

## George Delves Will

\* [10] - Is the tenth line on the actual document.

This is the Last Will and Testament of me George Delves of Long Preston in the West Riding of the County of York, Corn Dealer. Made this fourteenth day of January one thousand eight hundred and eighty four.

I revoke all former wills by me made. I give all my household furniture and other household effects to my daughter Agnes absolutely.

I also give to my said daughter, during her life an annuity of twenty-five pounds a year, commencing from my death and payable half yearly. And I charge the same annuity on my real estate and chattels real situate in the township of Long Preston aforesaid. And I declare that whenever my said daughter [10] shall be under coverture the said annuity shall be for her separate use without power of anticipation.

I give to my son Edward a legacy of four hundred pounds absolutely. I direct my Trustees and Executors to appropriate, and set apart, a sum of eight hundred pounds and hold the same upon the trusts. And subject to the provisions hereinafter declared concerning the same and until appropriation.

I direct that interest on the said sum of eight hundred pounds shall be paid out of my residuary personal estate, as from my death, after the sale of four hundred pounds per centum? per annum.

And all the residue of the personal estate and effects whatsoever and wheresoever exclusive of chattels real, of or to which I shall die possessed or entitled or have [20] power to dispose of this my Will.

I give to my eldest son Thomas Hurst Delves absolutely and I direct that my trustees shall invest the said sum of eight hundred pounds in their names upon some or one of the securities hereinafter authorised and shall pay the income of the said sum of eight hundred pounds,

And if the investments for the time, being representing the same, and which hereinafter designate "the trust fund" unto my said daughter Agnes during her life.

So that whenever she shall be under coverture the same shall be for her separate use without power of anticipation.

And after her death shall hold the trust fund, and the income thereof upon trust. For all, or any such one, or more, exclusively of the other, or others, of the issue of my said daughter born [30] during her lifetime. Or within twenty-one years after her death in such manner in every respect as my said daughter shall at anytime whether covert on or sole by deed or Will or Codicil appoint.

And in default of any such appointment, and so far as no such appointment shall extend. In trust for all the children or any the child of my said daughter who being sons or a son shall attain the age of twenty one years or being a daughters or a daughter shall attain that age or marry, and if more than one in equal shares provided.

Always that no child of my said daughter, who, or whose, issue shall take any part of the trust fund, under any such appointment as aforesaid. Shall in default of appointment to the contrary be entitled to any share of [40] that part of the trust fund, of which no such appointment shall have been made without bringing the share appointed to their or her or his or her issue into hotchpot provided.

Also that my trustees may, after the death of my said daughter, pay or apply the whole or any part of the income. Arising from the then expectant presumptive or vested share to which any infant shall be entitled in trust fund for, or towards, his or her maintenance, education, and bringing up, or otherwise for his or her benefit.

And my trustees may also, after the death of my said daughter, or in her lifetime with her consent in writing. Raise any part or parts of the then expectant presumptive or vested share of any child of my said daughter in the trust fund and apply the same for his or her [50] advancement or benefit.

And I hereby declare that if there shall be no child of my said daughter, who being a son shall live to attain the age of twenty one years or being a daughter shall attain that age or marry then after the death of my said daughter. And such default or failure of children as aforesaid my trustees shall hold the trust fund, and the income thereof, or so much thereof respectively as shall not have become vested or been applied under any of the trusts aforesaid.

In trust for such person or persons, and generally in such manner, and form in all respects as my said daughter, shall whether covert or sale by deed or will or Codicil appoint. And in default of any such appointment and so far as no such appointment shall [60] extend in trust for my said daughter absolutely.

I give, devise and bequeath all my real estate and chattels real situate in the township of Draughton in the County of York unto and to the use of my trustees hereinafter named their heirs, executors, administrators and assigns upon trust to pay the rents and profits thereof. Or permit the same to be received by my son Edward during his life and from and after his decease.

I direct my trustees to hold my real estate and chattels real situate in the Township of Draughton aforesaid and hereinafter designated "the trust premises". And the rent and the profits thereof upon trust for such one or more exclusively of the other or others of the issue of my said son Edward born during his lifetime. Or within twenty one years [70] after his death in such manner in every respect as he my said son Edward shall by deed or will or Codicil appoint and in default of any such appointment and as far as no such appointment shall attend in trust for all the children or any the child of my said son Edward who being sons or a son shall attain the age of twenty one years or being daughters or a daughter shall attain that age or marry and if more than one in equal shares.

Provided always that no child of my said son Edward, who or whose issue, shall take any part of the trust premises under any such appointment as aforesaid. Shall in default of appointment to the contrary be entitled to any share of that part of the trust premises of which no such appointment [80] shall have made. Without bringing the share appointed to him or her, or his or her issue, into hotchpot.

And provided also that my trustees may, after the death of my said son Edward, pay or apply the whole or any part of the income arising from the then expectant presumptive or vested share, to which any infant shall be entitled, in the trust premises. (for a) Towards his or her maintenance, education and bringing up or otherwise for his or her benefit.

And I empower my said son Edward, during his life and after his death. I empower my trustees for the time being to let or lease at the best rent or rents that can be reasonably gotten for the same, all, or any part of the trust premises from year to year. Or for any term of years absolute, [90] or determinable not exceeding fourteen years, to take effect in possession or within six calendar months from the date thereof. And I

declare that my said son Edward and my trustees for the time being shall not be responsible for not insuring buildings against loss or damage by fire or tempest.

And I hereby declare that if there shall be no child of my said son Edward. Who being a son shall attain the age of twenty-one years or being a daughter shall attain that age or marry. Then after the death of my said son Edward and such default or failure of children, as aforesaid. My trustees shall hold the trust premises and the income thereof or so much thereof as shall not have become vested or been applied under any of the trusts aforesaid in trust for my said [100] son Edward absolutely.

I give devise and bequeath all my real estate and chattels real situate in the Township of Long Preston aforesaid. And all the residue of the real estate and chattels real whatsoever and whosoever of or to which I shall die ? possessed or entitled or have power to dispose of by this my will unto my said eldest son Thomas Hurst Delves absolutely. But charged as regards my real estate and chattels real situate in the Township of Long Preston with the annuity herein before given to my said daughter.

I empower my trustees and executors to invest any monies in their hands in any of the public stocks or funds or Government securities of the United Kingdom or India or in the stock of the Bank of England. Or upon freehold, [110] copyhold, leasehold or chattel real securities in England or Wales or in or upon the stocks, funds, shares, ?, mortgages or securities of any corporation company or public body municipal commercial or otherwise carrying on business or constituted for any purpose in the United Kingdom or India or any Colony or Dependency of the United Kingdom. And to ? the said investments if and as they shall think it fit.

And I appoint my said son Thomas Hurst Delves and my friend Richard Thomas Wildman of Long Preston aforesaid to be trustees and Executors of this my Will

In witness where of I have to this and the three preceding sheets of paper set my hand the day and year first before mentioned

[120] Signed by the said George Delves, the Testator, as and for his last will and Testament in the joint presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto inscribed our names as witness.

William Hartley Solr, Settle  
John Proctor, his clerk

This is a Codicil to the will of me George Delves of Long Preston in the West Riding of the County of York, Corn Dealer. Which [130] Will bears date the fourteenth day of January one thousand eight hundred and eighty four. I appoint my son Edward Delves a Trustee and Executor of my Will along with my son Thomas Hurst Delves and Richard Thomas Wilderman. In other respects I confirm my said Will as witness my hand this seveenteenth day of October one thousand eight hundred and eighty five.

Signed by the said George Delves as and for a codicil to his last Will and Testament in the presence of us both present at [140] the same time who, at his request, in his presence and in the presence of each other have hereunto inscribed our names as witnesses.

William Hartley Solr, Settle  
Geo. W. Hartley, his clerk.

Proved at Wakefield with a Codicil the 5<sup>th</sup> day of August 1886 by the oaths of Thomas Hurst Delves the [150] son and Richard Thomas Wilderman the Executors named in the Will. And Edward Delves also the son , the Executor named in the said Codicil, to whom administration was granted.

The Testator George Delves was late of Long Preston in the County of York Corn Dealer. And died on the 1<sup>st</sup> day of June 1886 at Long Preston aforesaid.

£1,746 " 17 " 11 Gross value.

[160] William Hartley  
Solicitor, Settle.

On the fifth day of August 1886 the Will with a Codicil thereto of George Delves late of Long Preston in the County of York, Corn Dealer.

Deceased , who died on the first day of June 1886 at Long Preston aforesaid. Was proved in Her Majesty's High Court of Justice in the District Registry attached to the Probate Division thereof at Wakefield by the Oaths of Thomas Hurst Delves of Long Preston aforesaid Corn Dealer the son of the said deceased. And Richard Thomas Wilderman of Long Preston aforesaid of Births and Deaths the Executors named in the said Will. And Edward Delves of No. 2 Carrington Street, Park Way, Liverpool in the County of Lancaster, Officer of Customs also the son of the said deceased the Executor named in the said Codicil, they having been first sworn duly to administer.

Personal Estate

£1746 " 17 " 11 Gross value  
No Leaseholds

Extracted by William Hartley  
Solicitor  
Settle