

England & Wales, National Probate Calendar (Index of Wills and Administrations), 1858-1966, 1867, p. 118.

The Will of John Williams late of Yew House Neston in the County of Chester, Gentleman, written 7 Aug 1865, proved 22 Feb 1868.

This is the last Will and Testament of me John Williams of Yew House Neston in the County of Chester. I give all my real and personal estate unto **my Wife Frances Williams** and John Chidlaw Roberts of Dolgelly their heirs and Assigns Upon trust that the said Frances Williams and John Chidlaw Roberts or the Survivor of them or the heirs executors or administrators of such Survivor or the trustees or trustee for the time being of this my Will shall sell and convert into money the said real and personal estate and by and out of the money to arise from such sale and conversion and the ready money of which I shall be possessed at my death shall pay my debts funeral and testamentary expences and shall invest the residue of the said money in the names or name of the said trustees or trustee for the time being in any of the public Stocks or funds of Great Britain or upon Government or real Securities and may at any time vary or transpose such Stocks funds and Securities into or for others of the same or like nature at their or his discretion and shall pay the annual income of the said Stocks funds and Securities unto my Wife the said Frances Williams during her life for her sole and separate use free from the debts control or engagements of any husband whom she may marry and after the decease of the said Frances Williams the trustees or trustee for the time being of my Will shall hold my said estate and the money arising from the sale and conversion thereof and the Stocks funds and Securities in which the same may be invested and the annual income thereof in trust for all my children (except **the eldest Son Hugh Evan Lloyd Williams**) who being male shall attain that age or marry under that age and if more than one in equal shares. And I exclude my said Son Hugh Evan Lloyd Williams from any share of my property and from any benefit under this my Will Provided always that it shall be lawful for the trustees or trustee for the time being of this my Will to postpone for any length of time the sale of my estate or any part thereof and until the sale the annual income of such estate shall be applied in the same manner as the income of the investments of the proceeds would have been applied if the said estate had been sold. And I recommend that my real estate should not be sold until after the death of my Wife but I leave the time of such sale entirely in the discretion of the trustees or trustee for the time being and do not wish that thi recommendation to them shall be considered imperative or binding on them Provided always that it shall be lawful for the trustees or trustee for the time being of my Will to lease all or any of the premises hereby demised which shall not be sold for any term of years not exceeding twenty one years to take effect in possession so that there be reserved the best yearly rent incident to the immediate reversion without a fine or premium Provided always that it shall be lawful for the said trustees or trustee for the time being after the death of my said Wife or in her lifetime with her consent in writing to raise any part not exceeding one half of the then expectant or vested share of any child under the trusts hereinbefore declared and apply the same for his or her advancement. And I hereby declare that the said trustees or trustee for the time

being shall after the death of my said Wife pay the whole or such part as they or he shall think fit of the annual income of the share to which any child shall for the time being be entitled in expectancy under the trusts hereof for or towards his or her maintenance or education and shall accumulate the residue for the benefit of the person or persons who shall become entitled to the principal fund from which the same shall have proceeded.

I give all estates vested in me upon trust or by way of mortgage unto the said Frances Williams and John Chidlaw Roberts their heirs and executors and administrators upon the trusts and subject to the equities thereof respectively. And I appoint my Wife the said Frances Williams to be sole Executrix of this my Will and I appoint my said Wife Guardian of my children Provided always that if the said trustees hereby constituted or either of them shall die in my lifetime or if they or either of them or any trustee or trustees appointed as hereinafter provided shall after my death die or become unwilling or incapable to act then and in every such case it shall be lawful for the Survivor of such trustees and after his or her death for the surviving or continuing trustees or trustee for the time being (and for this purpose every retiring trustee shall be considered a continuing trustee) to appoint a new trustee or new trustees and upon every or any such appointment the number of trustees may be augmented or reduced and upon every such appointment all the estates money Stocks funds and Securities then vested in the trustees or trustee for the time being shall be so conveyed that the same may vest in the surviving or continuing trustee or trustees jointly with such new trustees or trustee or in such new trustees or trustee solely as the case may require. And whereas the said John Chidlaw Roberts is now my Land Agent and the receiver of the rents of my estate I authorize him after my decease to charge Two pounds ten shillings per centum commission on the rents he may receive of my estate for his trouble in collecting the same in the same manner as he had not been a trustee or executor of this my Will.

In witness whereof I have to this my last Will and testament written on three sheets of paper set my hand the Seventh day of August in the year of our Lord one thousand eight hundred and sixty five — John Williams. Signed by the said John Williams the testator 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 presence and in the presence of each other subscribe our names as witnesses — Thos. Rymer, solr., Liverpool — George McConnal Junr. Clerk to Mr. Rymer.

Proved at Chester the 22nd day of February 1867 by the Oath of Frances Williams Widow the Relict the sole Executrix to whom Administration was granted.

The Testator John Williams was late of Neston in the County of Chester, Gentleman, and died on the 29th day of January 1867 at Neston aforesaid.

Under £5000. No Leaseholds.

Messrs. Rymer & Morgan, Solicitors, Liverpool. Charles F. W. Parry, District Registrar.