

Thomas Robinson Will

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

Her Majesty's High Court of Justice Probate Division.

This is the last Will and Testament of me Thomas Robinson of Leeds in the County of York, Gentleman, made in manner and form. Following that is to say first I direct the payment of all my just debts (except debts due by way of mortgage on any part of my real estate if any at the time of my decease) funeral and testamentary expenses and the expenses of proving and registering this my Will by my Executors out of [10] my personal estate.

And after payment thereof the I give devise and bequeath all my real and freehold estates situate in Leeds aforesaid as elsewhere with the rights members and appurtenances thereto respectively belonging and all other my real estate of what nature or kind so ever and whether in possession reversion remainder or expectancy and where so ever situate (subject to any mortgage that be existing there on at the time of my decease)

And also all any household goods [20] and furniture, ready money, money due to me and owing, plate, linen, glass, china, books, prints, and pictures, and all securities for monies, policies of insurance on my own life, or the life of any other person or persons, and all other my personal estate whatsoever and where so ever and of what nature or kind so ever unto my brother-in-law Francis Ellis of Settle in the said County Bankers Clerk, my brother Stephen Robinson of Sowerby Bridge in the said County Grocer, [30] Henry Holt of Keighley in the said County Commission Agent there heir's executors administrators and assigns upon the trusts herein after declared [Page 2] of and concerning the same namely that they my said Trustees or Trustee as the survivors of them as the Trustees executors or administrators of such survivor or such other Trustees or Trustee for the time being of this my Will (herein after designated my said Trustees) do and shall as soon as they conveniently can, convert into money all my said household goods and furniture and all other my [40] said personal estate of what nature or kind so ever and stand possessed thereof.

And also that my said Trustees make sale and absolutely dispose of my said real estate what so ever and where so ever, either by public auction, or by private contract, and in one or more lot, or lots, for the best price, or prices that can be obtained. Or the same within twelve months next, after my decease or at such further times or time, as they my [50] said Trustees shall deem most advantageous. And stand possessed of the proceeds thereof and add the monies arising from the sale of my said personal and real estates together, and divide the principal sums arising there from into three equal parts.

Upon trust that my said Trustees in the first place do and shall lay out and invest one third part of such principle monies out, at interest for the benefit of my said brother Stephen Robinson, on such security as they [60] think best. And vary such securities from time to time as may be thought advisable. And permit and suffer? my said brother to receive the interest thereof from time to time for his own use, and benefit, during the term of his natural life. And after his decease then I direct my said Trustees for the time [Page 3] being to call in the said principal money so invested as aforesaid, of such third part share, or interest. And pay the same unto and equally between [70] and amongst the children of my said brother, namely Edwin Robinson, Mary Jane Robinson, Thomas Robinson and Cecily Fawcett Robinson, or to such of them as may be then living. And to the heirs of such of them as may be then living. And to the heirs of such of them as may be then dead. Such child or children taking their parents share to whom I give and bequeath the same accordingly.

And as to the remaining two third parts, or shares of the residue or principal trust monies arising at my decease from the sale of my said real and personal estate I [80] give and bequeath the same unto, and equally between my two sisters Sarah Holt of Keighley aforesaid Widow, and Ann Ellis of Settle, the wife of the said Francis Ellis, which I direct to be paid to them free from the debts or control of their present or future husband and that their receipts alone shall be a sufficient discharge to my said Trustees for the same.

And I do hereby declare that if the Trustees hereby appointed, or any of them shall die in my [90] lifetime, or if they or any of them, or any future Trustee, or Trustees of this my Will shall die, or desire to retire from, or refuse or become incapable to act in the trusts of this my Will before the same shall be fully performed then, and in every such case, it shall be lawful for the then continuing Trustees, or Trustee, for the time being, of this my Will, or if they shall be no continuing Trustee then for retiring or refusing Trustees or Trustee, or the acting Executors or [100] administrators or executors or administrators of the [Page 4] last acting Trustee to appoint any other person or persons to be a Trustee or Trustees in the place of the Trustee or Trustees so dying or desiring to retire or refusing or becoming incapable to act as aforesaid with liberty upon any such appointment to increase or diminish the original number of Trustees.

And on any such appointment the trust premises shall be so conveyed and transferred that the same may become vested [110] in the new Trustee or Trustees or solely as the case may require and that every such new Trustee (as well before as after the trust premises shall have become vested in him) shall have all the powers and authorities of the Trustee in whose place he shall be substituted.

I devise and bequeath all estates vested in me as a Trustee or Mortgage unto the said Francis Ellis, Stephen Robinson and Henry Holt, their heirs, executors and administrators, subject to the trusts and equities [120] the same respectively.

And I declare that every written receipt of the Trustees or Trustee for the time being of this my Will for any money payable to them as him hereunder shall be a sufficient discharge for the money therein expressed to be received and shall exonerate the person or persons paying the same from all liability to ascertain the regularity of any sale as disposition under the authority of this my Will.

And I also declare that the Trustees or Trustee for the time being [130] of this my Will shall be charged and chargeable with such sums of money only as they or he respectively shall actually receive by virtue of the trusts hereby reposed in them or him respectively notwithstanding their, or his, joining in any [page 5] receipt or receipts or doing any other act for the sake of conformity and that they, or he, shall not be answerable for involuntary loss or damage which may happen in the execution of the aforesaid trusts or in relation thereto and also that every [140] Trustee for the time being of this my Will may out of the money for the time being in his hands by virtue of the aforesaid trusts reimburse himself, and also allow to his Co-Trustee, or Co-Trustees all damages or expenses to be sustained or incurred in relation to the said business or its continuance or otherwise in relation to the aforesaid Trusts.

I hereby appoint the said Francis Ellis, Stephen Robinson and Henry Holt executors of this my Will. And I hereby revoke all former [150] Wills and Testamentary dispositions made by me.

In witness thereof I have to this the third and last and to the two proceeding sheets set my hand this seventeenth day of March, One Thousand Eight Hundred and Seventy – Thomas Robinson the testator as, and for, his last Will and Testament in the presence of us present at the same time, also at his request in his presence, and in the presence of [160] each other have hereunto subscribed our names as witness Rd Myers Solr Leeds – Taylor Briggs Butcher Leeds 16/ Sep?

Proved at Wakefield the 16th day of September 1870 by Francis Ellis and Stephen Robinson the brother, the surviving Executors. Effects under £200.

Testator died 24th July 1870.