
Will of Mary Carter 1833 (PRO, ref. PROB 11/1824)

Summary

Testator: Mary Carter, St. Matthew, Bethnal Green, Victualler
Executors: George Carter, Isaac Mills Carter, William Carter
Date: 9 December 1828, Codicil 27 April 1833, proved 14 November 1833
Witnesses: R. Brutton, J. ?othed
Will: - property to be offered to son William to buy
- if he declines, property to be sold, and
- 1/3 to son William
- rest divided evenly between all six children George Carter, Isaac Mills Carter, William Carter, Sarah Jane the wife of Thomas Higgs Hudson, Jemima Carter and Jane Carter (part of Jane Carter to be invested until she is 21)
- William Carter to maintain Jane Carter until she is 21
- Codicil: money from sale of property to be given in trust to son William, he to pay interest to Jemima and Jane Carter until they marry or die, in which case the monies coming free to be divided as directed in her will

Text

1. This is the last Will and Testament of my Mary Carter of the Blade Bone Public House situate in Church Street in the parish of Saint Matthew Bethnal Green in the County of Middlesex Widow as follows
2. First I nominate my three sons George Carter of Manchester in Lancashire Law Stationer Isaac Mills Carter of Great Pearl Street Spitalfields in the County of Middlesex Licensed Victualler and William Carter now residing with me at the sign of the Blade Bone aforesaid Executors of this my Will
3. and I give and devise to them my said Executors all that my leasehold messuage dwellinghouse and premises now in my own occupation with the appurtenances thereto belonging situate lying and being in Church Street Bethnal Green aforesaid and known by the name or sign of the Blade Bone to hold the same to them the said George Carter Isaac Mills Carter and William Carter their Executors Administrators or Assigns for all the residue and remainder of the term of years which at the time of my decease shall be then to come and nonexpired therein upon trust that they my said Executors or the Executors or Executor for the time being of this my will be and shall as soon as conveniently can be after my decease offer the said messuage dwellinghouse and premises with the goodwill thereof stock of wine spirits and porter furniture plate linen and china and all other chattels and effects which at the time of my decease shall be therein or be considered to belong or appertain thereto to my said son William Carter at such price or sum as shall be fixed upon by two indifferent persons one to be named by the said George Carter and Isaac Mills Carter and the other by the said William Carter and in the event of such two referees disagreeing in their valuation then at such sum as shall be fixed by a third person to be nominated by the original referees and in case my said son William Carter shall refuse or decline to become the purchaser of the said messuage dwelling house and the good will thereof furniture stock in trade furniture and all other the premises and Effects aforesaid at the price to be fixed as aforesaid such refusal being certified in writing within one month after such offer or proposal shall have been made to my son William Carter then upon trust that they my said Executors or the Executors or Executor for the time

being of this my will so and shall absolutely sell and dispose of all and singular my said leasehold messuage or dwellinghouse house and the good will thereof and also all and my stock of wine spirits and porter household furniture plate linen and china and all other my goods chattels and effects whatsoever as are in the nature saleable and which I shall be possessed of either by public sale or private contract for the best price in money that can be obtained for the same and I direct my said Executors or the Executors or Executor for the time being of this my will to receive the purchase money so to arise or be made from or by the sale of my said leasehold premises and all other my goods chattels and effects aforesaid whenever such sale of sales shall be effected and I declare that the receipts of my said Executors for such purchase money or any part thereof shall be sufficient discharges to all persons accepting the same who shall not be obliged to see to the application thereof nor be answerable or accountable for the misapplication or non-application of the same or any part thereof and I hereby declare that my said Executors or the Executors or Executor for the time being of this my will shall stand possessed of the monies to arise from the sale of my said leasehold Estate and the conversion into money of my goods chattels and Effects and all other my personal Estate whatsoever subject nevertheless to the payment of my just debts funeral expenses and the charges of proving or otherwise concerning this my will upon the trusts and to and for the ends intents and purposes hereinafter expressed and declared concerning the same viz. upon trust

4. as to one third part of the said monies to and for the absolute use and benefit of my said son William Carter and which I especially give to him for his great attention kindness and assistance to me in supporting and carrying on my business
5. and as to the remaining two third parts thereof upon trust for and to be equally divided between them my said sons the said George Carter Isaac Mills Carter and William Carter and three of my daughters that is to say Sarah Jane the wife of Thomas Higgs Hudson of Bethnal Green Road aforesaid Schoolmaster and Jemima Carter and Jane Carter Spinsters
6. and I hereby desire and request my said Executors to invest the share of my said youngest daughter Jane in the public funds and permit the dividends Interest and annual income thereof to accumulate for her benefit until she attains the age of twenty one years he my said son William Carter having promised and agreed to maintain the said Jane Carter until she attains that age which I request he will fully perform
7. And I hereby declare my will to be that the several dispositions bequests legacies and sums of money given to them my said daughters shall be held reserved applied and paid to and for their sole use and benefit respectively and as they by writing under their respective hands shall direct and appoint independent of any husband and as and in such manner that the same dispositions bequests legacies and sums of money shall not be subject or liable to the debts contracts forfeitures or engagements of any such husband
8. and I further declare that no one or more of my said Executors shall be answerable or accountable for the acts deeds or defaults of the other one of them but each for his own acts deeds and defaults only and that the Executors or Executor for the time being of this my will shall retain all monies which they may pay or expend in the execution of the trusts aforesaid
9. and lastly I hereby revoke all former Wills and Testamentary dispositions by me at any time heretofore made and do declare this to be my last Will and Testament In Witness whereof I the said Mary Carter have to this my Will contained in three sheets of paper to

the two first sheets thereof I have subscribed my hand and to this third and last sheet my hand and seal this ninth day of December in the year of our Lord one thousand eight hundred and twenty eight

Mary Carter

Signed sealed published and declared by the said Mary Carter as and for her last Will and Testament who in her presence at her request and in the presence of each other have subscribed our names as witnesses R. Britton? Bethnal Green J. ?othed Bethnal Green

Codicil

I Mary Carter of Church Street in the parish of Saint Matthew Bethnal Green in the County of Middlesex Victualler do make publish and declare this to be a Codicil to my last Will and Testament in manner following that is to say that as soon after my decease as my Executors may see convenient I direct that all my property of what nature or kind so ever including money may be valued by two fit and proper persons one to be appointed by my son William Carter and the other by my two daughters Jemima Carter and Jane Carter and in case of the two persons so appointed not agreeing they shall be empowered to appoint a third as umpire whose decision shall be final then I direct that the whole of my property shall be transferred to my said son William Carter In trust to allow my said daughters Jemima Carter and Jane Carter Interest for the same after the rate of four pounds per cent per annum as long as they shall remain unmarried and in the event of my said daughters Jemima Carter or Jane Carters marriage or decease then I direct one half of my property to be divided as directed in my will and in the event of the remaining one of my said daughters Jemima Carter or Jane Carters marriage or decease then I direct the remaining half of my property to be divided as directed by my will and I do make publish and declare this as a Codicil to my last Will and Testament In Witness whereof I have set my hand and seal this twenty seventh day of April in the year of our Lord one thousand eight hundred and thirty three

Mary Carter

Signed sealed published and declared by the said Testator as and for a Codicil to her last Will and Testament in presence of us who in her presence and in the presence of each other have subscribed our names as witnesses hereto W. Kingate? Geo. Lilly

Proved at London with a Codicil 14th November 1833 before the Worshipful Thomas Blake a Doctor of Laws and Surrogate by the oaths of George Carter Isaac Mills Carter & William carter the sons the Executors to whom admon was granted being first sworn duly to adm.