

Henry Adams  
 Sons James Thomas Smith  
 William Henry Smith  
 Henry James Smith  
 daughters Elizabeth Ann Burgess (widow)  
 Ann Frances Durham (Charles Durham)  
 Sarah Morris Shepherd (Charles H. Shepherd <sup>II</sup>)  
 Sister Sarah Green  
 Brothers James Smith, Thomas Smith  
 Nieces Alice Simpson, Elizabeth Nansen  
 9 daughters Sarah Ann Frances Burgess m. pre 1862  
 or living

£25,000 Will 15 Sept 1859  
 Codicil 8 " 1860  
 Codicil 13 Feb 1862 d. March 1863

**This is the last Will and Testament**  
 of me William Smith of Sun Cottages New Cross Road Deptford in the County of Kent Gentleman I write all former Wills Codicils and Testamentary Dispositions I appoint my friend Gay & Co Esquire of Greenwich in the said County of Kent Surgeon my son in law Charles Messingham Esquire of Deptford aforesaid Coal Merchant and Henry Adams of Deptford aforesaid Coal Merchant Executors thereof and I desire them to pay all my just debts and funeral and testamentary expenses as soon as conveniently can be after my decease I give to each of my three sons James Thomas Smith William Henry Smith and Henry James Smith and to each of my three daughters Elizabeth Ann Burgess Widow Ann Frances Durham Wife of Charles Durham and Sarah Morris Shepherd Wife of the said Charles Messingham Esquire twenty pounds sterling for mourning I give to my

or Sarah Every fifty pounds sterling to care of my two brothers James  
Wick and Thomas Smith fifty pounds sterling to my wife Elizabeth two  
 hundred pounds sterling and to my wife Elizabeth Norman fifteen pounds  
 sterling and I give to care of my said Executors nineteen pounds and  
 nineteen shillings sterling for the trouble he will have in the execution of  
 the trusts of this my will and I direct that all the before mentioned lega-  
 ries be paid or retained within three calendar months after my decease  
 I give to my grand daughter Sarah Ann Graves Burgess if she shall  
 attain the age of twenty one years the sum of one hundred pounds to be  
 paid her on her attaining such age (but without interest notwithstanding  
 the provisions for maintenance hereinafter contained) I give also my  
 wearing apparel equally betwixt my said three sons share and share  
 alike and I give to my said daughter Sarah Morris Jackson my lining  
 cloth which I some time since purchased at Craydon and give all the books  
 ornaments and other articles which have been from time to time presented  
 to me by my said three sons and three daughters unto them my said  
 three sons and three daughters to be distributed amongst them in such  
 manner as that each of them may receive each the same articles which  
 they respectively presented me with and as to all that my freehold waste  
 and premises situate in Slaughterdoune Lane in the Parish of Saint  
 Paul Dutton in the County of West aforesaid and all that my freehold  
 waste and premises called Sun Waste situate in Slaughterdoune Lane  
 aforesaid severally in the occupation of my said son James Thomas  
Smith and his partners the said Charles Mespingham Jackson and  
Henry Adams and all other my freehold and leasehold tenements and  
 premises whatsoever situate and all my book and other debts ready  
 money and securities for money money in the public stocks or funds of this  
 Kingdom or out at interest and all the residue and remainder of my real  
 property estate and effects both real and personal of or to which I  
 shall be seized possessed or entitled I give bequeath and assign the same  
 unto the said James Smith Charles Mespingham Jackson and Henry Adams  
 their heirs Executors administrators and assigns nevertheless upon the trusts  
 following that is to say Upon trust as soon as conveniently can be after  
 my decease to collect get in and receive all debts due and owing to my  
 estate and to sell and absolutely dispose of all my said freehold and  
 leasehold wastes tenements and premises and all such other parts  
 of my residuary estate as shall be in their nature saleable in such ways  
 and manner and subject to such special conditions as to title and other  
 wise as to my executors or trustee for the time being shall seem expedient  
 and for such sum and sums of money as shall appear to them a  
 good and sufficient price for the same and with power to buy in the  
 same or any part thereof and to write any contract for the sale or  
 thereof or of any part thereof and to revoke with the like powers as afore-  
 said without being liable for any loss or diminution in price occasioned  
 thereby and as to the net moneys arising from such sales and all other  
 moneys from time to time constituting a part of my residuary estate  
 after and subject to the payment thereof of all my just debts and funeral  
 and testamentary expenses and the several legacies thereinbefore mentioned  
 I direct my trustees or trustee for the time being to invest the same in  
 their names in the purchase of government stocks or annuities at the Bank  
 of England with power from time to time to alter and vary such invest-  
 ments for other investments of the like nature as they in their discretion  
 shall think fit and most for the benefit of my estate and to stand pos-  
 sessed of such investments upon the trusts following that is to say Upon  
 trust to receive and take the interest and dividends thereof as and when  
 the same shall become due and to pay one equal sixth part thereof  
 unto each of my said three sons and three daughters during the

term of his or her natural life for their respective absolute use and upon the decease of each and every of my said sons and daughters (whichever in my lifetime or after my decease) I direct my trustees or trustee for the time being to stand possessed of one equal sixth part of the corpus of my residuary estate upon trust for all my grand children or an only grand child who shall be living at the decease of such son or daughter or at my decease (whichever event shall last happen) and shall they be of or shall afterwards attain the age of twenty one years such sixth part to be divided between such grand children in equal shares if more than one and to be for their his or her respective absolute use and I direct that the same be assigned and transferred to them him or her accordingly on the youngest of them for the time being attaining the age of twenty one years and I expressly declare that in the several gifts bequests and provisions which I have by this my will made to or in favour of my daughters and granddaughters and such a portion of my legacies as are or may be under coverture are by me as intended for their respective sole and separate use and benefit free from the control debts and engagements of their respective husbands and that my said daughters shall not have power to anticipate or alienate their respective life interests and that their respective receipts (and in the case of my said daughters then only as to the income actually accrued due to them respectively at the respective times of signing such receipts) and such receipts only shall be good and sufficient discharges for such property estate money effects and income as they respectively shall be entitled to or for so much thereof respectively as in and by such receipts shall be expressed or acknowledged to be received and I authorize and direct my trustees and trustee for the time being in their discretion to apply for or towards the support maintenance education clothing and advancement in the world of any minor who for the time being shall be presumptively entitled to any share estate or interest of and in my estate or to pay to any parent or guardian of any such minor for such purposes all or any part of the income arising from such share estate or interest and to accumulate and invest so much of such income as shall not be so applied or paid for the benefit of the person or persons eventually entitled under this my will to the share estate or interest from which such income shall arise but with power nevertheless to resort in any year to the accumulations of any preceding year or years for any of the purposes aforesaid and I declare that it shall not be incumbent on my trustees or trustee to enquire or ascertain whether the father if any of such minor is of ability to maintain him or her or whether there is any other fund applicable to such purpose and that the payment to the parent or guardian of any such minor shall discharge my trustees from all liability to see to the application of the income so paid and I further declare and direct that if the said my daughter Charles M'Finglam decesses and Henry Adams or either of them or any future trustee or trustees of this my will shall be either in my lifetime or after my death or demise to be discharged from or are refuse or become unfit or incapable to act in the trusts of this my will before the same shall have been fully discharged and performed then and so often as the same shall happen it shall be lawful for my said sons and daughters or the survivors of them for the time being and as to my said daughters notwithstanding any coverture they may be under and after the decease of all my said sons and daughters then for the surviving or continuing trustee or trustee and if there shall be no surviving or continuing trustee then for my legal personal representatives or representative for the time being by deed to appoint any other person or persons to be a trustee or trustees in the place of the trustee

Trustees do dying or beying to be discharged or refusing or becoming or unfit or incapable to act as aforesaid and that the same number or a greater or less number than the original number of trustees may be appointed on every such occasion and upon every such appointment all the trust estates funds and monies shall with all convenient speed be assigned and transferred so that the same may be legally and effectually vested in the new trustee or trustees either solely or jointly with the surviving or continuing trustee or trustees (as the case may require) upon the trusts hereinbefore declared concerning the same or one of them as may be then subsisting and capable of taking effect and I declare that every or new trustee so to be appointed as aforesaid as well before as after such an assignment and transfer shall have all such and the same powers and authorities and shall in all respects act in the execution of the trusts of this my will as if he or she had been originally nominated a trustee and I expressly declare that the receipts in writing of the trustee or trustees for the time being of this my will for all money property and effects payable to them then or for under this my will or by virtue of any exercise of the powers and trusts herein contained shall be sufficient discharges for the money property and effects therein expressed to be received and shall effectually exonerate the person or persons paying transferring or beying the same from being liable to see to the application thereof and from being answerable for any loss or misapplication thereof and that no purchaser shall be bound to enquire into the propriety of or be affected by any irregularity in any sale made or purporting to be made under or by virtue of this my will and I further declare that my said executor and the trustees of this my will shall not be responsible the one for the other of them and in no wise for involuntary losses and that it shall be lawful for them and every of them out of any moneys coming to their hands by virtue of this my will to reimburse themselves respectively all costs charges damages and expenses which they or any of them may sustain incur or be put unto in or about the execution of the trusts of this my will or the administration of my estate or in any wise in relation thereto or witnesses whereof I have to this my last will and testament as contained in four sheets of paper affixed together with my seal set my hand at the bottom of each of the three preceding sheets and also to this the fourth and last sheet at the foot or end of this my will this fifteenth day of September in the year of our Lord one thousand eight hundred and fifty nine. The mark of X William Smith - signed by the above named William Smith in the presence of us who were both present at the same time and who in his presence and in the presence of each other have accounts subscribed our names as witnesses - Robert Parker J. G. Ginnick - William Goodwin Clerk to Mr. Robert Parker.

I the within named William Smith do hereby revoke the within mentioned bequest of Two hundred pounds to my within named Sister Alice England in lieu thereof I give her one hundred pounds sterling to be paid to her within three calendar months after my decease and an annuity or yearly sum of Twenty six pounds to commence from and immediately after my decease and to be paid to her for the remainder of her natural life by equal quarterly payments with a proportionate part thereof down to and inclusive of the day of her decease and I direct my Executors and Trustees for the time being to pay the said annuity out of the income of my residuary estate into the proper hands of the said Alice England for her separate use and I declare that the receipts in writing of the said Alice England and those only as to the payments actually accrued due to her at the respective times of signing such receipts shall alone be good and sufficient discharges to my said Executors and Trustees for the said annuity or for so much as

thereof as in or by such receipts shall be expressed or acknowledged to be received and in all other respects I confirm my within written will and declare this to be a Copied thereto and to be taken as part thereof and in witness whereof I have hereunto set my hand this eighth day of September in the year of our Lord One thousand eight hundred and sixty - The mark X of William Smith - signed by the within and above named William Smith in the presence of us who were both present at the same time and who in his presence and in the presence of each other have hereunto subscribed our names as witnesses - Robert Surker Solr. Greenwich - William Goodwin Clerk to Mr. Robert Surker.

Whereas since the date of my within written will my grand daughter Sarah Ann Straus Burgess herein named has married and is adequately provided for and I therefore revoke the within mentioned bequest of One hundred pounds to her and whereas I have lately entered into an engagement with Messrs. Harrington & Co of St. Pancras in the County of Middlesex Coal Merchants to guarantee them the payment to the extent of Two hundred pounds for coals supplied by them to my within named son William Henry Smith, Now I do hereby declare it to be my will meaning and intention that if during my lifetime I shall pay or if after my decease my estate shall be liable to pay any sum or sums of money under or by virtue of such guarantee the amount of all such sum or sums shall be treated as constituting a debt due and owing from my said son to my estate and in the event of his surviving me shall be retained and paid to my estate out of the income to which he will be entitled under and by virtue of my within written will and if he shall die in my lifetime or before the whole of such moneys shall have been so retained and paid to my estate and shall leave any child or children who shall become entitled to participate in the corpus of my estate then such moneys or the unpaid part thereof as the case may be shall be retained and paid to my estate out of the share or shares of such his child or children as but I expressly declare that no interest shall be charged against my said son or any child of his in respect of the aforesaid moneys and I declare this to be a Copied to my said will and with the previous Copied and endorsed thereto to be taken as part thereof and in witness whereof I have hereunto set my hand this thirteenth day of December in the year of our Lord One thousand eight hundred and sixty two - The mark X of William Smith - signed by the within and above named William Smith in the presence of us who were both present at the same time and who in his presence and in the presence of each other have hereunto subscribed our names as witnesses - Robert Surker Solr. Greenwich - William Goodwin Clerk to Mr. Robert Surker.

PROVED at London with two Copies 6<sup>th</sup> May 1863 by the oaths of say John Charles Messingham Esq. and John Adams the Executors to whom Abmon was granted.