thereof as shall then remain unsold until the same respectively shall
 be sold and of the proceeds thereof when sold and the securities upon which
 the same shall be invested and likewise of all and singular my a-
 said personal estate and the securities upon which the same shall stand
 invested or so much thereof as shall not have been previously applied for
 the putting out to business of any of my children pursuant to the power
 contained for that purpose contained in trust for all and every my said
 children, except only my said eldest son John de la the younger in the
 event of his having previously come into possession of the said property
 pursuant to him under the will of the said de la in manner
 provided but not otherwise to be divided equally between all such chil-
 dren if more than one shall and shall alike as tenants in common and
 their respective executors administrators or assigns to and for their own
 use and benefit until they shall become vested and payable on such chil-
 dren respectively attaining the age of twenty five years or marrying under
 and age with the consent of the trustees or trustee for the time being of
 this my will and if there shall be but one child of me the said de la
 shall live to attain the ^{own} age of twenty five years or marry as an
 aforesaid other than my said son John de la the younger then in
 trust for such one child his or her executors administrators or assigns
 to and for his or her own absolute use and benefit But if there shall
 be no child other than the said John de la the younger then in trust
 for the said John de la the younger to and for his own absolute use
 and benefit Provided always and I hereby direct that in case any one
 or more of my said children shall be under the age of twenty one years
 at the time of the decease of my said wife that then and in that case
 the trustees or trustee for the time being of this my will do and shall
 pay and apply the interest dividends and annual produce of the ex-
 pected or presumptive share or shares of any such child or children of and
 the said monies and securities for and towards the maintenance and
 education of such child or children during his life or their minority in a
 such manner as they or he shall in their or his discretion think fit and
 I further direct that when and as each of the said children shall
 attain his or her age of twenty one years without having been previously
 married with such consent as aforesaid the said trustees or trustee for the
 time being of this my will do and shall pay to each such child the
 trust dividends and annual produce of his or her expectant or pre-
 sumptive share of and in the said monies and securities to and for his or
 her share of the capital shall become vested due and payable Provided
 always and I hereby authorize and empower the said trustees or trustee
 to advance such part (not exceeding one half) of the expectant share
 of any such child or children of and in the said trust funds as they
 or he may deem necessary for putting any one or more of my said
 children out to business Provided always that if any one or more of
 my said children shall depart this life before his or her expectant or
 share in the said trust monies shall have become vested and payable
 then and in such case the share or respective shares of such of them
 my said children so departing this life or so much thereof as shall
 not have been applied or disposed of for their support or advancement
 in the world shall go and accrue to the survivors and survivor and

X
 own absolute use and benefit or use
 authorize him or her to receive the same
 until his or her

shares or other of them my said children and be equally divided in
 between and amongst them (if more than one) and the share and
 shares of my said children of and in all such surviving and arriving
 shares shall respectively become vested and be paid exigent and be
 transferred to them respectively and the income thereof in the meantime
 shall be applied and disposed of in such manner and at such days and
 times as this letter in their original share or shares and the income or
 thereof is or are herebefore made vested payable assignable transfer-
 rable or applicable And I direct that all such benefit of survivorship
 and arrival as is herebefore mentioned shall extend as well to the
 surviving or arriving as to the original shares *Provided also* And I
 declare and direct that if the said Margaret Jane Clara William or
 Margaret James and Charles James or any or either of them or any
 future trustee or trustees to be appointed as hereafter is mentioned
 shall happen to die or be desirous of being discharged of and from or
 refuse or decline or become incapable to act in the trusts hereby in them
 respectively imposed as aforesaid before the said trusts shall be fully
 performed or discharged then and in such case and when and as often
 as the same shall happen it shall and may be lawful to and for the
 surviving or continuing trustee or trustee or if none then for the execu-
 tors or administrators of the last surviving acting trustee by any deed
 or deeds writing or writings to be by him or her or them sealed and delivered
 in the presence of and to be attested by two or more credible witnesses
 from time to time to nominate substitute and appoint any other person
 or persons to be a trustee or trustees in the stead or place of the trustee or
 trustees so dying or declining to be discharged or refusing or declining or
 becoming incapable to act as aforesaid And that when and as often as
 any new trustee shall be nominated and appointed as aforesaid all the
 trust estates monies stocks funds and securities which shall then be
 vested in the trustee or trustees so dying or declining to be discharged or
 refusing or declining or becoming incapable to act as aforesaid shall be
 transferred with all convenient speed converted assigned and transferred in
 such sort and manner and so as that the same shall and may be legally
 and effectually vested in the surviving or continuing trustee or trustees of
 the same trust estates monies stocks funds and securities and such new
 trustee jointly or if there shall be no such continuing trustee or trustees
 of the same trust estates monies stocks funds and securities then in such
 new trustee or trustees wholly to for and upon such and the same trusts
 intents and purposes as are herebefore declared or expressed of and on
 concerning the said trust estates monies stocks funds and securities as aforesaid
 said or such of them as shall or their substitute and capable of taking
 effect And that every such new trustee or trustees shall and may in all
 things act and assist in the management carrying on and execution
 of the trusts to which he or they shall or so appointed as fully and
 effectually to all intents effects restrictions and purposes whatsoever and
 shall have and be considered as vested with such and the same powers
 and authorities as if he or they had been originally in and by this my will
 nominated a trustee or trustees for the purposes for which such new trustee
 or trustees respectively shall be appointed a trustee or trustees any
 thing herebefore contained to the contrary thereof in any wise notwithstanding
Provided also And it is my will and will And I do hereby
 direct that it shall and may be lawful to and for the said Margaret
 Jane Clara William Margaret James and Charles James and every
 future trustee or trustees to be appointed as herebefore mentioned their
 and every of their executors and administrators by and out of all or
 any of the monies which by virtue of this my will shall come to their or
 any of their hands to be put to and to and reimburse themselves and

786

276

and himself and to pay to his exors and their executor or executors and
 trustee or trustees all such costs charges and expenses as they respectively
 shall or may sustain or pay or be put unto in or about the execution of
 this my Will or any of the trusts therein contained and also that they or
 and their respective executors and administrators shall be charged and
 and chargeable only every of them for and with their exors and their own
 respective receipts payments and wilful defaults and not otherwise and
 shall not be charged or chargeable with or for any sum or sums of money
 other than such as shall actually and respectively come to his exors or their
 assigns by virtue of this my Will nor with or for any loss or damage which
 may happen in or about the execution thereof or any of the trusts hereby
 declared without his or their respective wilful default or default of any one
 and appoint my said wife Margaret Jane Scott and the said William
 Joseph Scott and Richard James Scott of this my Will and
 hereby revoking all former and other Wills entirely and other testamentary
 dispositions by me at any time heretofore made I declare this only to be and
 contain my last Will and Testament in witness whereof I the said John
 Scott the Testator have to this my last Will and Testament contained in
 and the four preceding parts of paper set my hand to the first four
 parts of the said paper and my seal at the top of the first of said parts
 where the said parts are fastened together together and my hand and
 seal to the fifth and last part of the said paper this sixth day of
 November in the year of our Lord one thousand eight hundred and fifty
 and one - *John Scott* - signed sealed published and declared by the said
 John Scott the Testator as and for his last Will and Testament in the pre-
 sence of us who in his presence at his request and in the presence of a
 care other (all being present together and signing at the same time have
 subscribed our names as witnesses - *Wm. Matthews - J. H. Dugge -*
Midley } Clerk to *Wm. Gordon* Son of *Old Broad Street*.

Proved at London 27 Sep: 1855 before the Reverend Sir Robert
 Thomas Deane Doctor of Laws and Surrogate by the oaths of Margaret
 Jane Scott Widow the said William Joseph Scott and Richard
 James the Exors to whom Power was granted having been first sworn a
 duly to administer.

This is the last Will and Testament
 of me Francis Le Blond Junior living at No 5 Alfred Street a
 New Road in the County of Middlesex I give and bequeath to my dear
 wife Jane all the effects (whatsoever and wheresoever both real and a
 personal whether in possession reversion remainder or expectancy that I
 possess or to which I may become entitled for her (my said wife) own
 use and benefit absolutely and I nominate constitute and appoint as
 executrix of this my Will and hereby revoking all former and other Wills and a
 Testament by me at any time heretofore made I declare this to be my
 last Will and Testament. In witness whereof I the said Francis Le Blond
 Junior have to this my last Will and Testament set my hand the seven-
 teenth day of March in the year of our Lord one thousand eight hundred
 and fifty two - *Francis Le Blond Junr* - signed by the Testator
Francis Le Blond Junior and acknowledged to be his last Will and Testa-
 ment by him in the presence of us present at the same time and sub-
 scribed by us as witnesses in the presence of the said testator and of care
 other this seventeenth day of March one thousand eight hundred and fifty
 two - *W. Le Blond Junr* - *Nobel Le Blond* - *J. H. Dugge*.

Francis
 Le Blond
 J.