

Will of William Potter

This is the last Will and Testament of me William Potter of Capel in the County of Kent Yeoman I bequeath the household furniture plate linen china liquors fuel and housekeeping stores of which I shall die possessed unto my dear wife Mary Potter absolutely And I also bequeath to my said wife the sum of ten pounds for her immediate use to be paid to her within one month after my decease I devise all the real estate to which I shall be entitled at my decease (except estates vested in me upon trust or by way of mortgage And I bequeath The Residue of the Personal Estate to which I shall then be entitled to John Wheeler of Tudely in the County of Kent Miller and James Potter of Tonbridge in the said County of Kent Miller their heirs executors administrators and assigns respectively upon trust to sell my real estate together or in parcels by public auction or private contract and to convert and get in my residuary personal estate and to invest the monies to arise from such real estate and residuary personal estate in the names or name of the trustees or trustee for the time being of this my will in or upon any of the public stocks or funds of Great Britain or any real securities in England with liberty for the said trustees or trustee to vary and transpose the investment from time to time for any other investment of the description aforesaid and upon further trust to permit and empower my said wife to receive the annual income of the said monies or the stocks funds or securities whereon the same shall be invested during the her life and after her death as to the same monies stocks funds and securities upon which the same shall be invested In trust for my children Daniel Potter John Potter George Potter James Potter William Potter Ann the wife of John Manser of Capel aforesaid Shopkeeper Sarah the wife of Edgar Uridge of Tonbridge in the County of Kent Miller Charlotte the wife of William Dartnall of Capel aforesaid Laborer Elizabeth the wife of Joseph Cox of Capel aforesaid Laborer and Jane the wife of William Friend of Robertsbridge in the County of Sussex Bricklayer to be divided equally among them their respective executors administrators and assigns and the respective shares of such children to be absolutely vested on my decease and the share of my said daughters respectively to be received enjoyed and disposed of by her or them respectively as her and their separate estate without the control of their respective present or any future husband and their receipts respectively to be notwithstanding **coverture** an effectual discharge for the same nevertheless I declare that no sale of my real estate of any part thereof shall be made in the lifetime of my said wife without her previous consent in writing and that my said trustees or trustee shall have a discretionary power to postpone for such period as to them or him shall seem expedient the conversion or getting in of any part of my residuary personal estate which shall at my decease consist of stocks funds or securities of any description whatever but the unsold real estate and outstanding personal estate shall be subject to the trusts hereinbefore contained concerning the monies stocks funds and **oc__rities** aforesaid and the rents and annual product thereof shall be _____ annual income for the purposes of such trusts and such real estate shall be transmissible as personal estate under the ultimate trust hereinbefore contained I devise all real estates (if any) vested in me as a trustee or mortgagee to the said John Wheeler and James Potter subject to the acuties affecting the same respectively I empower the trustees or trustee for the time being of this my will to give receipts for all monies and effects to be paid or delivered to such trustees or trustee by virtue of my will and declare that such receipts shall exonerate the persons taking the same from liability to see to the application or disposition of the monies or effects therein **___tioned** I empower the trustees or trustee for the time being of my

will to compound or allow time for the payment of any debt or debts due to my estate and to settle all demands against my estate and all accounts between me and any person or persons on such terms as my said trustees or trustee shall in their or his discretion think expedient and to refer any matters in difference relating to my affairs to arbitration And I declare that if my said trustees or any of them or any person or persons to be appointed under this Clause shall die or be unwilling or incompetent to execute the trusts of this my will it shall be lawful for the competent trustees or trustee for the time being (if any) whether retiring from the office of trustee or not or if none for the executors or administrators or either or any of the executors or administrators of the last surviving trustee to substitute by any writing under his or their hand or hands any fit person or persons in whom alone or as the case may be jointly with the surviving or continuing trustees or trustee my trust estate shall be vested And I except every trustee of my will from liability for losses occurring without his own wilful default and authorize him to retain and to allow to his Cotrustee of Cotrustees all expenses incidental to the trusteeship And I nominate constitute and appoint the said John Wheeler James Potter joint Executors of this my last will and testament And lastly I hereby revoke all wills Codicils and other testamentary dispositions heretofore made by me In witness whereof I the said William Potter the Testator Have to this my last will and testament contained in three sheets of paper set my hand to each sheet thereof this fourth day of December one thousand eight hundred and forty nine – William Potter – signed by the said Testator William Potter as and for his last will and testament in the presence of us (present at the same time) who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses – Edward Carnell Solicitor Tonbridge – John Hunt Clerk to ___ Henning & Carnell Solicitors Tonbridge

Proved at London 3 March 1853 before the worshipful William Calverley Curtais Doctor of Laws and Surrogate by the oaths of John Wheeler and James Potter the son the Executors to whom admon was granted having been first sworn duly to administer