

TRANSCRIPTION of JOSEPH HART COACHMAN OF FARNHAM WILL

*THIS IS THE LAST WILL AND TESTAMENT of me Joseph Hart of Farnham in the county of Surrey Coachman whereby I dispose of such temporal Estate as I am blessed withal in manner following that is to say I give and bequeath unto my son Charles Hart all my wearing apparel and cloathes and the chest wherin they are usually kept to be delivered to him within fourteen next after my decease Also I give and bequeath all and every household goods and furniture plate linen china books prints pictures and implements of household whatsoever except the pictures of every description which shall be in or about my dwelling house/unto and equally between my daughter Harriot the wife of John McDonald, Mary Ann, Eliza Caroline, Henrietta, Jessamine and Ellen to be delivered to them within fourteen days next after my decease Also I give and bequeath unto my said daughter Mary Ann All my stock of provisions wines tea beer and firing to be delivered to her immediately after my decease an all and singular my messuages buildings lands tenements heredaments and real estate whatsoever or wheresoever and of what nature tenure or denomination soever in possession reversion remainder or expectancy or otherwise howsoever with their and every of their rights numbers and appurtenances And all the cost and residue of my goods and chattels ready money securities for money rights credits effects and personal Estate whatsoever and wheresoever including the fixtures in my said dwelling house I give devise and bequeath unto my said son Charles Hart my said daughter Mary Ann and Samuel Andrews of Farnham Butcher their heirs Exors Administrators and assigns upon Trust that they or the survivors or survivor of them or their heirs executors or administrators of such survivor do and shall pay and apply the rents and profits which should arise and accrue but in respect of my said real and residuary personal Estate for the space of twelve months next after my decease until my said Daughter Mary Ann or otherwise permit and suffer her to receive the same she my said daughter during that period maintaining such of my said other daughters as shall so long continue to reside with her and be and remain unmarried This upon further trust that they my said Trustees or the survivors or survivor of them or the heirs executors or auditors of such survivor so and shall at the expiration of twelve months after my decease absolutely sell and dispose of my said real Estate to them devise and every part thereof either together or in parcels by public auction or private contract as to them him or her shall seem expedient for the best price or prices in money that can be reasonably obtained for the same and so shall also call in recover and receive all such debts and sums of money as shall be due to me at the time of my decease and sell and convert into money so much of my said residuary personal Estate as shall be in the nature saleable And for facilitating such Sale or sales of my said real Estate I do hereby will declare and direct that the receipt and receipts of my said son Charles and my said daughter Mary Ann and the said Samuel Andrews or the survivor or survivors of them or of the Trustees or Trustor for the time being of this my will acting in the execution thereof under their his or her hands or hand shall be to all intents and purposes be a sufficient discharge and sufficient discharges to the purchaser or purchasers of the said real Estate hereintofore advised to them In Trust for Sale as aforesaid and every or any part thereof for all or any part of the purchase monies to arise by such Sale or Sales and that after such receipt or receipts shall be so given such purchasor or purchasors his her or their heirs executors administrators or Assignees or any of them shall not be answer able or accountable for any loss misapplication or nonapplication of such purchase monies or any part thereof And as the monies to arise by such Sale or Sales as aforesaid and also by the conversion of my said residuary personal Estate and the rents Dividends and Interest thereof which shall arise between the expiration of the said twelve months next after my decease and until such sale and conversion which shall otherwise come to the hands of my said Trustees or Trustor or by virtue of this my will upon Trust after payment thereof of all my just debts and funeral and testamentary expenses and the Costs*

and Charges attending such Sale and conversion to pay devise and retain the residue of the money so to be called in and received or which shall be otherwise come to their hands as aforesaid unto between and amongst ourselves my said son and daughter Charles and Mary Ann and all and every other (of) my Children hereinbefore named who shall be then living and have attained their respective age of twenty one years in equal shares and proportions and as the shares or share of such of my said Children or Child as shall not have attained the said age of twenty one years at the time of my decease I direct that the same shall be paid and payable to such Children or child when and as they shall respectively attain the said age of twenty one years and until the attainment of that age the share or shares of such Children or Child respectively shall be laid out and invested in the name or name of my said Trustees or the survivors or survivor of them or the Executors or administrators of such survivor in or upon any of the parliamentary stocks or funds of this Realm or on real securities in England at Interest with power to alter vary and transpose such Stocks funds or securities and also such stocks funds or real securities on which any such other part of my personal estate may be placed or invested at the time of my decease for others of the like nature when and as often as it shall seem expedient and for further trust to pay and apply the dividends interest and annual product of the shares or share of such Children or Child respectively or as much of such Dividends interest and annual product as may be necessary unto or for the maintenance of such Children or Child until they shall respectively attain their said age twenty one years and so and shall lay out and invest the surplus (if any) of such dividends interest and annual product as shall not be applied for the maintenance of such Child or Children at Interest so that the same may accumulate for the benefit of the person or persons who shall afterwards become entitled to the principal from whence the same shall arise by virtue of this my will provided always and I do hereby will declare and direct that if any or other of my said Children shall depart this life under the said age of twenty one years without having any lawful Issue Then the parts or shares part or share of their his or her so dying as will original as accruing by virtue of this clause or provision shall go accrue and belong to the survivors and survivor and others or other of such Children or Child and respective Executors and Admons of such of them as shall then be dead having first acquired a vested Interest in their respective original shares in equal shares and proportions if more than one and if but one such survivor then whole to him or her and become vested in and payable to them him or her at the same ages and times and in such manner as is hereintofor directed and ordered concerning their his or her original shares or share respectively Provided also and I do hereby further will direct and direct that in case any other of my said Children shall happen to die under the age of twenty one years having lawful issue who shall live to attain the age of twenty one years then I give and bequeath the shares or share of such of my said Children so dying and in the said Trust monies to their or her issue respectively on the attainment of said age And I further will declare and direct that the interest and annual Income of such share or shares shall be paid and applied for and towards the maintenance and education of such issue respectively during their minorities or suffered to accumulate at Interest for the benefit of the person or persons who shall afterwards become entitled to the principal from whence the same shall arise and the direction of my said Trustees or Trustee for the time being And I further will declare and direct that it shall and may be lawful to and from my said Trustees and survivor of them and the heirs executors and Administrators of such survivor by and out of the monies which shall come to their her or his hands by virtue of this my will to deduct retain to and reimburse themselves herself and himself respectively all such Costs Charges and expenses as they respectively shall or may pay sustain or be put unto and also so such money as they shall reasonably bestow for their care and trouble in or about the execution of this my will and the Trusts hereby in them reposed or the management thereof and also they my said trustees and the survivor of them and the Executors and Administrators of such survivor shall be charged and

chargeable only each of them for and with his and her own respective receipts payments acts 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 come to their her or his hands by virtue of this my will and notwithstanding his or her giving and signing or joining in giving and signing any receipt or receipts for the sake of conformity nor with or for any loss or damage which may happen in or about the execution of all or any of the Trusts hereby in them reposed without their her or his respective wilful neglect or default And I constitute and appoint my said Son and daughter Charles and Mary Ann and the said Samuel Andrews EXECUTORS of this my last will and Testament and I hereby revoke all former wills by me made In witness thereof I the said Joseph Hart the Testator have to this my last will and Testament contained in this and the two preceding sheets of paper set my hand and seal to wit my hand only to the said two preceding sheets and my hand and seal to the last sheet the Eighth day of February In the year of our Lord One Thousand Eight Hundred and Thirty One JOSEPH HART (LS) Liguts Soales published and declared by the said Joseph Hart the testator as for and to be his last will and testament in the presence of us who at his request in his presence and in the presence of each other have subscribed our hands as witnesses thereto JAS. SHEPHERD MONTAGUE EVANS JOHN ANDERSON

PROVED at London 10th November 1831 before the judge by Oaths of Charles Hart the son Mary Anne (in the will written Mary Ann) Hart Spinster the daughter two of the Executors to whom Admon was granted having been first sworn by the Commissioner only to Administer Power reserved of making the like Grant to Samuel Andrews the other Executor when he shall apply for the same 1

Original transcription from: <http://www.rootsweb.com/~engsurry/index.shtml>