

Transcription of the will of John Davis, surgeon of Mortlake, 1792 (proved 1793)

Note: the two occurrences of open brackets without closing ones appear to be genuine and not random marks.

Capital letters may not faithfully represent the originals, the choice often being difficult to decide.

JAK – April 2010

This is the Last Will and Testament

of me John Davis of Mortlake in the County of Surry Surgeon made and published in manner following that is to say I direct all the debts which I shall owe at the time of my decease my Funeral Expenses and the Charges of the probate of this my will be first paid And I give and bequeath all my Household Goods Plate Linen China and Furniture in my house at Mortlake aforesaid unto my dear wife Mary to and for her own sole use and benefit Also I give and bequeath to my daughter Elizabeth Davies wife of Mr Edward William Davies of Mortlake aforesaid Surgeon and Apothecary a Gold repeating watch which was given to me by my late worthy Friend Nicholas Langley Esquire deceased And whereas I am possessed of the sum of Eight hundred pounds Navy five per cents now I do hereby declare it to be my wish that my Executors hereinafter appointed make Sale thereof as soon as conveniently may be after my decease And I give and bequeath to my Eldest Daughter Sarah Davis out of the Monies which shall arise from such sale the sum of Five hundred pounds And I also give and bequeath out of the said monies unto my said Son in Law Edward William Davies the sum of Two hundred pounds and out of the Residue of the said monies I give and bequeath to Thomas Langley of Threadneedle Street London Esquire the sum of Fifty pounds And whereas I am also possessed of the sum of one thousand pounds four per cent Consolidated Bank Annuities and One thousand pounds Navy five per cents now I do hereby give and bequeath the said one thousand pounds four per cent Consolidated Bank Annuities and One thousand pounds Navy five percents unto the said Thomas Langley and William Holton of Basinghall Street London Gentleman upon the Trusts nevertheless and to and for the intents and purposes hereinafter mentioned and declared of and concerning the same that is to say upon Trust that they the said Thomas Langley and William Holton and survivor of them his Executors and Administrators do and shall pay the Interest Dividends and proceeds of the said One thousand pounds four per cent Consolidated Bank Annuities and One thousand pounds Navy five per cents unto my said wife or authorise and empower permit and suffer her to receive the same to and for her own use and benefit for and during the term of her natural life or in case she should marry again during so long time as she shall continue my widow and immediately from and after the decease or second marriage of my said wife which shall first happen as to and concerning one Moiety or equal half part of the said one thousand pounds four per cent Consolidated Bank Annuities and One thousand pounds Navy five per cents upon Trust they my said Trustees or the survivor of them his Executors or Administrators do and shall pay and transfer the same or the produce thereof unto my said Eldest daughter Sarah Davis to and for her own absolute use and benefit And as to for and concerning the other Moiety or equal half part thereon upon the Trust hereinafter mentioned concerning the same that is to say upon Trust that they my said Trustees or the survivor of them his executors of administrators do and shall from and after the decease or second marriage of my said wife which shall first happen pay the Interest Dividends and proceeds of the said other Moiety of the said one thousand pounds four per cent Consolidated Bank Annuities and one thousand pounds Navy five per cents into the proper hands of my said daughter Elizabeth Davies for and during the term of her natural life to and for her own sole and separate use and benefit notwithstanding her present or any future coverture and without being subject or liable to the debts or Engagements of her said present or any future husband and her receipt about from time to time only to be a good discharge to my said Trustees and the Survivors and Survivor of them for the alone And from and after the decease of my said daughter Elizabeth Davies upon Trust to pay or transfer the said last mentioned Moiety or the produce thereof unto between or amongst the Child or Children of my said daughter Elizabeth by her present or any future husband as and when he she or they shall respectively attain the age of twenty one years if more than one such Child share and share alike and in case any of them shall die before he her or they shall attain the said age then it is my will that the share or respective shares of him her or them so dying shall go to the survivors or survivor of them if more than one share and share alike but if any of the said Children shall attain the said age of twenty one years in the life time of my said daughter Elizabeth then it is my will that the share or respective shares of him her or them so attaining the said age shall be a vested Interest of vested Interests in him her or them from such time or times as he she of they respectively attain the said age but the actual payment or transfer thereof to be postponed until after the decease of my said daughter Elizabeth and it is my will that my said Trustees or the Survivor of them his Executors or Administrators shall and may after the decease of the said daughter Elizabeth apply the Interest Dividends and Proceeds of each such Childs expectorant share during his or her minority for or towards his or her maintenance and Education and also shall and may after my said daughters decease raise and apply any part of the expectorant share of each or any of the said Children (being a Son or Sons for putting him her or them out to any Business or Profession or otherwise for his or their advancement in the world But in case there shall be no Child of my said daughter Elizabeth who shall live to attain the said age of twenty one years there from and after the decease of my said daughter and of the said Child or Children upon Trust to pay of transfer the said first mentioned Moiety of the said one thousand pounds four per cent Consolidated Bank Annuities and one thousand pounds Navy five percents unto my said Son in Law Edward William Davies if he shall be then living but if dead then unto the Executors Administrators or Assigns of my said daughter Elizabeth And all the rest and residue of my Estate and Effects of what nature or kindsoever or wheresoever not hereinbefore disposed of I give

and bequeath unto my said wife her Executors Administrators and Assigns And I nominate and appoint the said Thomas Langley and my said wife Executor and Executrix of this my will and I direct that my said Trustees and Executors shall not be answerable or accountable for more monies than shall come to their hands respectively nor for any loss that may happen to any of the said Trust monies or Effects by the insufficiency of any Security of otherwise so as that the same loss do not happen through or by means of their or any of their wilful default nor out of them for the Outs Goods Receipts or Defaults of the other of them and that they and each of them shall and may reimburse himself and themselves respectively out of the monies or Effects which shall come to their respective hands by virtue of this my will all such Costs and Expenses as they respectively shall or may incur or be liable to in or about the execution of any of the aforesaid Trusts And lastly I revoke all former wills by me at any time heretofore made and declare this only to be my last Will and Testament In witness whereof I the said John Davis the Testator to this my last will and testament contained in three sheets of paper have to the two first sheets thereof set my hand and to this being the last my hand and Seal this twenty third day of December in the year of our Lord one thousand seven hundred and ninety two /---/ *Jn^o Davis*
Signed Sealed Published and Declared by the said Testator as and for his last will and Testament in the presence of us who in his presence at his request and in the presence of each other have subscribed our names as witnesses hereto the words "Estate and Effects of what" between the thirteenth and fourteenth lines and the word "wilful" between the twentieth and twenty first lines of this third and last sheet being first interlined /---/ *Christⁿ Dufi??* /---/ *Richard Adams*.

This Will

was proved at London the second day of august in the year of our Lord one thousand seven hundred and ninety three before the worshipful George Harris Doctor of Laws Surrogate of the Right Honourable Sir William Wynne Knight also Doctor of Laws Master Keeper or Commissary of the prorogation Court of Canterbury lawfully constituted by the Oath of Thomas Langley one of the Executors named in the said will of the deceased to whom Administration was granted of all and singular the Goods Chattles and Credits of the said deceased having been first sworn duly to administer (power reserved of making the like grant to Mary Davis Widow of the Relict of the said deceased and the other Executor named in the said will when she shall apply for the same.