
Will of Joseph Frost 1816 (CheshireRO)

Summary

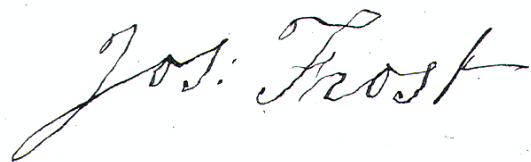
Testator: Joseph Frost, Macclesfield, Chester, Brandy Merchant
Executors: brother Thomas Frost, son Joseph Robert Frost
Trustees: Executors
Date: 15 March 1816, proved 3 October 1816
Witnesses: John Coates, Jos. Loney
Will: - son Joseph Robert Frost and wife Ann to continue business
- when youngest child 21, value estate and divide equally between wife and children, unless son wants to continue in business... various conditions
- after death or marriage of wife, her share divided equally among children

Text

1. This is the last Will and Testament of me Joseph Frost of Macclesfield in the County of Chester Brandy Merchant subject to the payment of my just Debts Funeral Expenses and the charges of proving this my Will
2. I Give Devise and Bequeath All and singular my Stock in Trade Sum and Sums of Money out at Interest or otherwise Book Debts Household Furniture and all other my Estate and Effects whatsoever unto my Brother Thomas Frost and my son Joseph Robert Frost To hold the same to them their Executors Administrators and Assigns Upon the several Trusts and to & for the several uses intents and purposes and under and subject to the several directions hereinafter mentioned expressed and declared of and concerning the same (that is to say)
3. In the first place I direct and order that my Trade and Business shall be continued and carried on by my son Joseph Robert Frost and my Dear Wife Ann Frost in their joint names untill my youngest Child shall attain the age of Twenty one and the profits thereof to be from time to time appropriated for and towards the maintenance of themselves and my three Daughters
4. And as soon as my youngest Child shall attain the Age of Twenty one Then I direct that the Stock in Trade and all other the personal Estate and Effects shall be valued and a true and accurate account thereof taken and the whole amount of such valuation ascertained and the same to be apportioned to and amongst my said dear Wife if then living and unmarried and such of my Children as shall at that time be living in equal shares the share of my said Wife to be placed out at Interest such Interest to be paid to her for and during her natural life or untill she may marry again and from and after her death or marriage Then I direct that the principal be divided equally amongst my Children
5. But in case my said Son and my said Wife should after the period of my youngest Child attaining the age of Twenty one to be desirous of continuing the said Trade and Business in partnership or in case of my said son carrying on the same alone Then I direct that the Shares of my said Wife and Children shall remain at Interest in the said Business unless my Executors hereinafter named should consider it more prudent that my said Wife and Children or any one of them should be paid and satisfied their Share or Shares And also that in case of the Marriage of any of my said Children before my youngest Child shall attain the age of Twenty one Then I direct that my Executors may if they think proper cause the whole of the property to be valued in manner as before mentioned and the share of such Child or Children so marrying ascertained and such share or shares paid and satisfied or

otherwise Interest to be paid therefor from time to time during the period that such share or shares shall remain in the said Business But in case any of my Daughters should marry contrary to the will of my Executors Then I direct my Executors to pay her or them such Sum or Sums of Money out of and from the said Business as they may think under such circumstances they deserve and such payment to be in full satisfaction of their share or shares of in and to the property and Effects belonging to and in the said Business And further that in case of any disagreement arising between my said Wife and my said Son Then my said Wife shall be at liberty to withdraw from the said Business her share therein ascertained and to receive Interest therefor and to have the use of such Furniture as the other Executors may consider proper and sufficient for her during her life or untill she marries again And in case any of my said Daughters shall be desirous of leaving the residence of my said Son and go to and reside with my said Wife Then I direct that a valuation shall be taken in manner as aforesaid the share or shares of such Daughter or Daughters so going to reside with my said Wife as certain? for which they shall receive Interest from time to time out of the said Business for their maintenance and support And further that in case of the death of my said son or the Business could not be carried on to advantage Then I direct that the whole of the property and Effects shall be disposed of the respective shares ascertained and the same divided equally among my said Wife and Children the share of my said Wife to be placed out Interest such Interest to be paid to her for and during her natural life or untill she may marry again And from and after her death or marriage Then the principal to be divided equally among my Children And in case of the marriage of my said Wife Then I direct that she shall not be permitted to take any part in my said Business or in any way interfere therein or receive any benefit whatever thereout or therefrom And in case of the death of any of my Children before my youngest Child shall attain the age of Twenty one without lawful Issue Then the share or shares of such Child or Children so dying to be divided equally among the survivors of said Children And I do hereby nominate constitute and appoint my said Brother Thomas Frost my said Wife and my said Son Executors of this my last Will hereby revoking all former and other Wills by me at any time heretofore made do declare this only to be my last Will and Testament

6. In Witness whereof I have to this my last Will and Testament contained in three sheets of paper at to the two first sheets thereof subscribed my name and to the last and third sheet subscribed my name and affixed my Seal this Fifteenth day of March one thousand eight hundred and sixteen and Year first before written



Joseph Frost

Signed sealed published and declared by the said Testator Joseph Frost as and for his last Will and Testament in the presence of us who in his presence at his request and the presence of each other have subscribed our names as witnesses

John Coates

Jos. Loney

The third day of October 1816

Joseph Robert Frost of Macclesfield, one of the Executors in this will named, was sworn in common form (Power being reserved to Thomas Frost and Ann Frost, the other Executor and

Executrix therein also named to take upon them the execution of the said Will, when they shall lawfully request the same) and he further made oath that the personal Estate and Effects of the Testator within the Diocese of Chester were under the value of Four Thousand Pounds

before me Lawrence Heaphy, Surrogate

The Testator died the fourth day of April 1816.

Probate issued

Dated 3 October 1816