

Will of Reverend David Davies, Clerk, Rector of Cliddesden cum Farleigh, Hampshire.

Prerogative Court of Canterbury PROB/11/1940/346. Proved 4 Feb 1841.

This is the last Will and Testament of me the Reverend David Davies Clerk Rector of Cliddesden cum Farleigh in the County of Southampton made in sound and disposing mind memory and understanding this fifteenth day of February in the year of our Lord one thousand eight hundred and forty first I order and direct all my just debts funeral and testamentary expenses to be paid and discharged by my Executors hereafter named as soon as conveniently may be out of my general personal estate I give and devise unto my niece Martha Lock the daughter of my late brother Walter Davies all that messuage or dwelling house called the Marina with the old lighthouse attached thereto and outlet and buildings belonging and also that Garden with Cottage adjoining just recently purchased by me of the Corporation of the Trinity House and all appurtenances to the same messuage and Garden Cottage and premises or either of them appertaining and the fixtures therein as now in the respective occupations of Mrs Elizabeth Brice and myself situate lying and being at Burnham near Bridgewater in the County of Somerset and also all that piece or parcels of Meadow or pasture land containing by estimation six acres or thereabouts in Burnham aforesaid and being near the Road leading from Highbridge to Burnham Church now in the occupation of my nephew William John and also all that piece or parcel of arable land containing by estimation two acres or thereabouts in Burnham aforesaid also lying near the said Road leading from Highbridge to Burnham Church and occupied by the said William John to hold the said Messuage Lighthouse Buildings Garden Cottage pieces or parcels of Meadow and Arable Land and all premises with their appurtenances unto the said Martha Lock her heirs and assigns for ever subject nevertheless to her payment to my servant Martha Curtis who has been very attentive to me during illness of the annuity or yearly sum of ten pounds of lawful money of Great Britain to be issuing thereout and payable to the said Martha Curtis during her natural life free of all taxes payments charges or deductions whatsoever of two equal half yearly payments in every year the first half yearly payment thereof to be made at the end of six calendar months from the day of my death and a proportionate part thereof from the day of the last half yearly payment to the day of her death and also subject to the to the payment to the said Elizabeth Brice of a sum of five hundred pounds and interest from myself and the said William John (in exoneration of the said William John and all liability by him to that sum or any part thereof) on a note of hand to her and which said sum of five hundred pounds

and interest I direct shall be exclusively paid by the said Martha Brice or to the payment whereof the said hereditaments so devised to her shall alone be liable also I give unto my said nephew William John now resident at the Spa Burnham aforesaid all and every other my freehold copyhold and leasehold messuages lands tenements hereditaments with fixtures therein and being at Burnham aforesaid or elsewhere in the County of Somerset and not hereinbefore devised and all the Estate right and interest I may have to come therein or in any part thereof respectively at the time of my decease to hold the same and every part thereof according to the nature tenure and quality of the same Estates and premises respectively therein and every of their respective rights members and appurtenances unto and to the use of the said William John his heirs and assigns for ever subject nevertheless to the payment to my said servant Martha Curtis of a further annuity or yearly sum of ten pounds of lawful money aforesaid to be issuing thereout and payable to the said Martha Curtis during her natural life free of all taxes charges payments or deductions whatsoever by two equal half yearly payments in every year the first half yearly payment thereof to be made at the end of six calendar months from the day of my death and a proportionate part thereof from the last half yearly payment to the day of her death and I direct and declare that the said Martha Curtis shall have and be entitled to exercise such and the like powers and remedies by distress and entry upon reception of the rents issues and profits of my said estates hereby charged with the said respective annuities to her from time to time in case the same shall ever be in arrear for the space of twenty one days after any half yearly payment due and unpaid and in order to the receipt and recovery thereof as landlords are by law certified to do and exercise in cases of rent in arrear and unpaid on demises for a term of years also I give and bequeath unto the said William John his executors and administrators absolutely all the household goods furniture moveable chattels and effects whatsoever which shall be in and about any messuages houses and premises belonging to me at Burnham aforesaid or elsewhere in the County of Somerset at the time of my decease also I give and devise to the said William John all those two freehold messuages or tenements gardens outlets buildings and premises with their appurtenances situate in Castle Street Swansea in the County of Glamorgan now or late in the occupations of Mr Jones Draper and Mrs Turner Hosier to hold the same and every part thereof unto the said William John his heirs and assignees for ever upon trust nevertheless to pay the rents issues and profits thereof half yearly or otherwise as the same shall become due but (after all necessary allowances for repairs and insurance) unto Evan Griffiths (the husband of my late sister Martha Griffiths) of Morryston in the County of Glamorgan

aforesaid for and during the term of his natural life and after the decease of the said Evan Griffiths upon a trust to recover and assure the said freehold messuage and hereditaments unto all and every children of my said late sister Martha Griffiths by either of her husbands except the said William John who shall be living at my decease those heirs and assigns for ever equally between them as tenants in common and I give and bequeath unto Henry Fellowes of Hurstbourne Park in the County of Southampton the Honourable Newton Fellowes brother of the Right Honourable the Earl of Portsmouth and Henry Newton Fellowes his eldest son the sum of fifty pounds sterling money upon trust to invest the same in their names in the three per cent Consolidated Annuities of this Kingdom and from time to time hereafter half yearly for ever pay and apply the dividends arising therefrom to the uses and for the purposes and benefit of the Endowed or Charity School for the Male and Female children now or for the time being established in Cliddesden aforesaid and I direct and authorise the said three trustees or the survivors or survivor of them for the time being to nominate new trustees or a new trustee whenever necessary or considered expedient and (to hasten the said investment in Consols accordingly in order to the due and) regular maintenance appropriations and perpetuity of the dividends arising from the said charity fund it being always borne in mind in any fresh appointment of trustees that they be selected from the members of the house of Portsmouth and I give and bequeath all that sum of eight hundred pounds assured on my life in the Rock Insurance office but not any accumulations thereon unto John Hanson Esquire the brother of my late wife Lettice Davies deceased upon the express condition nevertheless that the said John Hanson do and shall before or on the payment thereof procure and deliver to my executors a Release and complete discharge duly executed by all necessary persons and parties whatsoever for and from the sum of three hundred pounds or any other sum of money that I have been or may or shall stand bound or engaged to pay under or by virtue of the settlement made upon my marriage with my said wife deceased the said sum of three hundred pounds having long since been paid by me to the said John Hanson also I give and bequeath unto each of the children of Mrs Hanson sister of my said late wife who shall be living at the time of my death the sum of twenty five pounds also I give and bequeath unto William Spier of Cliddesden and his wife ten pounds between them also I give and bequeath unto George Lamb solicitor of Basingstoke Hants the sum of one hundred pounds unto the Society for the Support of Clergymens widows established in Winchester the sum of thirty pounds unto and to be distributed between and amongst such poor and deserving persons in the parishes of Cliddesden and Farleigh aforesaid as my

executors hereinafter named in their sole direction shall select and think proper the sum of twenty pounds unto John Morslate Keeper of my Lighthouse at Burnham aforesaid the sum of five pounds unto the Reverend William Hasker of Baughurst clerk the sum of ten pounds unto Martha Curtis a female servant who has been with me and evinced great attention during my illness the sum of ten pounds and a suit of mourning and to each of my male and female domestic servants who shall be in my service at the time of my decease the sum of ten pounds and a suit of mourning apiece all which said pecuniary legacies in sterling money of Great Britain I direct shall be paid at the expiration of six Calendar months from the day of my decease and without interest thereon in the meantime except the legacies to the poor and deserving of Cliddesden and Farleigh and my said servants which I direct shall be paid and distributed at the expiration of one Calendar month from the period of my death also I give and bequeath unto the Reverend George Lowdon Hanson son of the said John Hanson all my books and manuscript sermons also I give and bequeath unto his sister Eliza Hanson my silver teapot and stand with Cream Jug and Sugar Bason belonging also I give and bequeath unto the said William John my silver vase presented to me by the parishioners of Burnham aforesaid and my parlour clock by Gregory also I give and bequeath unto the said William John one moiety of the residue of all my plate and plated articles of every description and the other moiety thereby I give and bequeath unto my said niece Martha Lock the division of the same between the two said legatees to be made by and at the direction of the executors and the said books and plate and plated articles to be delivered to the said legatees respectively at the expiration of three calendar months next after my decease also I give and bequeath unto the said Martha Lock all and every my shares and interest whatsoever in the Westminster Joint Stock or Banking Company but no calls or advance to be made thereon from my Estate after my death upon trust nevertheless out of the dividends or income thereof and therefrom to pay to Martha the widow of my late brother Walter Davies deceased yearly and every year during her life the sum of fifty pounds of lawful money of Great Britain by equal and half yearly payments and subject thereto for the said Martha Lock her executors administrators or assigns absolutely also I give devise and bequeath unto the said William John his heirs executors and administrators one share in the East Railway company and all my right and interest in such one share for his and their own use also I give and bequeath all and singular other my shares right and interest whatsoever in the East Railway Company unto the said William John and George Lamb their heirs executors and administrators upon trust thereon in the first place to satisfy and make good such or such portions of the pecuniary legacies

hereinbefore by me given and bequeathed which my Residuary Estate hereinafter mentioned shall for any cause not extend to pay and discharge and subject thereto in trust for all and every my nephews and nieces being sons and daughters of my said sister Martha Griffiths deceased by either of her husbands (except the said William John) and unto her said husband Evan Griffiths equally to be divided between such nephews and nieces and the said Evan Griffiths my brother in law share and share alike and to their respective heirs executors administrators and assigns but I expressly direct that no calls or advances shall be made on or in respect of the said several railway shares any or either of them from my Estate after my decease and as to all the rest residue and remainder of my freehold copyhold and leasehold messuages lands tenements hereditaments including my leaseholds messuages and premises in Cliddesden shares in Railway or other companies and real estate whatsoever and wheresoever and all that Estate and Interest I may or shall have to come therein respectively at the time of my decease and also as to all the rest residue and remainder of my monies and securities for money whatever in the public funds or elsewhere and all bonuses or accumulations in respect of the Rock Assurance policy debts goods chattels effects and personal Estate respectively and every part thereof according to the nature or tenure and description of the same respectively with their several appurtenances unto the said William John and George Lamb their heirs executors administrators assigns Upon trust nevertheless to sell dispose of and convert into money all and every and such part or parts thereof respectively as shall not consist of money at such time or times and generally in such way and manner as they the said William John and George Lamb or the survivors of them his heirs executors or administrators in their or his sole direction shall think fit and the monies arising thereby and therefrom together with all my other monies and the rents issues and profits dividends and interest of the said trust property and premises in the meantime upon trust to pay and divide and I hereby give and bequeath the same and every part thereof subject to my debts funeral and testamentary expenses and the pecuniary legacies herein bequeathed unto and equally between and amongst all my nephews and nieces being the children of my late Brother Walter Davies deceased and my said Sister Martha Griffiths (except for the said William John and the said Martha Lock legatees hereinbefore named) who shall be living at the time of my decease per capita and not per stirpes share and share alike and their respective executors administrators or assigns and I order and direct that the receipt and receipts in writing of the said William John and George Lamb or the survivors of them or the heirs executors or administrators of such survivor for the purchase money of all

or any part or parts of my freehold copyhold and leasehold hereditaments and premises Railway shares and real Estate made saleable or otherwise devised or bequeathed to them by my will shall be a good and sufficient discharge or good sufficient discharges for the sum or sums of money therein expressed or acknowledged to be received and fully and for ever exonerate or discharge the party or parties paying the same from all liability or obligation whatsoever to see to the application of the same money and from being answerable or accountable for the loss misapplication or non application thereof or any part thereof and I give and devise and bequeath unto the said William John and George Lamb all such messuages lands tenements and hereditaments whatsoever and wheresoever which are vested in me upon mortgage or trust and of which I have power to dispose by this my will to hold the same and every of them and every part thereof respectively with their appurtenances unto the said William John and George Lamb their heirs executors administrators and assigns upon and subject to the same and the like trusts and equity of redemption in every respect to which the same messuages lands tenements and hereditaments are and shall be subject and liable at the time of my decease and I nominate and appoint the said William John and George Lamb Executors of this my last will and testament hereby revoking and making void all former or other wills codicils and testamentary dispositions by me at any time nowtofore made provided always and I further declare that the said William John and George Lamb and the survivor of them and his heirs executors administrators and assigns of such survivor shall be charged and chargeable respectively for such monies only as they respectively shall actually receive by virtue of the trusts hereby in them reposed notwithstanding their or any of their giving or signing or joining in giving or 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 others or other of them or for involuntary losses and also that it shall and maybe lawful for them with and out of the monies which shall come to their respective hands by virtue of the trusts aforesaid to retain and reimburse themselves and himself respectively and also to allow their respective co-trustees or trustee all costs charges damages and expenses and fees and payments to Counsel and Attornies for advice and assistance which they or any of them shall or may have suffer sustain expend disburse be at or be put unto in or about the execution of the aforesaid trusts of this my will or in relation thereunto and particularly that the said George Lamb shall be at liberty to make such proper charges against my Estate as a solicitor in the manner as if had not been appointed a Trustee under this my will In witness thereof the said David Davies the testator have to this my last will and testament written and

contained in seven sheets of paper hereunto and to the preceding sheets thereof set my hand --
--- *David Davies* signed by the said David Davies the testator in the joint presence and in the presence of each other have hereunto subscribed our names as witnesses the said fifteenth day of February one thousand eight hundred and forty the same having been first read over and explained to the said David Davies (being blind) who appeared perfectly to understand the same. H. Challis – Felix Baskett, Clerks to Cole & Co. Basingstoke.

This is a Codicil to the last will of me The Reverend David Davies Rector of Cliddesden cum Farleigh in the county of Southampton Clerk dated the fifteenth day of February one thousand eight hundred and forty whereby I wholly revoke and make void the appointment of my nephew William John therein named as a trustee in any respect and executor of and under my last will and in lieu of the said William John as such executor I do hereby substitute and appoint my friends Richard Eyles of Basingstoke in the said county of Southampton Gentleman and the Reverend Robert North Maddock of Cliddesden aforesaid Clerk as joint executors and trustees of my said will with George Lamb my other executor and trustee therein named and as to all and singular the Estates Messuages Lands tenements Railway shares and hereditaments in and by my said will given and devised upon trust to the said William John alone or in conjunction with that said George Lamb in any way or manner howsoever I do hereby give devise and bequeath the same Estates Messuages Lands tenements and railway shares and hereditaments and every of them and every part thereof according to the nature tenure and description of the same respectively unto the said Richard Eyles Robert North Maddock and George Lamb their heirs executors and administrators upon the same and the like trusts and for such and the same ends interests and purposes in every respect as are in and by my said will expressed and declared therein referred to of or concerning the said messuages lands tenements railway shares and hereditaments respectively and I do hereby revoke and make void the bequest in my said will contained of one share in the East Railway company to the said William John and do hereby give devise and bequeath the same share to the said Richard Eyles Robert North Maddock and George Lamb their heirs executors and administrators upon trust for the same purposes and provisions as are declared and mentioned in and by my said will respecting all other my shares right and interest in the said East Railway and I certify and confirm my said will in all the other particulars thereof and have to this my codicil set my hand the fifteenth day of April in the year of our Lord one thousand eight hundred and forty

David Davies - signed and declared by the said David Davies (the testator) as and for a codicil to his last will and testament in the presence of us present at the same time who in his presence and in the presence of each other have hereunto subscribed our names as witnesses the same having been first read over to the said David Davies being blind who appeared perfectly to understand the same and expressed his satisfaction and approval thereof R.A. Routh – H. Challis Clerks to Messrs Cole & Co. Basingstoke.

Proved at London with a codicil 4th February 1841 before the Worshipful Frederick Thomas Pratt Doctor of Laws and surrogate by the oaths of George Lamb Esquire the executor named in the will and the Reverend Robert North Maddock clerk one of the executors named in the said codicil to whom administration was granted having been first sworn duly to administer. Richard Eyles the other executor and one of the Residuary Legatees in trust named in the said codicil having first renounced as well the probate and execution of the will and codicil as letters of Administration which with the said will and codicil annexed of the Goods of the said deceased as by acts of court appears.