named in the said will having renounced the probate and execution of the said will (as by acts of Court appears) —

Mary Weskar.
7.

This is the last Will and Testament

of me Mary Weskar of Bebrington in the County of Oxford spinster I nominate constitute and appoint my brother John Weskar of Brickfield in the County of Berkshire to be Trustee and Executor of this my will I give and bequeath unto the said John Weskar my large bible silver waiter and seals for his absolute use I give and bequeath to my sister Rose Garrett my linen and wearing apparel for her absolute use I give and bequeath All my Personal Estate not hereinbefore specifically bequeathed unto the said John Weskar his executors administrators and assigns upon trust as soon as conveniently may be after my decease to sell call in and convert into money all my said personal estate not hereinbefore specifically bequeathed or which shall not consist of money and out of the money to arise from such sale calling in and conversion into money and the money of which I shall be possessed at my death to pay my debts funeral and testamentary expenses and then to pay retain and divide the residue thereof unto between and among myself the said John Weskar and my three other brothers William Thomas and James Weskar and my sister the said Rose Garrett or such of them as shall be living at the time of my decease in equal shares and proportions and I authorise the said John Weskar to satisfy any debts claimed to be owing by me or my estate and any liabilities to which I or my estate may be alleged to be subject upon any evidence he shall think proper and to accept any composition for any debt and to allow such time for payment either with or without taking security as to the said John Weskar shall seem fit and also to compromise or submit to arbitration and settle all accounts and matters belonging or relating to my estate and generally to act in regard thereto as he shall seem expedient without being responsible for any loss thereby occasioned and I hereby declare that the receipts or receipt in writing of the said John Weskar for any moneys funds shares and securities which may be paid or transferred to him in pursuance hereof or of any of the trusts hereof shall effectually discharge the person or persons paying or transferring the same therefrom and from being concerned to see to the application or being answerable for the misapplication or misapplication thereof and I declare that the said John Weskar shall be chargeable only for such moneys as he shall actually receive and shall not be answerable for any banker broker or other person in whose hands any of the moneys may be placed nor for the insufficiency of any stocks funds shares or securities nor otherwise for involuntary losses and that the said John Weskar may reimburse himself out of the moneys which shall come to his hands under this my will all expenses to be incurred in or about the aforesaid trusts In witness whereof I the said Mary Weskar have to this my last will and testament set my hand this eleventh day of April one thousand eight hundred and fifty three — Mary Weskar — signed and acknowledged by the said Mary Weskar as her will in the presence of us present at the same time and who in her presence and in the presence of each other have hereunto subscribed our names as witnesses the words "eighth" and "March" having been erased at the end thereof — C. Duffield Faulkner Solr Deddington — Elizth T. Watts Faulkner Deddington.

Proved at London 30th July 1855 before the Judge by the oath of John Weskar the brother the sole Executor to whom Admon was granted having been first sworn by Commission duly to administer. —

John Waugh
Doctor of Medicine.
40.

This is the last Will and Testament

of me John Waugh M.D. residing at present in the Town of Leamington

County of Warwick and I do hereby revoke all former wills that have been made
previous to the date hereof I give and devise unto my dear wife Eliza Carpenter and to
my friends the Revd Edward Bates and Mr. John Hillaman Surgeon more also residing
in Leamington aforesaid all those my messuages tenements and hereditaments
estates to have and to hold the said several messuages lands houses appurtenances
of my dear wife and others hereafter mentioned and my trustees have all the power
that I more possess to let manage and take care of the same premises to insure from
fire receive rents to pay and dispose of and apply such rents issues and profits in man-
ner following viz In the first in paying and reimbursing themselves all such full
costs charges & expenses as they may severally and respectively be put to lay out or
expend in or about the preservation or execution of the trust hereby reposed in or
them as also defraying all necessary expenses for repairs insurance from fire and
all other necessary outgoings whatsoever for or in respect of the same prem-
ises and I hereby further declare that the trustee or trustees for the time being of this or
my will shall be charged and charged only with such monies as they respectively re
shall actually receive by virtue of the trusts hereby reposed in them respectively notwith-
standing their joining in any receipt or other act for the sake of conformity only and
shall not be answerable or accountable for any banker with whom or in whose hands
the said trust monies or any part thereof shall be placed for safe custody or otherwise
nor for any other loss misfortune or damage which may happen in the execution
of the aforesaid trusts or any part thereof or in relation thereunto unless the same shall happen by
or through their or his own wilful default and it shall be lawful for the said or
trustees respectively by and out of the monies which shall come to their hands or
his hands respectively to retain or allow to each other all just charges damages
and expenses and fees to Counsel for advice which they respectively shall sustain or
expend in or about the execution of the said trusts or in relation thereto and I hereby
declare that in case any of the present trustees shall die or become unwilling or
unable to act in the said trusts before the same shall be fully performed then in or
every such case it shall be lawful for the surviving trustee or trustees for the time
being of this my will or if there be none such for the unwilling trustee or trus-
tees or in case all the trustees shall have departed this life then for the executors or
administrators of the last surviving trustee to nominate any fit person or persons
to supply the place or places of the trustee or trustees so dying or becoming unwill-
ing or unable to act and that immediately after such nomination the same trust
premises shall be conveyed and transferred so and in such manner as the same
may rest in the surviving or continuing trustee or trustees and the new trustees or
trustee shall be entitled to use and exercise the same powers and authorities in
relation to the said trusts as if he or they had been appointed trustee or trustees
by this my will and the said trustee or trustees shall render an account of their
administration to the Heirs every six months or at least not exceeding one year
and respecting my Property abroad all which I do now or hereafter may
possess there I give and bequeath to my dear wife Eliza for her sole use and
benefit and I do hereby constitute and appoint her executrix for that portion
of my property joined with my Agent Mr. John Grant of Malta who is
acquainted with my affairs there and I give them the power that I more possess
to litigate sell and dispose off the same property of whatsoever nature or kind and
no account thereof shall be required by any aforesaid trustees to whom I or
have given my property in England in trust and I also give and bequeath to
my dear wife Eliza for and during the term of her natural life the annual sum of a
two hundred and fifty pounds lawful money clear of all deductions or abate-
ment whatsoever and which my trustees will pay half yearly out of the
rents agreeably to the trusts reposed in them and the first half yearly payment
shall begin and be made on the first term after my decease viz the 25th day of
March 24th June 29th Sept. or the 25th December the first half yearly sum of one
hundred and twenty five pounds And it is my will and I do hereby order and direct
that the same shall be paid into the proper hands of my wife or her order

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or persons whatsoever and that the same shall be for her own separate & peculiar
use and benefit sole or again married and shall not be subject to the control of any
future husband she may hereafter marry nor liable to the payment of any of his
debts And I further order and direct that the receipt or receipts of my said wife alone
shall be from time to time a good and sufficient discharge to my said trustees for the
same And I do further give & bequeath to my said wife for and during the term of
her natural life my house situated and being No. 6 in Lansdowne Circus in
Leamington together with a small house and stable garden & stores without pay-
ing any rent for the same but she shall keep them in repair at her own expense
and pay the taxes therefrom And further I give and bequeath to my said wife all
my household furniture plate linen china glass wines and other liquors which
shall be in my dwelling house at the time of my decease all for her own use &
entirely at her own disposal And further I give & bequeath to my said wife all my
jewels & carriages which I may possess at the time of my decease for her own
use and benefit and which are also at her own disposal Otherwise all jewels & my
trinkets are at her own disposal and not otherwise But in trust it is my will &
and I do hereby order and direct that after the first half yearly annuity before
mentioned shall have been paid to my said wife then all expenses incurred
thereon as well as all necessary repairs on or for the benefit of the premises in
trust shall be deducted from the remaining balance of the rents or dividends &
and the net balance remaining in the hands of the trustee or trustees shall be &
remitted to my brother Charles Wandell now residing at Portmahon in a bank &
post bill And I further order and direct that the receipt or acknowledgment of or
my said brother Charles alone shall be a good and sufficient discharge to my or
said trustee or trustees for the same And it is my order & I direct that my trus-
tee or trustees during the life of my said wife shall continue to remit half yearly
or as soon as convenient the net balance to my brother aforesaid with a state-
ment of the amount during his life And at the decease of my brother Charles or
then it is my order & I direct that my trustee or trustees shall remit to his eldest
son John Wandell my nephew the one half of the amount that they remitted
to his father my brother Charles & so on during his life also And I do order
& direct that my trustee or trustees shall divide the other half into five equal pro
portions and which is to be given to his five younger brothers and sisters the
children of my brother Charles namely Ann, Jane, Robert, Charles and Isabella
Wandell and that half yearly or as soon as convenient and should any of them be
dead when this my will is published then his or her proportion of one fifth &
share go to his or her children and if they have no children it shall be &
equally divided amongst the four survivors that receive the fifth proportion
And it is my will and order that my trustee or trustees shall see this my order &
duly executed during the life of my said wife and also during the life of my &
said nephew John Wandell And further it is my will & order that my trustee or
trustees shall after the decease of my said wife and that of my said nephew
John Wandell divide the whole of the income or rents of my said property &
after deducting for repairs and other necessary expenses incurred therein into
six equal proportions or shares and each of the six persons children of my
brother Charles afore mentioned male & female shall be paid their respective
proportion of one sixth half yearly or thereabout in a bank post bill and &
their acknowledgment shall be a good and sufficient discharge to my trustee
or trustees for the same And should any of the aforesaid persons my nephews
& nieces children of my brother Charles die or be dead when this my will is &
executed his or her sixth share shall go to his or her children and if they have
no children then their his or her share shall be equally divided amongst the
other survivors and so to continue to them and their heirs for ever But &
should the children of the deceased be not of age then his or her proportion
shall be placed in a bank and the interest expended on their education &
and when of age the capital shall be taken up for them And further it is
my will and order that my trustee or trustees shall pay pay the following
legacies.

legacies to the persons hereafter mentioned one year and a day after this my will is published I give and bequeath to the three children of my brother Henry namely Catherine Forrester William and John Blackstock one for all the sum of one hundred pounds and clear of all obstructions whatsoever and likewise I give and bequeath to the children of my late brother Robert namely William John Mary Agnes Jean and Janet Waugh one for all the sum of one hundred pounds and clear also of all obstructions and further I give & bequeath to the children of my late brother James namely Christiana Jean John and Elizabeth Waugh one for all the sum of one hundred pounds and also clear of all obstructions and should any of the aforesaid persons of the three separate families above mentioned be dead when this my will is published then his or her legacy shall go to his or her children and if they have no children it shall be equally divided amongst the survivors of that respective family and my brother Charles or his son John my nephew will give to my trustee or trustees every information where the aforesaid persons may be found and whether dead or alive he is at present residing at Northumberland further I give and bequeath to my respected friend Doctor Robert Dickson 16 Hartford Street Mayfair London the sum of three hundred pounds and also I give and bequeath to Miss Harriet Kilburn daughter of my late worthy friend Mr. Kilburn Malta the sum of two hundred pounds if she is still alive when this my will is published and it is my will and order that my trustee or trustees should pay out sufficient funds standing at my credit in the Warrington & Leamington and Bank to pay off the aforesaid legacies one year and a day after my decease and shall sell out so many of my shares in the Great Northern Railway Co to make up the aggregate amount And I give and bequeath to my dear wife as Executrix and Trustee named in this my will my valuable brilliant diamond ring and gold & breast pin set with diamonds And I give and bequeath to the Revd Edward Bates my joint Executor and Trustee providing that he acts my valuable snuff box of pure gold set with diamonds And I give and bequeath to my friend John Whitehouse Esq. also Executor and Trustee providing he acts my valuable gold repeater double gold chain and two beautiful seals of pure gold set with topaz and a gold breast pin in the form of a serpent set with diamonds and also my three pearl studs of pure gold the middle one set with a diamond And further it is my will & order to my trustee or trustees that on the decease of my nephew John son of my brother Charles they shall not allow nor permit any of my aforesaid children of my brother Charles to sell nor dispose of his or her portion of the property nor divide it but to receive only their respective portions of the rents arising therefrom and that they my heirs shall then allow a at that time may have the management of the property so as to be a remuneration for his time & trouble in looking after letting and keeping the property in good repair And it is my will and order to my trustee or trustees that on the decease of my dear wife then * my nephew John aforesaid shall receive the one half of the whole rents and dividends during his life and the other half on his death divided amongst his brothers and sisters in equal proportions as aforesaid And it is my will and I direct my trustee or trustees that should any of the aforesaid persons or person dispute this my will & testament or be inclined to litigate that person or persons shall be cut off with one shilling and his her or their portion shall be divided amongst those who are content and not otherwise In witness I the said John Waugh Testator have written this my last will & testament with my own hand this thirteenth day of March in the year of our Lord one thousand eight hundred and fifty three to witness I have my name and seal — John Waugh Testator — signed sealed published and declared by the said John Waugh the Testator as his last will & testament in the presence of us who in his presence and in the presence of each other all being present at the same time have hereunto and our names as witnesses thereto on the day of the date above written — Wingfield Hall Kendall Upper Parade Leamington Bachelor — Thos Kendall Jun. Upper Parade Leamington Bachelor — Thos Maycock 21 Clarendon Street Leamington Jr.

Orig. so.

* my brother Charles shall receive the rents or dividends during his life if dead to J. W.

I John Waugh of Leamington Priors in the County of Warwick Doctor of Medicine do hereby declare this to be a Codicil to my last will and testament dated the thirtieth day of March 1853 I do hereby give and bequeath to my eldest sister Jessie Waugh for her natural life an annuity or yearly sum of thirty pounds payable quarterly the first quarterly payment to become due three calendar months after my decease and I do hereby charge my real estates with the said annuity but subject to all to all annuities and legacies given in my said will Also I give and bequeath to William Waugh the natural son of my brother Robert Waugh a legacy or sum of thirty pounds sterling Also I give and bequeath to my servant Elizabeth Cooper a legacy or sum of ten pounds sterling Also I give and bequeath to my brother Charles all my wardrobe and in all other respects I do hereby ratify and confirm my said will In witness whereof I the said John Waugh have hereunto set my hand and seal to this my Codicil which I declare shall be taken as part of my will this first day of January 1855 — John Waugh (L.S.) — Signed sealed and delivered by the said Testator John Waugh in the presence of — Francis Franklin — Saml. J. Seafreson.

In the Prerogative Court of Canterbury.
In the Goods of John Waugh Doctor of Medicine deceased.

Appeared Personally Thomas Knibb of No. 6 Upper Parade Leamington Priors in the County of Warwick Bookseller Charles Maycock of No. 21 Clarendon Street Leamington Priors aforesaid Bookseller and The Reverend Edward Bates of Leamington Priors aforesaid Clerk and made oath as follows and first the said Thomas Knibb and Charles Maycock for themselves say that they are two of the subscribing witnesses to the last will and testament (with a Codicil thereto) of the said John Waugh late of Leamington Priors aforesaid Doctor of Medicine deceased the said will bearing date the thirtieth day of March one thousand eight hundred and fifty three and being now hereunto annexed and having with care and attention viewed and perused the said will and particularly noticed the words "during his life" forming part of the ninth line also the sign and words "@ 50 on during his life also" forming part of the sixteenth line of the eighth side of the said will also the sign of reference and words "* my brother Chas" shall receive all the rents or dividends during his life if dead to write the initials of the deceased thereto written in the margin of the thirteenth side of the said will they further jointly made oath that they are unable to make any deposition in respect of the above written words and signs not having noticed the same nor having had their attention in any way directed thereto by the said deceased at the time of the execution of the said will And the said Reverend Edward Bates for himself made oath that he was intimately acquainted with the said deceased and is one of the Executors named in his said will and having now with care and attention viewed and perused the same and particularly noticed the above written words and signs he further made oath that the said words and signs as well as the whole body series and contents of the said will are of the true and proper handwriting of the said deceased that before the same was executed he the said deceased read the said will carefully over to the said deceased by his desire and he is thereby enabled positively to depose that the whole of the above written signs and words were written before the deceased executed his said will — Thos. Knibb — Chas. Maycock — E. Bates — On the fifth day of July one thousand eight hundred and fifty five the said Thomas Knibb Charles Maycock and Edward Bates were duly sworn to the truth of this affidavit by virtue of the annexed Commission before me — Thomas Bowen Officiating Minister in the Parish of Leamington Priors in the County of Warwick Commissioner.

In the Prerogative Court of Canterbury.
In the Goods of John Waugh Doctor of Medicine deceased.

Appeared Personally Francis Franklin of Leamington a

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Priors in the County of Warwick Doctor of Medicine and made oath that he is one of the subscribing witnesses to the Codicil to the last will and testament of the said John Warde late of Leamington Priors in the County of Warwick Doctor of Medicine deceased the said Codicil bearing date the first day of January one thousand eight hundred and fifty five and being now referred to and he further made oath that on the first day of January aforesaid the said deceased duly executed the said Codicil by signing his name at the foot or end thereof in the presence of this deponent and of Samuel John Deaffreson the other subscribing witness and thereto both of whom were present at the same time whereupon he this deponent and the said Samuel John Deaffreson attested and subscribed the said Codicil in the presence of the said deceased and of each other — *Francis Franklin*

On the fifth day of July one thousand eight hundred and fifty five the said Francis Franklin was duly sworn to the truth of this affidavit by virtue of the annexed Commission before me — *Thomas Bowen Officiating Minister in the Parish of Leamington Priors in the County of Warwick Commissioner.* —

Proved at London (with a Codicil) 30th July 1855 before the worshipful James Parker Doctor of Laws and Surrogate by the oath of Eliza Wright widow formerly Carpenter Spinster the relict the natural Executrix and the Reverend Bates Clerk one of the Executors for England to whom administration was granted having been first sworn duly to administer. Power reserved of granting Probate of the said Will and Codicil to John Whitelaw the other Executor for England when he shall apply for the same. —

This is the last Will and Testament

John Ward.

4.

of me *John Ward* of No. 1 Stafford Place Pimlico Middlesex ffirstly I do hereby direct that all my just debts funeral and testamentary expenses be paid and satisfied by my Executrix hereinafter named as soon as conveniently may be after my decease and secondly I give devise and bequeath all and every my household furniture linen wearing apparel books plate pictures china stores carriages horses and also all and every sum and sums of money which may be in my house or about my person or which may be owing at the time of my decease and also all other my monies interested in stocks funds and securities for money book debts mortgages bonds bills notes or other securities and all *All and every other my Estate and Effects* whatsoever and howsoever and wherever both real and personal whether in possession reversion remainder or expectancy unto my dear wife Charlotte Ward to and for her own use and benefit absolutely and I nominate constitute and appoint my said wife to be *Executrix* of this my will and hereby revoking all former or other wills by me at any time heretofore made I declare this to be my last will and testament In witness whereof I the said John Ward have to this and last will and testament set my hand this sixteenth day of September in the year of our Lord one thousand eight hundred and forty six — *John Ward* — Signed by the Testator John Ward in the presence of us present at the same time who have hereunto subscribed our names as witnesses in the presence of the said Testator and of each other. —

James Kemming No. 1 *Fredrick Street Regents Park Witness* *Joseph Farrington* No. 1 *A. Frederick St. Regent Park.* —

Proved at London 30th July 1855 before the worshipful John George Nicholson Doctor of Laws and Surrogate by the oath of Charlotte Ward the relict the sole Executrix to whom Administration was granted having first sworn duly to administer

Alexander Wright

69.

At Edinburgh the twenty fourth day of October one thousand eight hundred and fifty five the Deed of Commission issued forth appointed George Pearson Esquire