

Prob. 11/1885  
Sir Henry Gwillim,  
Knight 24

This is the last will and testament of me Sir

Henry Gwillim of Stapleford in the County of Sussex. I direct that my just debts and funeral and testamentary expenses shall be paid and discharged by my Executors herein-after named as soon as conveniently may be after my decease. I give to my dear wife the sum of one hundred pounds to be paid to her immediately after my decease and to give her all my linen and all the wines and other liquors that may be in my house at my death for her own use absolutely. I give the Reverend [...] Chapter of the Cathedral Church of Hereford my copy of [...] Glossary to be placed by them in the library of the said Church. I direct that during the life of my said wife she shall if she think fit have the use and enjoyment of my household furniture books plate china and all other implements of household economie an Inventory thereof to my Executors herein-after named and after her decease I direct that the same effects shall be appointed and disposed of in the manner herein-after ... directed with regard to my residuary estate. And I give, devise and bequeath all the Rest Residue & Remainder of my Estate and Effects whatsoever and wheresoever and of whatever nature kind or quality the same may be unto my brother John Gwillim of the City of Hereford Apothecary and John Peter Cherry of Cuckfield in the said county of Sussex Esquire their heirs executors advisors and assigns respectively according to the nature and quality of the same, [...] and promised respectively upon trust that they the said trustees and the survivor or survivors of them and the heir executors and advisors or the survivor do and shall by sale or other disposition reinvest the same or such part thereof as shall not consist of money or securities for money into money and he shall invest the whole produce thereof and the money of which I shall be possessed of at the time of my decease in their or his names or name in the purchase or competent share or competent shares of the public stocks or funds of Great Britain or our government or real securities in Great Britain and upon trust to vary transfer and transpose the said sureties and stocks as circumstances shall or may require, yet nevertheless during the life of my wife with her consent to be testified by some writing under her hand. And upon trust during the life of my said wife subject to the proviso herein-after contained to pay and appoint the whole of the interest dividends and annual produce of my said trust estate unto her and her assigns for and during the term of her natural life. And from and immediately after her decease upon trust to pray

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assign and transfer the whole of my said ordinary estate to my dear daughter her executors and advisors to and for her and their own use and benefit such payment transfer and assignment to be made on her my said daughter attaining the age of twenty one years or marrying under that age unless other of these events shall appear in the lifetime of my said wife and then upon trust to pay assign and transfer the same unto her my said daughter immediately upon the decease of my

said wife. And in case my said daughter shall depart this life either before or after the decease of my said wife under the age of twenty-one years and unmarried then and in such case I direct that the whole of my said residuary and real and personal estate or the proceeds thereof subject to the life interest of my said wife therein shall be considered as money or personal estate only and go and be divided among the person and persons who at the time of my decease shall be my next of kin.

according to the Statute of Distributions of the Estates of Intestates it being my intention that my said residuary estate shall go and be divided to and amongst the same person or persons and in the same parts shares and proportions as the same would have gone to and been divided amongst if I had died intestate. provided always and it is my last will and testament that my Executors and Trustees and their executors and advisors shall exercise their own discretion as to the time of selling and dispersing of my estate and shall alone decide and be competent to decide whether the same shall or shall not take place during the minority of my said daughter or the person or persons [continually] entitled thereto or to the proceeds arising from the sale thereof under the [trusts] of

this my will. And I do hereby declare that my said Trustees and Executors shall have full power and authority to enter into and execute all contracts and agreements deeds and other assurances

which shall or may be considered as necessary for carrying into effect all or any of the trusts and provisions of this my will. And I do hereby declare my will and mind to be that the receipt or receipts in writing of the trustee or trustees for the time being arising in the execution of this my will for any sum or sums of money payable to them under or by virtue of this my will shall be sufficient and effectual discharges for the same respectively or so much thereof respectively as in such receipt or receipts respectively shall be expressed or acknowledged to be received. And I do hereby also declare that my said Executors and Trustees shall have the power and they are thereby expressly authorised and required to advance and pay the dividends and proceeds of the said trust property or so much thereof as shall for that purpose be by them deemed necessary from and after the decease of my said wife to and for the benefit of my said daughter during the minority and for the maintenance of duration and support provided always and notwithstanding any thing therein before contained. my will and meaning is that in case my said wife shall marry after my decease and in case my daughter shall be living at the time of such marriage then and in such case and immediately upon such second marriage of my said wife and her assigns shall only be entitled to have and received one moiety or equal half part of the dividends interest and proceeds of my residuary real and personal estate during the residue of the term of her natural life and the dividends interest and proceeds of the other moiety or equal half part thereof and the principal thereof and all the stocks funds and securities of the same moiety shall immediately on such ^second^ marriage become, passable or

applicable by my said trustees to or for the benefit of my said daughter and with such powers for the benefit during the minority as by this my will I have directed with reference to the whole of the interest dividends and proceeds and the principal of my said residuary

residuary real and personal estate on the decease of my said wife provided always and my will and mind is that if the said trustees hereby appointed or to be appointed as herein-after is mentioned or any of them shall depart this life or decline or become incapable to act in the trusts reposed in them respectively their and so often as it shall happen it shall be lawful for the surviving or continuing trustees for the time being or the heirs or advisors of the last surviving or continuing trustee for the time being with the consent in writing of my said wife during the life of such consent to be testified by writing under her hand by writing under their or this hands or hand to appoint one or more person or persons to be a trustee or trustees in the room of the trustee or trustees so dying refusing or becoming incapable to act therein as aforesaid and

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thereupon the said trust monies estates and promises shall be vested in the new trustee or trustees jointly with the surviving or continuing trustee or trustees or [....] may require and every such new trustee or trustees shall have the same powers and authorities and direction to all intents and purposes whatsoever as in those they, had been originally nominated a trustee or trustees in this my will in the room or stead and place of the trustee or trustees to whom he or they shall succeed provided also. I thereby declare my will and mind to be that the said several trustees thereby nominate and appointed or by virtue of the proviso therein before lastly contained and each and that every of them shall be charged and chargeable only for such monies as they shall respectively actually receive by virtue of the trust hereby in them reposed notwithstanding his her or their giving and signing or joining in giving and signing any receipt or receipts for the sake of conformity and any one or more of them shall not be answerable or accountable for the other or others of them but each and every of them only for his and their own acts receipts neglects or defaults respectively and that they or any of them shall not be answerable or accountable for any banker, broker or other persons and whom or in whose hands any part of the said trust monies shall or may be deposited or lodged for safe custody or otherwise in the execution of the trust herein before mentioned and that he or they or any of them shall not be answerable or accountable for the insufficiency or deficiency of any security or securities works or funds in or upon which the said trust monies or any part thereof shall be placed out or invested in nor for any other misfortune loss or damage which may happen in the execution of the aforesaid trust or in relation therunto except the same shall happen by or through their own wilful default respectively. And also that it shall and may be lawful to and for the said trustees in this my will named or in such future or other trustees to be appointed or aforesaid and every or any one of them their and every of their executors advisors and assigned by and out of the monies which shall come to their respective hands by virtue of the trusts aforesaid to retain and reimburse himself and themselves and also to allow to his and their co-trustee or co-trustees all costs charges damages and expenses which they or any of them shall or may attain expect disburse or be out unto in or about the execution of the aforesaid trust or in relation thereto. And I do hereby appoint my said brother John Gwillim and

the said John Peter Cherry to be the Executors of this my will hereby revoking all former and other wills by me at any time heretofore made and I do hereby declare this and this only to be and contain my last will and testament I or witness whereof I the said Sir Henry Gwillim the testator have to this my last will and testament contained in six sheets of paper set my hand and seal that is to say my hand to the first five sheets and my hand and seal to this sixth and last shall thereof this, twenty third day of December in the year of our Lord one thousand eight-hundred and twenty nine \_\_\_\_\_ H. Gwillim (Sir)

Signed sealed published and declared by the said Sir Henry Gwillim the testator as and for this last will & testament in the presence of us who in his presence at his request and in the presence of each other have hereunto subscribed our names as

witnesses \_\_\_\_\_ J. Waller St Cuckfield \_\_\_\_\_ John Hamsham

of Staplefield, Shopkeeper \_\_\_\_\_ John Comber Servant of Sir Henry Gwillim

Proved at London 9th October 1837 before the worshipful John [Clive] ...

Robertson St of Laws & Swore by the oath of John Gwillim the [Brother] one of the Executors to whom [Admin] was granted having been first sworn duly to administer power [invested] of making the like grant to John Peter Cheery Esqr. the other Excetor when he shall apply for the same.