

*The Last Will and Testament  
Of William Henderson Esq  
of Oaksey  
Will Proved  
30<sup>th</sup> August 1830*



Probate Court of London  
Original reference  
Will Dated 15<sup>th</sup> March 1830

<b>Testator:</b>	Henderson	William	Esquire of Oaksey
<b>Executors:</b>			
Stone	John		Sole Executor

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
Adamson			Children of Bury Doyle Adamson
Adamson	Bury Doyle		Gentleman of Chelsea
Henderson		Grandchildren	Children of Alfred Henderson
Henderson		Grandchildren	Children of William Henderson
Henderson	Alfred	Son	
Henderson	Elizabeth	Wife	
Henderson	William	Son	
Miles	John		Of Oaksey
Miles	Mary Ann		Wife of John
Sartorius			Children of William John Sartorius
Sartorius	Agnes		Daughter of Zara Sartorius
Sartorius	Ellen		Daughter of Zara Sartorius
Sartorius	William John		Attorney at Law of London Son of Zara Sartorius
Sartorius	Zara		Wife of John Francis Sartorius
Thompson	Anne		Daughter of Thomas Thompson
Thompson	Sarah		Of Boxhill Surrey
<b>Witnesses</b>			
Ovens	Harry		Coachman to W Henderson
Paskett	F		Clerk to W Bacon solicitor of Tetbury
White	Elizabeth		Of Barnwood Gloucestershire
<b>Other Names</b>			
Sartorius	John Francis		Husband of Zara Sartorius
Thompson	Thomas		Father of Anne Thompson

This is the Last Will and Testament of me **William Henderson** of Flintham House in the parish of Oaksey in the County of Wilts Esquire as follows

I give unto my Wife **Elizabeth Henderson** the sum of Three hundred pounds and direct the same to be paid to her immediately after my decease also I give unto her my said Wife all the Household Goods and Furniture Linen Woollen Wines Liquors Best provisions Plate China my pictures Jewels Trinkets Clocks and all other articles of Household as well ornamental as useful (except such articles as are hereinafter bequeathed) which at the time of my decease shall be in and upon my Dwelling house and premises at Flintham aforesaid and also my Carriage Harness and Horses to and for the absolute use and benefit of her my said Wife

and I do hereby declare that the above bequest is in lieu of the provision made or intended to be made for her my said Wife in and by the settlement made on our Marriage over and besides the annuity or yearly sum of Three hundred pounds thereby granted or secured to her for her life as therein is mentioned

Also I give to my Trustee and Executor hereinafter named the sum of Four hundred pounds to be by him placed out at interest either on Government or real securities or on the security of Lands held for any long term or terms of years absolute upon trust that he my said Trustee his Executors Administrators or Assigns do and shall pay and apply the interest dividends or annual proceeds thereof arising into the proper hands of **Bury Doyne Adamson** now or late of Chelsea in the County of Middlesex Gentleman for and during the term of his natural life or until he shall make an assignment or disposition of the same

and from and immediately after his decease or making any assignment or disposition of the same then upon trust that he my said Trustee do and shall pay and apply the interest dividends or annual proceeds thereof unto and equally between the lawful Children of the said **Bury Doyne Adamson** until they shall arrive at the age of twenty one years and when and so soon as they shall respectively arrive at the age of twenty one years then upon trust that he my said Trustee do and shall pay and apply the said principal sum of Four hundred pounds unto and equally between such Children share and share alike the part of each such Child being payable and to be paid on his or her arriving at the age of twenty one years provided always and it is my will that in case there shall be but one such Child then the whole to be applied and paid to such Child and if there shall be no such Child then I do direct that the said sum of Four hundred pounds shall sink into and be considered as a part of the residue of my personal estate hereinafter bequeathed

I also give to **John Miles** of Oaksey aforesaid and to **Mary Ann Miles** the sum of one hundred pounds apiece

Also I give and bequeath to **Sarah Thompson** of Boxhill in the County of Surrey the sum of one hundred pounds and I do direct that the said several legacies shall be payable and paid by my Executor in trust hereinafter named within calendar Months after my decease

and I give and bequeath unto my friend **John Stone** of Tetbury in the County of Gloucester Esquire his Executors Administrators and Assigns my Leasehold house and premises in Church Lane near Green Elm Chelsea in the County of Middlesex and all the household Goods and Furniture and also the Fixtures therein upon trust to permit and suffer **Zara Sartorius** the wife of **John Francis Sartorius** for her life to hold and enjoy the said Messuage and premises and to receive the rents and profits thereof and to have and enjoy the use of the said Furniture without the control or intermeddling of the present or any future Husband and as if she were a feme sole and unmarried

and from and after her decease upon trust to sell and dispose of the same Messuage Furniture and premises either by public auction or private contract to any person or persons whomsoever for the best price and prices in money that can or may be had and obtained for the same and do and shall stand and be possessed of and interested in the money to arise by such sale or sales after deducting and discharging thereout the costs and expenses occasioned thereby in trust for **William John Sartorius** late of Tetbury aforesaid but now of London Attorney at Law and the same to be paid or payable to him on his attaining the age of twenty five years

provided always and I do hereby direct that in case the said **William John Sartorius** shall die without attaining the age of twenty five years then the produce of the said sale shall sink into the residue of my personal estate hereinafter bequeathed and in order to facilitate such sale and sales as aforesaid I do thereby declare that the receipt or receipts of my said Trustee shall be a good and sufficient discharge and discharges to the purchaser or purchasers of all or any part of the said Trust property for so much money as in such receipt or receipts shall be expressed or acknowledged to be received and that such purchaser or purchasers his her or their Executors Administrators or Assigns shall not afterwards

be obliged to see to the application thereof or be answerable or accountable for the misapplication or non application thereof or any part thereof

also I give unto the said **William John Sartorius** and **John Miles** all my wearing apparel to be equally divided between them by my said Wife **Elizabeth Henderson**

Also I give unto the said **William John Sartorius** such out of my Guns as he shall choose

Also I give to my Son **William Henderson** a silver gilt cup with two handles with "William Henderson" engraved thereon

Also I give to my Son **Alfred Henderson** my Watch and Chain and the three Seals and Key thereto with all my other Guns Pistols and Swords also I give to the said **Alfred Henderson** my Bookcase and the Books therein after the decease of my said Wife **Elizabeth Henderson** it being my will and desire and do hereby direct that she shall have the possession and use thereof during her natural life

Also I give and bequeath unto the said **John Stone** all that my two thousand Five hundred pounds Bank stock in trust that he my said Trustee his Executors Administrators or Assigns do and shall during the life of the said **Zara Sartorius** pay the Interest Dividends and annual proceeds thereof into her own proper hands or to such person or persons and for such purposes and in such manner as she shall from time to time notwithstanding her present or any future reverter by any Note or writing under her hand order direct or appoint and so as to be for her own sole and separate use exclusive of her said present or any future Husband and not to be subject to his or their debts engagements or control but to be at her absolute disposal as if she were a feme sole and unmarried

and it is my will that the receipt from time to time of her the said **Zara Sartorius** shall be a good and effectual discharge and discharges for the same or so much thereof as shall therein be expressed to be received notwithstanding the present or any future reverter of her the said **Zara Sartorius** and as to the said Trust monies or principal sum of Two thousand and five hundred pounds Bank stock after the decease of the said **Zara Sartorius** I do direct that the same shall sink into and be considered as part of the residue of my personal estate hereinafter bequeathed

Also I give and bequeath unto the said **William John Sartorius** the sum of one thousand pounds to be paid to him at the expiration of twelve calendar Months from the time of my decease Also I give devise and bequeath unto the said **William John Sartorius** all that my moiety of a certain Messuage and other Hereditaments situate in Hollwell Street in the Strand in the City of London in the County of Middlesex to hold to him the said **William John Sartorius** his heirs and Assigns for ever

Also I give and bequeath the sum of Three hundred pounds to **Agnes Sartorius** the Daughter of **Zara Sartorius** and the like sum of Three hundred pounds to **Ellen Sartorius** the sister to be paid and payable by my said Trustee and Executor in trust hereinafter appointed on their respectively attaining the age of twenty one years or day or respective days of Marriage which ever shall first happen provided such Marriage shall take place by and with the consent and application of the said **Zara Sartorius** if living r of my Trustee for the time being in case of her decease

and I do direct that if either of them the said **Agnes Sartorius** and **Ellen Sartorius** shall happen to die without attaining the age of twenty one years or Marrying under that age with such consent as aforesaid then that both the said sums of Three hundred pounds making together the sum of Five hundred pounds shall be paid to the survivor but in case both of them the said **Agnes Sartorius** and **Ellen Sartorius** shall die without attaining the age of twenty one years or Marrying under that age then I direct that the said legacies so given to them as aforesaid shall not be paid or payable but shall sink into the residue of my personal estate hereinafter bequeathed

Also I give and bequeath to **Anne** the Daughter of **Thomas Thompson** the sum of two hundred and fifty pounds to be paid to her on her attaining the age of twenty one years or Marrying under that age which ever shall first happen and in case the said **Anne Thompson** shall happen to die unmarried and under the age of twenty one years then I direct that the said legacy shall sink into the residue of my personal estate hereinafter bequeathed

Also I give devise and bequeath all that my Estate Farm and Lands at Oaksey aforesaid called the Dean Farm and also all other my estates Farms and Lands in the said Parish of Oaksey in the said County of Wilts or elsewhere unto the said **John Stone** his Heirs and Assigns subject to the said annuity or yearly sum of three hundred pounds charged thereon in favor of my said Wife to hold the same with their appurtenances unto and to the use of the said **John Stone** his heirs and Assigns for ever but nevertheless upon the trusts and to and for ends intents and purposes hereinafter mentioned expressed and declared of and concerning the same (that is to say)

upon trust as to one moiety or equal half part thereof for my son **Alfred Henderson** for and during the term of his natural life and from and immediately after his decease upon trust for all and every the Child and Children of the said **Alfred Henderson** lawfully to be begotten their Heirs and Assigns for ever as Tenants in common and not as joint Tenants and in case there shall be but one such child then in trust for such one or only Child his or her Heirs and Assigns for ever but in case my said Son **Alfred Henderson** shall die without leaving any lawful issue then upon trust for my said Son **William Henderson** for and during the term of his natural life and from and immediately after this decease upon trust for all and every the Child and Children of the said **William Henderson** lawfully to be begotten their Heirs and Assigns for ever as Tenants in common and not as joint Tenants and in case there shall be but one such child then in trust for such one or only Child his or her heirs and Assigns for ever and as to the other moiety or equal half part thereof upon trust for my son the said **William Henderson** for and during the term of his natural life and from and immediately after his decease upon trust for all and every the Child and Children of the said **William Henderson** lawfully to be begotten their Heirs and Assigns for ever as Tenants in common and not as joint tenants and in case there shall be but one such Child then in trust for such one or only Child his or her heirs and Assigns for ever

but in case my said Son **William Henderson** shall die without leaving any lawful issue then upon trust for my said Son **Alfred Henderson** for and during the term of his natural life and from & immediately after his decease upon trust for all and every the Child and Children of the said **Alfred Henderson** lawfully to be begotten their Heirs and Assigns for ever as tenants in common and not as joint tenants and in case there shall be but one such Child then in trust for such one or only Child his or her heirs and Assigns for ever

but in case the said **Alfred Henderson** and **William Henderson** shall both die without leaving any lawful issue then upon trust as to both of the said moieties or entirety of my said Real estates for the said **William John Sartorius** for and during the term of his natural life and from and immediately after his decease upon trust for all and every the Child and Children of the said **William John Sartorius** lawfully to be begotten their heirs and Assigns for ever as Tenants in common and not as joint Tenants and in case there shall be but one such Child then upon trust for such one or only Child his or her heirs and Assigns for ever

but in case the said **William John Sartorius** shall die without leaving any issue then upon trust for such as would be my heir in law in case the said **Thomas Thompson** were dead it being my express will and desire that he the said **Thomas Thompson** shall not take or receive any benefit under this my Will or be or become entitled to any part of my said Real or personal estate by descent or otherwise

And as to all the Rest and residue of my Real and Personal estate and Effects Mortgages monies and securities for money and all and every other species of property over which I have a disposing power I give devise and bequeath the same unto the said **John Stone** his Heirs Executors Administrators and Assigns respectively according to the respective natures and tenures thereof upon the trusts and for the intents and purposes hereinafter mentioned and expressed (that is to say) upon trust that he the said **John Stone** his Heirs Executors Administrators and Assigns do and shall sell and dispose of my said Real estate and such parts of my said personal estate and Effects as shall not consist of money and whose receipt shall be an absolute and effectual discharge to the purchaser thereof

and collect and get in all debts and sums of money out and owing to me at the time of my decease and after payment of all my just debts Funeral expenses and the legacies aforesaid upon trust to place out and invest the same on Government or real securities or on the security of Lands held for any long term or terms of years absolute and from time to time alter or vary such stocks Funds and securities at his discretion and by and out of the dividends interest and annual proceeds thereof do and shall pay and apply such sum or sums of money as shall be necessary for the maintenance education and

placing out in the World of my said Sons **Alfred Henderson** and **William Henderson** until they shall respectively attain the age of twenty five years

and when and as soon as my said Sons **Alfred Henderson** and **William Henderson** shall have attained the said age of twenty five years then upon trust that he my said Trustee for the time being his Executors and Administrators do and shall pay assign and transfer the said Trust monies stocks Funds and securities unto and equally between them the said **Alfred Henderson** and **William Henderson** their Executors Administrators and Assigns to whom I hereby give and bequeath the same accordingly and I do direct that the same shall be and be considered vested interests in the said **Alfred Henderson** and **William Henderson** their respective Executors Administrators and Assigns from and immediately after my decease

provided always and I do hereby direct that in case any surplus shall remain from the interest dividends and proceeds of the said trust monies after payment of the necessary expenses attending the maintenance education and placing out in the World of the said **Alfred Henderson** and **William Henderson** that the same shall accumulate for the benefit of my Children **Alfred Henderson** and **William Henderson** their Executors Administrators and Assigns respectively together with and at the same time as the respective shares of the said **Alfred Henderson** and **William Henderson** of and in my said residuary estate shall be paid or payable as aforesaid provided also and I do hereby give him my said Trustee full power and authority to pay or otherwise advance to my said Sons **Alfred Henderson** and **William Henderson** all or any part of their respective shares of the said principal monies upon their or either of their attaining the age of twenty one years or day of Marriage which ever shall first happen

provided also and it is my will that in case both or either of my said Sons **Alfred Henderson** and **William Henderson** shall happen to die before their respective shares of and in the residue of my said personal estate shall be paid or become payable to them as aforesaid that then the sum of Four hundred pounds hereinbefore by me bequeathed to my said Trustee for the benefit of **Bury Doyle Adamson** and his Children shall be increased to the sum of one thousand pounds and be paid applied and appropriated according to the Trusts hereinbefore expressed and declared concerning the said sum of Four hundred pounds and whereas the said annuity or yearly sum of Three hundred pounds which I have in and by the Settlement made previous to my said Marriage charged on and secured and made the same payable out of my estate Lands and Hereditaments situated in the parish of Oaksey in the County of Wilts called the Dean Farm and whereas my said estate called the Dean Farm may not by possibility produce the said annual sum of Three hundred pounds now it is my express will and desire and do hereby direct that the full annual sum of Three hundred pounds shall be made up and paid to my said Wife **Elizabeth Henderson** out of the interest dividends and profits arising from the residue of my personal estate provided my said estate called the Dean Farm shall not by any deterioration losses unforeseen event produce the full amount of the said annuity or yearly sum of three hundred pounds so charged thereon by my said Marriage Settlement

provided also and I do hereby further will and direct that in case my said Trustee shall depart this life before the trusts of this my Will shall have been fully executed the usual application shall be made to the Court of Chancery for the appointment of a fit and proper person to carry into effect the unexecuted Trusts of my said Will and it is my will that my Trustee hereby appointed and who shall be appointed as aforesaid or any or either of them their or either of their heirs Executors or Administrators shall not be responsible for any more monies than he or they shall respectively actually receive by virtue of the Trusts aforesaid nor with or for any loss that may happen to the said Trust estate and premises or any part thereof without his or their wilful defaults and that they and each of them shall or lawfully may by or out of the said Trust estates and premises deduct and reimburse themselves respectively all the costs charges damages and expenses which he or they shall or may respectively sustain expend or be put into for or by reason of the Trusts aforesaid or the management or execution thereby

and I do hereby constitute and appoint the said **John Stone** Executor in trust of this my last Will and Testament and lastly I revoke all former Wills and Testaments and Codicils by me made In witness whereof I the said **William Henderson** the Testator have to this my last Will and Testament contained in or written upon ten sheets of paper to the nine first sheets thereof subscribed the Letters W H and to this tenth subscribed my name and affixed my Seal this fifteenth day of March in the year of our Lord one thousand eight hundred and thirty

----- *William Henderson* -----

Signed Sealed published and declared by the said **William Henderson** the Testator as and for his last Will and Testament in the presence of us who in his presence and in the presence of each other have subscribed our names as witnesses thereto

----- *Elizabeth White* of *Barnwood Gloucestershire* -----

----- *J Paskett* Clerk to *W Bacon Solicitor Tetbury* -----

----- *Harry Ovens* Coachman to *W Henderson* -----

Proved at London 30<sup>th</sup> August 1830 before the Judge by the oath of **John Stone** Esquire the sole Executor to whom Administration was granted having been first sworn by Commission duly to Administer

OPC Note : Maiden name of Elizabeth Henderson was Miles. Bury Doyle Adamson and Zara Sartorius were siblings.