

Transcription of will of John Weller 1838

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This is the last Will and Testament of me John Weller of Amersham in the County of Bucks Gentleman which I publish and declare as such in manner following that is to say I bequeath unto my wife Elizabeth Weller the legacy or sum of one hundred pounds sterling and I direct the same to be paid immediately after my decease to and for her own use and benefit absolutely I also bequeath unto my said wife All the household goods furniture plate china linen fuel horses and carriages wines liquors and other effects whatsoever (except my ready monies and securities for money) which shall be found in and about my dwelling house or the premises thereunto belonging at the time of my decease to and for her own use and benefit absolutely I hereby charge and make liable the whole of my real estates herein after devised with the payment of the said legacy of one hundred pounds and also with the payment of the annuity and legacies hereinafter by this my will given and bequeathed I give and bequeath unto my said wife in addition to what she now possesses or may become entitled to at my decease under or by virtue of the settlement made on or subsequently to our marriage one annuity or yearly sum of three hundred and fifty pounds of lawful money current in Great Britain to be paid and payable to her or her assigns during the term of her natural life without any deductions whatsoever by four equal quarterly payments in every year on the days hereafter mentioned that is to say on the twenty fifth day of March the twenty fourth day of June the twenty ninth day of September and the twenty fifth day of December the first payment thereof to be made on such of the said days as shall first or next happen after my decease And I do hereby give unto her my said wife and her assigns all such powers remedies and means whatsoever for recovering and enforcing payment from time to time of the said annuity when in arrear upon and over my real estates by entry and distress as landlords are by law entitled to for the recovery of rents in arrear and I do hereby declare that the provision hereby made for my said wife is intended by me to be in full satisfaction of and for all dower and thirds at the common law or by custom or otherwise which she my said wife can or may have claim or be entitled to in or out of all or any of the messuages lands tenements hereditaments or other property

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whatsoever whereof or whereto I now am or at any time hereafter shall or may be seized possessed or entitled for any estate or inheritance in possession or for any other dowable estate or interest I bequeath unto my son John Weller Doctor of Divinity the legacy or sum of eight thousand pounds sterling and I direct the same to be paid to him by eight yearly instalments the first instalment thereof to be paid at the end of twelve calendar months next after my decease with interest after the rate of five pounds per centum per annum on the whole or on such part of the said legacy or sum of eight thousand pounds as shall from time to time remain due until the whole thereof shall be fully paid and satisfied I bequeath unto my son Richard Weller the like legacy or sum of eight thousand pounds sterling to be paid to him by eight equal quarterly instalments in like manner and with the like rate of interest as hereinbefore directed in respect to the legacy of eight thousand pounds hereby bequeathed to my said son John Weller subject nevertheless as to the said legacy of eight

thousand pounds bequeathed to my said son Richard Weller and the interest thereto to the proviso hereinafter contained And I hereby expressly declare it to be my will and intention that the said Richard Weller shall have and receive the said legacy or sum of eight thousand pounds over and beyond any sum or sums of money which I have already advanced to him towards his preferment in the world provided always and it is my wish that my son Edward Weller if he can and lawfully may according to the terms of any Articles of Copartnership existing at the time of my decease for carrying on the trades and businesses of Common Brewer Maltster ffarmer by him and his co-partners accept and take my said son Richard Weller as a partner and to pay and allow unto him not less than after the rate of one third part of one moiety of the profits arising therefrom And in case the said Edward Weller can legally comply with such my wish and shall think fit so to do then I hereby direct that during such copartnership the payment of the said sum of eight thousand pounds bequeathed to the said Richard Weller as aforesaid shall be suspended and all interest in respect of the same shall cease to be payable and that on the determination of the said copartnership the said Richard Weller shall have and become entitled to the said legacy or sum of eight thousand pounds to be paid to him by eight yearly instalments with interest for the same after the rate aforesaid and the first instalment thereof shall commence and be payable at the end of twelve calendar months next after the determination of such partnership [And as to all and singular my freehold copyhold ^{and leasehold} messuages cottages lands tenements and hereditaments and parts and shares of messuages cottages lands tenements and hereditaments and all other my real estates whatsoever and wheresoever situate and all my ready monies securities for money and Personal Estate and Effects whatsoever and wheresoever and of what nature or kindsoever not herein before disposed subject as aforesaid and also subject to the payment of my just debts and funeral and testamentary charges and expenses I give devise and bequeath the same unto and to the use of my said son Edward Weller his heirs executors administrators and assigns absolutely according to the nature and tenure of such estates and premises respectively And I nominate and appoint my said son Edward Weller sole Executor of this my will In Witneß whereof I the said John Weller the testator have to this my last will and testament contained in three sheets of paper to the first two sheets hereof set my hand and to this third and last my hand and seal the twenty ninth day of September in the year of our Lord one thousand eight hundred and thirty eight – *John Weller J.P Signed* sealed published and declared by the said John Weller the testator as and for his last will and testament in the presence of us who at the

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same time in his presence and in the presence of each other have subscribed and attested the same on the day and year last above written *John Taylor Clerk to Mr Marshall Sol Amersham – James Chaddock*

A codicil to the last will and testament of me John Weller of Amersham in the County of Bucks Gentleman bearing date the twenty third day of September one thousand eight hundred and thirty eight which I desire may be taken and considered as part thereof whereas I have in and by my said will bequeathed unto my sons John Weller and Richard Weller the sum of eight thousand pounds each chargeable upon my real estate thereby devised unto my son Edward Weller payable respectively by yearly instalments of one thousand pounds each with interest for the same as therein mentioned Now I do by this my codicil declare and direct that the said legacies of eight thousand pounds each shall be paid

and payable to my said sons John Weller and Richard Weller at such times and in such proportions as shall be most convenient to my said son Edward Weller so that the same be paid within the space of twenty one years next after my decease with interest nevertheless for the same after the rate of five pounds per cent per annum until the said legacies respectively shall be fully paid and satisfied and I ratify and confirm my said will in all other respects In witness whereof I have hereunto set my hand and seal the fifteenth day of January in the year of our Lord one thousand eight hundred and forty one – *John Weller (JP)*
Signed sealed published and declared by the above named John Weller as and for a codicil to his last will and testament in the presence of us who in his presence at the same time and in the presence of each other have subscribed and attested the same the day and year last above written – *John Taylor Amersham – Sarah Wanland Servant to M^r Weller*

A codicil to the last will and testament of me John Weller of Amersham in the County of Bucks Gentleman bearing date the twenty third day of September one thousand eight hundred and thirty eight which I desire may be taken and considered as part thereof whereas I have since the date and publication of my said will become possessed of the sum of one thousand pounds three per cent consolidated Bank annuities standing in my name in the books of the Governor and Company of the Bank of England Now I do hereby give and bequeath the said sum of one thousand pounds three per cent consolidated Bank annuities unto my two sons Edward Weller and Richard Weller and the survivor of them and the executors and administrators of such survivor upon the trusts following that is to say upon trust that they the said Edward Weller and Richard Weller and the survivor of them and the executors and administrators of such survivor do stand possessed of the said sum of one thousand pounds three per cent consolidated Bank annuities and receive and take the interest dividends and annual proceeds arising therefrom and pay the same unto my wife Elizabeth Weller or otherwise to permit and suffer her to receive the same to and for her own use and benefit absolutely for and during the term of her natural life and after the decease of my said wife Elizabeth Weller then upon trust to receive and take the said interest dividends and annual proceeds and lay out and invest the same in the purchase of like three per cent consolidated Bank annuities in order that the same may accumulate for the benefit of the person or persons who may ultimately become entitled to the said principal sum of one thousand pounds three per cent consolidated Bank annuities under the trusts hereinafter contained until John Simon Weller the son of the said Richard Weller shall attain the age of twenty one years and after he shall have attained the said age of twenty one

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years provided my said wife shall be then dead then upon trust to pay or transfer the said sum of one thousand pounds three per cent consolidated Bank annuities and all accumulations as aforesaid unto the said John Simon Weller his executors administrators or assigns to and for his and their own use and benefit absolutely provided nevertheless that it shall and may be lawful to and for the said Edward Weller and Richard Weller at any time after the decease of my said wife during the minority of the said John Simon Weller to pay apply and advance the whole or any part of the said sum of one thousand pounds three per cent consolidated Bank annuities and of such accumulations as aforesaid for or towards his preferment in life or advancement in the world in such manner as they the said Edward Weller and Richard Weller shall think advisable But in case the said John Simon Weller shall depart this life before he shall have attained the age of twenty one years then immediately

after the decease of the survivor of them my said wife and the said John Simon Weller upon trust to stand possessed of the said sum of one thousand pounds three per cent consolidated Bank annuities and all accumulations thereof as aforesaid or such part thereof as shall not have been advanced by virtue of the proviso hereinbefore contained for the use and benefit of Katherine Elizabeth Weller the daughter of my said son Richard Weller her executors administrators and assigns until she shall attain the age of twenty one years or be married And upon further trust as soon as the said Katherine Elizabeth Weller shall attain the said age of twenty one years or be married to pay or to transfer the said sum of one thousand pounds three per cent consolidated Bank annuities and all accumulations thereof as aforesaid unto the said Katherine Elizabeth Weller her executors administrators or assigns to and for her and their own use and benefit absolutely and I ratify and confirm my said will and a codicil thereto bearing date the fifteenth day of January one thousand eight hundred and forty one in all other respects In witness whereof I have to this codicil to my said last will and testament contained in two sheets of paper to the first side of which set my hand and to this second and last my hand and seal the fourth day of May in the year ^{of our Lord} one thousand eight hundred and forty three – *John Weller JP – Signed* sealed published and declared by the above named John Weller as and for a codicil to his last will and testament in the presence of us who in his presence at the same time and in the presence of each other have attested and subscribed the same the day and year last above written the word “May” in the date thereof having been first written on an erasure – *Henry Heath Solicitor Amersham – Elizabeth Cosier Servant to M^r Weller*

A further codicil to the last will and testament of me John Weller of Amersham in the County of Bucks Gentleman bearing date the twenty ninth day of September one thousand eight hundred and thirty eight and which I desire may be taken as part thereof whereas I have by my said will and a codicil thereto dated the fifteenth day of January one thousand eight hundred and forty one bequeathed two legacies or sums of eight thousand pounds each chargeable on my real estates in favour of my sons John Weller and Richard Weller payable as therein mentioned with interest for the same at the rate of five pounds per centum per annum Now I do by this my codicil direct that the same legacies shall be payable with interest at the rate of four pounds per centum per annum only and I confirm my said will in all other respects In witness whereof I have hereunto set my hand and seal the thirty first day of October one thousand eight hundred and forty three – *John Weller (JP) - Signed* sealed published and declared by the said

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John Weller as and for a codicil to his last will and testament in the presence of us who in his presence at the same time and in the presence of each other have set and subscribed our names the day and year last above written – *A . T. Diamond of Amersham – Henry Heath Solicitor Amersham*

Proved at London with three codicils the 19th January 1844 before me the Worshipful XXXX Daubeny Doctor of Laws and Surrogate by the Oath of Edward Weller the son the sole Executor to whom Admon was granted having been first sworn duly to administer