

1838.

The Will

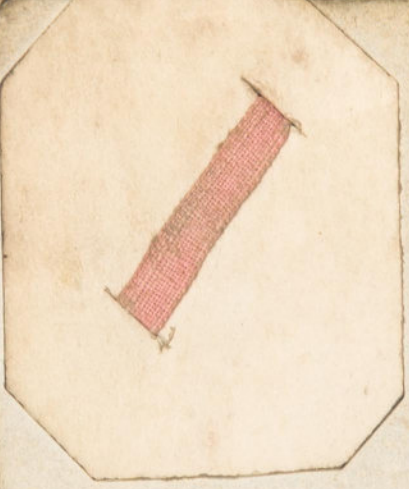
— of —

Mr. Francis Ellis.

Shengate  
Geo Francis - Scribe  
Bankers Clerk -

29<sup>th</sup> April 1854

DE





This is the last Will and Testament of me Francis  
Ellis of Settle in the West Riding of the County of York Bankers Clerk  
made published and declared in manner and form following that is to say  
First I order and direct all my just debts funeral expences and the  
expences of proving and registering this my will be fully paid off and  
discharged by my executrix and executor hereinafter named and with  
the payment thereof I subject and charge both my real and personal  
Estate I give and bequeath the use of all my household goods and  
furniture plate linen and china which I may die possessed of to my dear  
wife Margaret during the term of her natural life and from and immediately  
after her death I give and bequeath the same unto my Three sons; John,  
Christopher, and Francis equally to be divided between and amongst them  
share and share alike and to their respective executors administrators and  
assigns. I give devise and bequeath all my money ready money securities for  
money and all my real and personal Estates not hereinbefore disposed of  
whatsoever and wheresoever situate unto my said dear wife Margaret  
and my said son John To Hold to them and the survivor of them her or his  
heirs executors and administrators according to the different natures and  
tenures thereof. Upon trust that <sup>she</sup> my said dear wife and son John or  
the survivor of them her or his heirs executors or administrators do and shall  
with all convenient speed after my death sell dispose of and convert into  
money such parts of my personal Estate (not hereinbefore given for the use  
of my said wife during her life) as shall not consist of money or securities  
for money and to collect receive and get in the residue thereof and also such  
portion thereof as shall consist of securities for money and money out at interest  
and place the same out at interest on government or real securities as  
soon after my death as conveniently may be And my Will and mind is  
and I hereby order and direct that my said <sup>son</sup> John do and shall permit  
and suffer my said wife Margaret and her assigns to receive and take  
the rents interest and annual produce which may arise and spring  
from my said Real and Personal Estate (not hereinbefore specifically  
disposed of) for and during the term of her natural life to and for  
her own sole and absolute use and benefit and from and immediately  
after the death of my said Wife. I give devise and bequeath all my said  
monies and securities for money Real and personal Estates whatsoever and  
wheresoever situate unto my said three sons; John, Christopher and Francis

J. E.  
J. E.

J. E.  
J. E.  
J. E.

J. E.  
J. E.

Francis Ellis



To Hold to them my said three sons their respective heirs executors  
administrators and assigns as tenants in common and not as joint  
tenants. And my Will and mind is, and I do hereby declare, that  
I & the trustees of this my Will ~~their and each of their heirs executors and~~  
I & administrators shall be charged and chargeable for such monies only as <sup>the</sup> they  
I & respectively shall actually receive by virtue of this my Will. notwithstanding  
I & ~~their or either of their giving or joining in giving any receipt or receipts for~~  
I & ~~the sake of conformity.~~ And I direct that <sup>the</sup> ~~neither of them~~ shall be  
answerable or accountable for any Banker or Bankers with whom the  
said trust monies and premises shall be placed for safe custody  
I & or for any neglect or default ~~of the other of them~~ or for any  
I & involuntary losses. And that it shall and may be lawful for <sup>per</sup> ~~them~~  
I & or the survivor of them with and out of the money which shall come to  
I & ~~their respective hands by virtue of the trusts aforesaid to retain and~~  
I & reimburse <sup>themselves</sup> ~~themselves~~ respectively and also to allow ~~their trustees~~ all  
I & costs charges damages and expences which ~~they~~ <sup>the</sup> or either of them shall  
I & or may sustain expend or disburse in or about the execution of the  
aforesaid trusts or in relation thereto. I give devise and bequeath  
I & to my said dear wife ~~and son John and the survivor of them her or~~

~~his heirs executors administrators and assigns all the Estates which at~~  
the time of my decease shall be vested in me upon any trusts or by way  
of Mortgage with their rights members and appurtenances To Hold  
I & the said Estates unto my said dear wife ~~and son John and the~~  
I & ~~survivor of them her or~~ <sup>per</sup> ~~his~~ executors administrators and assigns according  
to the nature and quality thereof respectively Upon trust to dispose of the said  
Trust Estates in the manner in which they ought to be held or disposed of  
pursuant to the said trusts and upon payment of the money secured on  
Mortgage to convey or assign the Estates in Mortgage to the person or  
persons entitled thereto for the time being but the money secured by or upon  
any such Mortgages shall be considered and taken as part of my personal  
Estate. And lastly I nominate constitute and appoint my said  
I & dear wife ~~and son John~~ ~~executrix and executor~~ of this my last Will  
hereby revoking all former Will and Wills by me at anytime heretofore  
made I do declare this to be my last Will and Testament.  
In Witness whereof I the said Francis Ellis the Testator  
have to this my last Will and Testament contained in

Francis Ellis







I do hereby certify that, on the twenty fifth day of February, in the year of our Lord 1854, Margaret Ellis of Little in the Parish of Figgleswick in the County of York, Widow, Relict, and <sup>one of the Executors</sup> ~~sole Executrix~~ named in <sup>the</sup> last Will and Testament of Francis Ellis, late of Little aforesaid, Banker's Clerk, deceased, was sworn well and duly to execute and perform the same; and that the whole of the goods, chattels & credits of the said deceased, within the Province of York, do not amount in value to the sum of three hundred pounds.

Witness my hand,

John Howson

Surrogate

(50)

Passed 29<sup>th</sup> April 1854 and 300<sup>l</sup> paid

Sworn under £300

Prærogative

Died 30<sup>th</sup> January 1854



Wm P. Shoen

In the Prerogative Court of York.

In the Goods of Francis Ellis deceased.



Appeared personally George Fletcher -  
of Settle in the County of York Bankers Clerk - and  
made oath that he is one of the subscribed Witnesses of the  
execution of the last Will and Testament of Francis Ellis  
late of Settle in the County of York Bankers Clerk, deceased,  
bearing date the twenty ninth day of June in the year  
of our Lord One thousand eight hundred and thirty eight,  
and hereunto annexed; And he further made oath that  
on the twenty ninth day of June aforesaid the said  
Francis Ellis duly executed his said Will by signing  
his name at the foot or end thereof in the presence of  
this Deponent and of Christopher Edmondson, Solicitor, late of Settle, deceased,  
the other subscribed Witness thereto both of whom were  
present at the same time; and this Deponent and the  
said Christopher Edmondson - thereupon attested and  
subscribed the said Will in the presence of the said  
Testator and of each other; And he further made oath  
that the word "and" now appearing struck through with  
a pen in the sixteenth line of the first page of the said  
Will, the words "my said Son John" and "to them and the  
survivor of them her or his" now respectively appearing  
struck through with a pen in the seventeenth line of the  
said first page of the said Will, the words "heirs executors  
and Administrators according to the different natures and"  
now appearing struck through with a pen in the eighteenth  
line of the first page of the said Will, the words "tenures  
thereof" "they" and "and Son John or" now respectively  
appearing struck through with a pen in the nineteenth  
line of the said first page of the said Will, the word "she"  
now appearing interlined between the eighteenth and  
nineteenth lines of the said first page of the said Will  
the words "the survivor of them her or his heirs executors  
or administrators" now appearing struck through with a pen

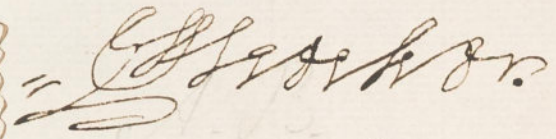


20

in the twentieth line of the said first page of the said Will, the words "Son John do and shall permit" now appearing struck through with a pen in the twenty eighth line of the said first page of the said Will, the words "and suffer my said" now appearing struck through with a pen in the twenty ninth line of the said first page of the said Will, the letter "s" in the word "Trustees" and the words "their and each of their heirs executors and" now appearing struck through with a pen in the fourth line of the second page of the said Will, the words "administrators" and "they" now respectively appearing struck through with a pen in the fifth line of the second page of the said Will, the word "she" now appearing interlined between the fourth and fifth lines of the said second page of the said Will, the word "notwithstanding" now appearing struck through with a pen in the sixth line of the said second page of the said Will, the words "their or either of their giving or joining in giving any receipt or receipts for" now appearing struck through with a pen in the seventh line of the said second page of the said Will, the words "the sake of conformity" and "neither of them" now respectively appearing struck through with a pen in the eighth line of the said second page of the said Will, the word "she" now appearing interlined between the seventh and eighth lines of the said second page of the said Will, the words "of the other of them" now appearing struck through with a pen in the eleventh line of the said second page of the said Will, the word "them" now appearing struck through with a pen in the twelfth line of the said second page of the said Will, the word "her" now appearing interlined between the eleventh and twelfth lines of the said second page of the said Will, the words "or the survivor of them with and out of the money which shall come to" now appearing struck through with a pen in the thirteenth line of the said second page of the said Will, the words "their respective hands by virtue of the trusts aforesaid" now appearing struck through with a pen in the fourteenth line of the said second page of the said Will, the words "themselves respectively and also

25

to allow their Co-trustee" now appearing struck through with a pen in the fifteenth line of the said second page of the said Will, the word "herself" now appearing interlined between the fourteenth and fifteenth lines of the said second page of the said Will, the words "they or either of them shall" now appearing struck through with a pen in the sixteenth line of the said second page of the said Will, the word "she" now appearing interlined between the fifteenth and sixteenth lines of the said second page of the said Will, the word "or" now appearing struck through with a pen in the seventeenth line of the said second page of the said Will, the words "and Son John and the survivor of them her or" now appearing struck through in the nineteenth line of the said second page of the said Will, the words "his heirs executors administrators and assigns" now appearing struck through with a pen in the twentieth line of the said second page of the said Will, the words "and Son John and the" now appearing struck through with a pen in the twenty third line of the said second page of the said Will, the words "survivor of them her or his executors" now appearing struck through with a pen in the twenty fourth line of the said second page of the said Will, the word "her" now appearing interlined between the twenty third and twenty fourth lines of the said second page of the said Will, and the words "and Son John" and "and Executor" now respectively appearing struck through with a pen in the thirty second line of the said second page of the said Will were <sup>not so</sup> respectively struck through and interlined as the same now appear <sup>or at the time of</sup> previously to the execution of the said Will on the twenty ninth day of June in the year of our Lord one thousand eight hundred and thirty eight, as aforesaid.

Sworn at Little in the Parish of Siggleswick in the County of York }   
 the sixth - - day of April  
 in the year of our Lord 1854, the words "not so", and ~~Before me~~ "at the time of being first interlined" ~~Before me~~  
 John Howson  
 Surrogate -

31 Jos.