
Will of Nancy Frost 1891 (LancsRO)

Summary

Testator: Nancy Frost, Moss Side, Manchester, Lancaster, Widow
Executors: sons-in-law Frederick Septimus Bateson, Benjamin Carver
Date: 17 February 1870, proved 2 April 1891
Codicils: 8 July 1871, 1 July 1873
Witnesses: M. Bateson Wood Solicitor Manchester, Geo. E. Marshland his clerk
Will: - all possessions and property to executors in trust
- £40 per year for son William Edward
- sell rest and divide equally among children except William Edward
- son Alfred Ernest's share diminished by £151 he already received
- son Walter Howard's share diminished by £120 he already received
- sons Thomas and Frederick's shares to be held for 3 years in case of news of them, then shared equally among other children
- daughters to receive their shares directly, independent of husbands and their debts

Text

1. This is the last Will and Testament of me Nancy Frost of Moss Side in the parish of Manchester in the County of Lancaster Widow which I make in my own right as also in pursuance and exercise of the powers and authorities contained in the Settlements made between me and my late husband Thomas Frost deceased or otherwise enabling me in this behalf
2. First I direct the payment of all my just debts funeral and testamentary expenses by my executors hereinafter named as soon as conveniently may be after my decease
3. I give devise and also direct limit and appoint all and singular the funds or money or securities for money household furniture and estate and effects whatsoever and wheresoever both real and personal comprised in the said Settlements or otherwise belonging to me or which I have power to appoint or dispose of by this my will unto and to the use of my sons in law Frederick Septimus Bateson of the City of Manchester Insurance Agent and Benjamin Carver of the said City Merchant their heirs executors administrators and assigns according to the nature and quality thereof for ever or for all such estate and interest as I may have or can dispose of therein Upon Trust that they the said Frederick Septimus Bateson and Benjamin Carver or the survivor of them or the heirs executors or administrators of such survivor or their or his assigns or other the Trustee or Trustees for the time being under this my will do and shall
4. in the first place out of the said trust moneys set aside a fund or sum the annual income whereof will in their or his judgement produce the clear yearly sum of forty pounds And do and shall during the life of my son William Edward lay out and invest or continue invested the fund or sum so to be set aside in their or his names or name in the Parliamentary Stocks or public funds of Great Britain or India or at interest on real or leasehold securities in England or Wales or on the mortgages bonds or debentures of or in purchase of guaranteed or preferential stock or shares in any Railway Canal or incorporated Company or Corporation with power to vary such securities at discretion and also to appropriate and continue any security which may be existing at my decease And do and shall from and out of the dividends interest and income of the said fund or sum when so invested or in case of

deficiency of income then from and out of the capital thereof pay the yearly sum of Forty pounds clear of all deductions to my son William Edward for and during the term of his natural life by such instalments and payments in each year as the said trustees or trustee shall think fit And I bequeath the said annuity of forty pounds to my said son William Edward accordingly And I direct that the said provision or annuity for my said son William Edward is and shall be in lieu of the share to which he would have been entitled under the said Settlements in default of appointment by me

5. And upon trust that they the said trustees or the trustees or Trustee for the time being under this my will do and shall at such time or times and in such manner in all respects as they or he shall think fit sell and dispose of the household furniture and such other parts of the estate and effects hereinbefore bequeathed or appointed to them as shall be in their nature saleable and collect and get in the said trust and other moneys hereinbefore bequeathed or appointed to them and stand possessed thereof after payment of my debts funeral and testamentary expenses as well as of the said sum hereinbefore directed to be set aside for my said son William Edward on the determination of his life interest therein Upon trust for and to be equally divided between all my children except my son William Edward who shall be living at my decease and the issue who shall attain the age of twenty one years or be married of any of my children who may have died in my lifetime leaving issue such issue nevertheless only falling amongst them equally if more than one the share to which their parent would is living have been entitled
6. Provided always and I do hereby direct that the share to which my son Alfred Ernest or his children in case of his death before me will be entitled under this my will shall be charged with the sum of one hundred and fifty one pounds ten shillings heretofore advanced by my late husband Thomas Frost out of moneys part of my trust funds which I had appointed for the purpose in his favour to the said Alfred Ernest Frost with interest thereon from the time of my death after the rate of five pounds per centum per annum
7. And that the share to which my son Walter Howard or his children in case of his death before me will be entitled under this my will shall be charged with the sum of one hundred and twenty pounds heretofore advanced in like manner to him with interest from the time of my death after the rate of five pounds per centum per annum thereon
8. And that the said sums shall be brought into hotchpotch in the division of the said trust moneys among my children or their issue exclusive of my said son William Edward
9. Provided always and I do hereby further direct and appoint that in case my said trustees or the trustees or trustee for the time being under this my will shall not within the space of three years from my decease receive from my sons Thomas and Frederick who went abroad many years ago or from their respective child or children any information where he or they is or are their without obligation on the said trustees part to make enquiry the shares or share to which my said sons Thomas and Frederick or his or their child or children or to which the one of them concerning whom no information shall be received within the period aforesaid would have become entitled under this my will and all accumulations thereof shall go and be paid to and divided among my other children except and exclusive of my said son William Edward or their respective issue in addition to their original shares
10. Provided always and I do hereby direct that the several shares and provisions hereinbefore made for my daughters or for any person taking an interest under this my will being a female shall be for the sole and separate use of such female and not subject to the debts or

control of any husband with whom she may intermarry and shall be payable into her proper hands or to such person and be disposed of in such manner as she shall by Note in writing under her own sole hand appoint and that the receipts of each such female or the receipts of such person as she shall appoint as aforesaid shall be effectual discharges and that each such female shall have power to dispose by will notwithstanding coverture of any portion of her share which she may not have received in her lifetime

11. Provided also and I do hereby declare and direct that my said trustees or the trustees or trustee for the time being under this my will shall invest or continue invested in their or his names or name the share to which any person being a minor may be presumptively entitled under this my will in and upon such and the like stocks funds and securities as hereinbefore mentioned with respect to the fund directed to be set aside and invested for my said son William Edward with like power of varying the same and that the said trustees or trustee may at their or his discretion pay and apply the whole or any part of the dividends interest or income of or arising therefrom in or towards the maintenance education or advancement of any such minor during minority And that such payments shall be allowed through the share of such minors shall not be invested and may by death or otherwise be afterwards avoided
12. And I give devise and bequeath unto and to the use of the said Frederick Septimus Bateson and Benjamin Carver their heirs executors administrators and assigns All the estates which are or may at my decease be vested in me upon any trust or by way of mortgage
13. Nevertheless Upon the trusts and subject to the equities affecting the same but any money to which I may be entitled therefrom shall be taken as part of my residuary personal estate provided lastly and I do hereby declare that in case either of them the said Frederick Septimus Bateson and Benjamin Carver or any trustees or trustee to be appointed under this present provision shall die or become incapable to act in or be desirous to be discharged from the aforesaid trusts before the same shall be freely executed or shall go to reside beyond seas or it shall be deemed desirable to appoint an additional trustee or additional trustees then and so often as the same shall happen it shall be lawful for the surviving or continuing trustee or trustees for the time being or for the executors or administrators of the last surviving trustee by deed to nominate and appoint any one or more fit person or persons to supply the place of the trustee or trustees respectively so dying becoming incapable to act or desirous to be discharged from the aforesaid trusts or going to reside beyond seas or to be an additional trustee or additional trustees hereunder
14. And that upon every such appointment the said trust estates moneys and premises then remaining subject to this my will shall be assured in such manner that the same may become vested in the new Trustee or Trustees jointly with the surviving or continuing trustee or trustees or solely as the case may require Upon the trust and for the purposes aforesaid or such of them as shall be then subsisting and capable of taking effect And that every such new Trustee shall have and may exercise all the powers discretions and authorities herein given and contained in like manner as if hereby appointed
15. And I nominate and appoint my said sons in law Frederick Septimus Bateson and Benjamin Carver Executors of this my will and hereby revoking all former wills by me made I declare this writing only to be and contain my last will and testament
16. In Witness whereof I the said Nancy Frost the testatrix have to this my last Will and Testament contained on this and the five preceding sheets of paper written on one side only

set my hand this seventeenth day of February in the year of our Lord one thousand eight hundred and seventy

Nancy Frost

Signed published and declared by the said Nancy Frost the testatrix as and for hers last Will and Testament in the presence of us who were present at the same time and who at her request in her presence and in the presence of each other have subscribed our names as witnesses

M. Bateson Wood Solicitor Manchester
Geo. E. Marshland his clerk

This is a Codicil to be added to and taken as part of the last Will and Testament of me Nancy Frost which bears date the seventeenth day of February One thousand eight hundred and seventy I direct that the share to which my son Charles or his children in case of his death before me will be entitled under this my will shall be charged with the sum of forty five pounds heretofore advanced by me to him with interest thereon from the time of my death after the rate of five pounds per centum per annum And that the same sum shall be brought into hotchpotch in the division of the trust moneys mentioned in my said will among my children or their issue exclusive of my son William Edward And in all other respects I confirm my said will In Witness whereof I have hereunto set my hand this twenty eighth day of July in the year of our Lord one thousand eight hundred and seventy one

Nancy Frost

Signed published and declared by the said Nancy Frost the testatrix as and for a Codicil to her last Will and Testament in the presence of us who were present at the same time and who at her request in her presence and in the presence of each other have subscribed our names as witnesses

M. Bateson Wood Solicitor Manchester
Joshua Ashcroft

This is a second Codicil to be added to and taken as part of the last Will and Testament of me Nancy Frost which will bears date the seventeenth day of February One thousand eight hundred and seventy with a Codicil already thereto dated the twenty eighth day of July One thousand eight hundred and seventy one Whereas I have by my said will directed that the share to which my son Walter Howard will be entitled thereunder shall be charged with the sum of One hundred and twenty pounds with interest as therein mentioned And whereas I have advanced and paid to or for the benefit of my said son Walter Howard the further sum of one hundred and five pounds and I wish that sum also charged on his said share Now I the said Nancy Frost the testatrix do by this Codicil direct that the share to which my son Walter Howard or his children in case of his death before me will be entitled under this my will shall be charged with the sum of one hundred and five pounds in addition to the sum mentioned in my will with interest from my death after the rate of Five pounds per centum per annum thereon And in all other respects I confirm my said will and the previous Codicil thereto In Witness whereof I have hereunto set my hand this first day of July in the year of our Lord One thousand eight hundred and seventy three

Nancy Frost

Signed published and declared by the said Nancy Frost the testatrix as and for a Codicil to her last Will and Testament in the presence of us who were present at the same time and who at her request in her presence and in the presence of each other have subscribed our names as witnesses

Joshua S. H. Atkinson) Clerks with Mr. M. Bateson Wood
Emanuel Bury) Solr Manchester

Proved at Manchester with two Codicils the 2nd day of April 1891 by the Oaths of Frederick Septimus Bateson and Benjamin Carver the Executors named in the will to whom Administration was granted

The Testatrix Nancy Frost was formerly of Moss Side Manchester in the County of Lancaster but late of No 126 Dickinson Road Rusholme in the City of Manchester Widow and died on the 18th day of February 1891 at No 126 Dickinson Road aforesaid

Personal Estate Gross £1971-16-9

Net £1904-4-3

No Leaseholds

BE IT KNOWN that at the sate hereunder written the last Will and Testament with two Codicils of Nancy Frost formerly of Moss Side, Manchester in the County of Lancaster but late of No 126 Dickinson Road Rusholme in the City of Manchester Widow deceased, who died on the 18th day of February 1891 at No 126 Dickinson Road aforesaid and who at the time of her death had a fixed abode at No 126 Dickinson Road aforesaid within the District of the City of Manchester and Hundred of Salford was proved in the District Probate Registry of Her Majesty's High Court of Justice at Manchester and that Administration of the personal estate of the said deceased was granted by the aforesaid Court to Frederick Septimus Bateson of the Dene Harrop Road, Peel Causeway, in the County of Chester and of No 20 Cross Street, Manchester aforesaid, Insurance Agent and Benjamin Carver of Polefield House, Prestwick and of No 7 Lower Mosley Street, Manchester both in the County of Lancaster aforesaid, Merchant, the Executors named in the said Will, they having been first sworn well and faithfully to administer the same.

Dated the 2nd day of April 1891.

Gross value of Personal Estate £1971-16-9 No leaseholds

Net value of Personal Estate £1904-4-3

Besworn Aug 1891 £2323-6-9

Extracted by Wood + Williamson, Solicitors, Manchester