

## Will of John Williams (1753-1827)

*Note: Paragraph breaks have been added to make the will easier to read; underlines \_\_\_\_\_ indicate words that I could not read; square brackets [] are words where I am uncertain of the transcription.*

**I John Williams**<sup>1</sup> of Clapham in the County of Surry Esquire one of the Commissioners of His Majestys Honorable Board of Customs in London being of sound and disposing mind memory and understanding bearing in mind the certainty of death and the uncertainty of the time when I do make this my last Will and Testament in manner following

ffirst I will and direct that all my just debts ffuneral Expenses and the expenses of proving this my Will and carrying the same into execution be fully paid and satisfied and desire that I may be buried in the parish where I may happen to die as the discretion of my Executrix hereinafter named and as as little expense as decency will permit

I give to my dear and much loved Wife Caroline Williams<sup>2</sup> the sum of One hundred pounds for mourning for herself and such of our dear Daughters as may be unmarried at my death

I give unto my dear Wife all my household ffurniture and implements of Household of every kind and all my Plate Jewels Rings and Trinkets And also all my China Glass and Earthenware and likewise all my Household Table and Body Linen of every kind and all my Books Pictures Busts Maps Prints and Musical Instruments of every description together with all my Wines and Liquors of every kind for her own absolute use and benefit in addition to an annuity or yearly sum of Two hundred and fifty pounds paid to her by The Right Honourable the Earl of Pembroke and the provision made or reserved to her in case of my death by a settlement made on our marriage out of the Three thousand three hundred and twenty eight pounds fourteen shillings and two pence three per Cent reduced Bank Annuities now standing in the names of Trustees upon the trusts of the said settlement I also give to my said Wife One thousand pounds four per Cent Bank Annuities standing in our joint names in the proper Books of the Bank of England

I give unto my much esteemed ffriends Sir Thomas Lavie Knight Commander of the Bath Governor of the Naval Asylum of Greenwich and The Reverend Richard Roberts of the Kings Road Chelsea Clerk the sum of Two thousand pounds Sterling money of Great Britain to be paid to them by my Executrix within six months next after my decease But upon trust nevertheless for the several uses intents and purposes hereinafter mentioned

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<sup>1</sup> John Williams (1753-1827), the Testator, son of Mary Margaret née de Veil (1722-?) and Basil Bacon (1725-1775), husband of Caroline née Medkaff (1789-1845).

<sup>2</sup> Caroline Williams née Medkaff (1769-1845), wife of the Testator, daughter of Constanza, a mistress of Henry Herbert (1734-1794) [[Wikipedia](#)] 10th Earl of Pembroke.

expressed or declared of and concerning the same that is to say Upon trust that they the said Thomas Lavie and Richard Roberts and the survivor of them and the Executors and Administrators of the survivor do and shall when and so soon as they or he shall receive and be paid the said money lay out and invest the same in their joint names or in the name of he survivor of them his Executors or Admons in some or one of the Public Stocks or ffunds or other Government security at Interest and from time to time afterwards to receive and take the Dividends and Interest thereof when and as the same shall become due and payable and thereupon or as soon after as conveniently may be to pay over the same to my said dear Wife for her own use for and during the term of her natural life or until she shall happen to marry again which ever of these events first happen or to permit and suffer or authorize and empower my said Wife to receive and take the same Dividends and Interest from time to time during her life or until her second marriage as aforesaid and with power for my said Trustees and the survivor of them his Executors and Administrators when and as occasion shall be and require to alter change and transpose the said Trust monies from time to time during the life of my said Wife or until she shall marry again by and with her consent by Note in writing under her hand and to transfer place out and inest the same on other security or securities of the like nature

And from and after the decease or second marriage of my said Wife Upon trust as well the said money stock and securities as the dividends and Interest from thenceforth to accrue and become due thereon To the use and for the benefit of all my Daughters who shall survive my said Wife their Mother without having been married equally share and share alike But in case of the marriage or death of any one or more of them before their said Mother or after her death and before she or they shall respectively attain the age of twenty one years or be married that the share or shares of her or them so dying shall devolve and accrue to the survivors or survivor or others or other of them my said my said unmarried Daughters or Daughter and if more than one equally and in case all of them shall die under the age of twenty one years or unmarried in the lifetime of their said Mother then upon trust that the said sum of Two thousand pounds or the Stock ffunds or other securities in and upon which the same shall be invested or placed out as aforesaid and the Interest and Dividends from thenceforth to accrue due thereon shall go to and be paid unto and among all my surviving Children equally share and share alike

I give to my dear Sister Mrs Sophia Nisbett<sup>3</sup> of Kew the like sum of Ten pounds for mourning

I give to my Cousin Helena ffischer Ten pounds of a Mourning Ring

I give to my old and highly valued friend The Reverend John Burrell Blount of Upper Belmont Place Lambeth Clerk Ten pounds for a mourning Ring and also my Watch Chain

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<sup>3</sup> Sophia Nisbett née Williams (1750-1825), sister of the Testator, daughter of Mary Margaret née de Veil (1722-?) and Basil Bacon (1725-1775), wife of David Nisbett (1742-1826).

and Seals regretting as I do that I have not the means of leaving him a more substantial Legacy

All the rest residue and remainder of my worldly Estate and Effects whatsoever and wheresoever and of whatever nature or kind or quality soever both Real and Personal not hereinbefore by me given and disposed of I give devise and bequeath unto the said Sir Thomas Lavie and Richard Roberts their Heirs Executors and Administrators according to the nature of my Estate therein But upon trust nevertheless for and to the use of all my dear Children Sons and Daughters equally share and share alike and payable and to be paid as follows that is to say to such of them being Sons as shall have attained his or their age or ages of twenty one years within six months next after my decease and to such of them being a Son or Sons as shall not then have attained the age of twenty one years when and as he or they respectively attain that age and to such of them my said Children being a Daughter or Daughters as shall have attained her or their age or respective ages of twenty one years or be married within six months next after my decease And to such of them being a Daughter or Daughters as shall not then have attained her or their age or ages of twenty one years or be married then when and as they shall respectively attain that age or marry with the approbation of my said dear Wife their Mother which ever shall first happen with benefit of survivorship in case of the death of one or more of my said Children being a Son or Sons under his or their age or ages of twenty one years and being a Daughter or Daughters under that age and unmarried that the part and share parts and shares of him her or them so dying shall go to and be equally divided among the survivors of my said Children share and share alike and be paid with the original respective shares or as near thereto as circumstances will permit and in the meantime and until such share or shares as are not payable within six months next after my decease shall become payable as aforesaid I will and direct that my said Trustees or the survivor of them or the Executors or Administrators of the survivor do and shall lay out and invest the same in their joint names or in the name of the survivor of them his executors or Administrators in some or one of the Public Stocks or funds or other Government Securities at Interest and the Dividends Interest and Produce from thenceforth to accrue and become due and payable on the respective shares of my said Children until their his or her shares or share of the principal become payable and are paid to expend pay and apply for and towards their his and her maintenance and education in such way and manner as my said dear Wife during her life by Note in writing under her hand shall direct or appoint and after her decease or second marriage then of their own free will and discretion But so and in such way and manner as each of my said Children shall have and receive the full benefit of the Dividend Interest or Produce of their respective shares of the said residue and no more Provided always and I do hereby declare that in case the said Sir Thomas Lavie and Richard Roberts or either of them or the survivor of them his Executors Administrators or Assigns or any future Trustee or Trustees to be appointed in the place or stead of them either or any of them as hereinafter mentioned shall die or be desirous of being discharged of and from or refuse decline or become incapable to act in the trusts hereby

reposed in them as aforesaid or shall go to reside beyond Seas before the said Trusts shall be fully executed and performed then and in every such case and when and as soon and as often as the same shall happen it shall and may be lawful to and for the said Thomas Lavie and Richard Roberts and the survivor of them his Executors Administrators or Assigns with the consent of my said Wife in writing under her hand during her life or until she shall happen to marry again by any writing or writings under their or his hands and Seals or hand and seal and to be attested by two or more credible witnesses from time to time to nominate and appoint any other person or persons to be a Trustee or Trustees in the place or stead of such present or future Trustees or Trustee do dying or desiring to be discharged going to reside beyond the Seas or refusing declining or becoming incapable to act as aforesaid and that when and so often as any new Trustee or Trustees shall be nominated and appointed as aforesaid all the Trust Estates powers monies and premises then vested in the Trustee or Trustees so dying or desiring to be discharged or refusing declining or becoming incapable to act or going to reside beyond Seas either solely or jointly with the other Trustee or Trustees shall thereupon with all convenient speed be paid assigned and transferred so and in such manner as that the same shall and may be legally and effectually vested in the surviving or continuing Trustee and such new Trustee or Trustees or if there shall be no continuing Trustee then in such new Trustees only To and for the same uses and upon the same Trusts as are hereinbefore declared of and concerning the same Trust Estates powers monies and premises respectively or such and so many of them as shall or maybe then subsisting and capable of taking effect and that every such Trustee shall and may in all things act and assist in the management carrying on and execution of the trusts to which he shall be so appointed in conjunction with the other then surviving or continuing Trustee if there shall be any such continuing Trustee if not then by himself herself or themselves as fully and effectually and with all the same power and powers authority and authorities whatsoever to all intents effects constructions and purposes whatsoever as if he she or they had been originally by this my Will nominated a Trustee or Trusteed or as such Trustee or Trustees his or their Executors and Administrators in or to whose place such Trustee or Trustees respectively shall come or may succeed are or is enabled to do or could or ought to have done under and by virtue of this my Will if then living or continuing to act in the Trusts hereby reposed in him or them

Provided also and I do hereby further declare that the said Sir Thomas Lavie and Richard Roberts and the survivor of them his Executors and Administrators and the future trustee or trustees to be appointed by virtue of this my Will and each and every of them their each and every of their Executors Admons and Assigns shall be charged and chargeable only for such monies and effects as the same Trustees respectively actually receive by virtue of the Trusts hereby reposed in him and them notwithstanding his or their giving or signing or joining in giving or signing any receipt or receipts for the sake of conformity and that they or any one or more of them shall not be answerable or accountable for the other or others of them or any or either of them for the Acts Receipts Neglects or Defaults of the other or others of them but each and every of them

only and respectively for his own Acts Deeds Receipts Neglects and Defaults only and that they or either or any of them shall not be answerable or accountable for any Banker Broker or other person with whom or in whose hands any part of the said Trust monies and effects shall or may be deposited or lodged for safe Custody or otherwise in the execution of the Trusts hereinbefore expressed and contained nor for any other misfortune loss or damage which may happen in the execution of the aforesaid Trusts or in relation thereto except the same shall happen by or through his or their wilful neglect or default respectively and then and in that case each person respectively shall singly and alone be answerable for such loss or damage as shall arise from his or their own neglect or default

And also that it shall and may be lawful to and for the said Trustees in this my Will named and such future Trustee or Trustees to be appointed as aforesaid and for every or any of them their and each and every of their Executors Administrators and Assigns by and out of the monies and effects which shall come to their respective hands by virtue of the Trusts aforesaid to deduct retain and reimburse to and for himself and themselves respectively and also to allow to his her and their Co Trustee and Co Trustees all Costs Charges Damages and Expenses which they or any of them shall or may suffer sustain expend or be put unto in and about the execution of the aforesaid Trusts or in relation thereto

I nominate and appoint my said dear I Wife Caroline Williams sole Executrix of this my Will and Guardian of all my Children who shall be under the age of Twenty one years or unmarried at the time of my death hereby enjoining them severally to every affectionate attention to their most excellent and affectionate Mother and their love and kindness to and for each other

And lastly I revoke and make void all former and other Wills by me at any time heretofore made and declare this to be my last Will and Testament In witness whereof I the said John Williams have hereunto set my hand and seal this twenty second day of December in the year of our Lord One thousand eight hundred and seventeen *John Williams (SS)* Signed Sealed published and declared by John Williams Esquire the Testator abovenamed as and for his last I Will and Testament in the presence of us who have at his request and in his presence and also in the presence of each other subscribed our names as witnesses thereto *Ja<sup>s</sup> Dobie Bouverie Street Alex Dobie, John Shaw Clerks to Mr Dobie*

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**Clapham 19<sup>th</sup> Aug<sup>t</sup> 1822**

My old friend Sir Thomas Lavie joint Trustee with the Rev<sup>d</sup> Rich<sup>d</sup> Roberts being dead it is my earnest desire that Charles I Welstead Esq<sup>r</sup> of Valentine House Essex will act as

Trustee to my Effects in his room and to guard against the loss of these my Trustees by death I hereby nominate and appoint my Son William John Williams<sup>4</sup> my third Trustee

In witness whereof I have hereunto set my hand & Seal this 19<sup>th</sup> day of August in the year of our Lord One thousand eight hundred & twenty two *John Williams (SS)*

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9<sup>th</sup> Nov<sup>r</sup> 1827

**Appeared Personally** *Charles Claridge* of the Customs London Esq<sup>r</sup> and *William Buller Kitson* of the same place Esq<sup>r</sup> and made Oath that they knew and were well acquainted with John Williams late of Clapham in the Parish of Clapham in the County of Surrey Esquire deceased for some years before and to the time of his death and also with his manner and character of handwriting and subscription having often seen him write and subscribe his name and having now carefully viewed and perused the paper writing hereto annexed purporting to be and contain the said Codicil beginning thus "Clapham 19 Aug 1822 My old friend Sir Thomas Lavie" ending thus "I have hereunto set my hand & Seal this 19<sup>th</sup> day of August in the year of our Lord One thousand eight hundred & twenty two" and thus subscribed "John Williams (SS)" they these deponents do depose that they verily and in their consciences believe the whole series and contents of the said paper writing or Codicil beginning ending and subscribed as aforesaid to be all of the proper handwriting and subscription of the said deceased *Charles Claridge William Buller Kitson*

Same day the said Charles Claridge and William Buller Kitson were duly sworn to the truth of this Affidavit Before me *John Daubeny* present *S: B: Engleheart* Notary Public

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**Proved** at London with a Codicil 12<sup>th</sup> November 1827 before the Worshipful Sherrard Beaumont Burnaby Doctor of Laws and Surrogate by the Oath of Caroline Williams Widow the Relict the sole Executrix to whom Administration was granted having been first sworn duly to Administer

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Transcribed from images on Ancestry.co.uk [here](#).

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<sup>4</sup> William John Williams (1791-1873), son of the Testator and Caroline née Medkaff (1769-1845), husband of Frances née Smith (1815-?).