

Will of William Poulton (1708-1766)

Public Record Office, Chancery Lane, London - Ref: Prob 11/921 q317

In the Name of God Amen I William Poulton of Cookham in the County of Berks Brewer being of Sound and disposing Mind and Memory do make and publish my last Will and Testament as follows First and principally I commend by Soul to Almighty God intirely trusting in the Merits of my blessed Saviour Jesus Christ to receive pardon for all my Sins I desire my body may be decently but privately buried at the Discretion of my Executors hereinafter named as for my Temporal Estate I dispose of the same as follows my Marriage Settlement I do confirm and ratify in all things and Whereas I do now carry on the Trade or Business of a Brewer in partnership with Mr Richard Ray of Cookham aforesaid for a certain Term of years yet to come in the Same also the Moiety or half part of the Stock and Credits in the said Trade belongs to me Now I do hereby give and bequeath unto my good Friends Richard Poulton of Cookham aforesaid Yeoman Henry Bonwell of Caversham in the County of Oxon Mealman and as for William Fellows of Woburn in the County of Berks paper Maker and Mealman all my said Moiety on half part in the said Brewing Business with all my Estate Interest right Title and Property therein and all other my personal Estate whatsoever and wheresoever To hold to them the said Richard Poulton Henry Bonwell and William Fellows and to the Survivors and Survivor of them the Executors and Administrators of each Survivor upon the following Trusts and Confidences that is to say upon Trust that they do as Soon after my decease as may be take an Exact Account of what my Moiety or half part and Interest in the said Brewing Business amounted to at the time of my decease and also of all other my personal Estate whatsoever and after deducting out of the same what shall be necessary for the discharge of all my just Debts and Funeral Expenses which I would have in the first place paid and Satisfied it is my Will that the following Application be made of the same I desire that my said Trustees and the Survivors and the Survivor of them do divide the same into Six Equal parts or Shares not meaning however that they shall take any part of my Personal Estate out of the Brewing Business but that they shall carry on the Same as it was in my Lifetime for the Benefit of my Son William in manner as hereinafter is mentioned and after my said Trustees shall have made this Division or rather Calculation of all my said Personal Estate Then I give and bequeath one Sixth Part thereof to my Daughter Sarah Poulton one other Sixth Part thereof to my Daughter Mary Poulton one other Sixth Part thereof to my Daughter Ann Poulton one other Sixth Part thereof to my Daughter Eady Poulton one other Sixth Part thereof to my Daughter Elizabeth Poulton and the remaining Sixth Part thereof unto my Son James Poulton And it is my Will that the said Several portions or Legacies so given by me to my said Several Children except my said Daughter Marys shall be paid to them Severall and respectively as they shall Severally attain their respective Ages of twenty one years or Days of Marriage which shall first happen and I Will that the portion of Legacy of such of them as shall Dye before twenty one or Marriage shall be Divided equally between my two Sons William Poulton and James Poulton and I further Will that my said Children shall receive Interest for their respective Legacies for and towards their respective Maintenances and Educations after the Rate of 5 per cent for each hundred pounds by the year the same to be computed and reckoned from the Day of my Death and with regard to my said Daughter Marys Sixth part as I fear from her inexperience and Weakness if I should give her the absolute power over it she may fall into the hands of Some Body who might be inclined to marry her only for her Money and then use her ill I Direct my said Trustees and the Survivors and Survivor of them his or her Executors and Administrators to lay out the same as Soon after my decease as they can in the purchase

of an Annuity to be paid to her yearly and every year during her Life by four equal quarterly Payments and I will that neither she nor if she should marry her Husband should have a power to assign or Sell the same but that it should always be continued as a Support and Livelihood for her and that her Receipt whether single or married shall always be a good and Sufficient discharge to the Person paying the same I desire my said Trustees and the Survivors and Survivor of them his or her Executors or Administrators will take care of and carry out the Brewing Business until my said son William Poulton shall attain his age of twenty one years but I authorise for his Benefit and advantage and Subject to the payments out of the same for my said Younger Children and when my said Son William Poulton shall attain to his age of twenty one years then I direct them to assign and make over the same to him he first giving them Security to their Satisfactions for his true Payment of the said Sisters and Brothers Legacies or portions at Such times and in Such manner and Form as is hereinbefore mentioned and directed for payment of the same But it is my Express Will and desire and I do hereby direct that my said Trustees and the Survivors and Survivor of them his or her Executors and Administrators shall have and I do hereby repose in them a Discretionary Power to assign and make over my Interest in the said Brewing Business to my said Son William when he shall attain the Age of twenty one years or not as they shall judge it to be most for his advantage And if they shall judge it to be most for his Advantage and he shall be willing to undertake the same Then I do enable them to treat with his Master in whose Service he now is and to advance with Money as shall be necessary to purchase and buy out the Remainder of his Apprenticeship but so as not to effect his said Sisters and Brothers Legacies or Portions and then to assign and make over to him my said Moiety or half part in the said Brewing Business he giving Such Security for the due payment of his Brother and Sisters Legacies or Portions as is aforesaid But if my said Trustees shall judge it to be more Expedient for my said Son William to Continue and go on in the Business he is now learning I do in such case empower them to sell and dispose of my Moiety Estate and Interest in the Brewing Business and divide and distribute the Money arising therefrom to and among my said Younger Children in such manner and at such times as is before directed concerning the same and it is my Will and Mind that my said Trustees and the Survivors and Survivor of them his or her Executors or Administrators shall not be chargeable for more Money than they shall actually receive nor the one of them for the Acts and Receipts of the other of them but each for his own Act and Receipt only and that they and every one of them shall be saved harnessed and indemnified and deduct to themselves out of the Profitts of the Trust Premises or out of the Trust Moneys all their Costs Charges Damages and Expenses as they either or any of them shall or may be put unto by Reason of the Trust hereby in them reposed Provided always that if any Monies shall happen to be lost without their wilful Neglect that then and in such Case my said Trustees his or her Executors or Administrators shall not be chargeable with Such Loss I do hereby make constitute and appoint my aforesaid good Friends Richard Poulton Henry Bonwell & William Fellows Executors of this my Will and the Guardians and Trustees of all my Children during their respective Minorities and until they shall Severally attain their respective Ages of twenty one years both of their persons and their Estates I do hereby revoke all other Wills by me at any time heretofore made and do declare this which is Contained in two Sheets of paper to be my last Will and Testament In Witness whereof I have to the first of these sheets of paper set my hand and to the last my hand and Seal the Sixteenth Day of June in the year of our Lord one thousand seven hundred and sixty two W^m Poulton Signed Sealed Published and declared by the said William Poulton the Testator as and for his last Will and Testament in the presence of us who in his presence and at his Request and in the presence of each other have subscribed our Names as Witnesses thereto Memorandum It was declared by

the Testator William Poulton before the Execution of his Will that his Son William Poulton in Case he shall be willing to take to the Brewing Business as herein is mentioned shall not be obliged to pay any thing to my said Trustees for the good Will of the same. Ja Hayes . Thomas Piggott.

This Will was proved at London the twenty Fifth Day of August in the Year of our Lord One thousand seven hundred and Sixty Six before the Worshipful George Harris Doctor of Laws Surrogate of the Right Worshipful George Hay Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury Canterbury lawfully constituted by the Oaths of Richard Poulton the Brother Henry Benwell and William Fellows the Executors named in the said Will to whom Administration was granted of all and Singular the Goods Chattels and Credits of the Deceased having been first sworn duly to administer.