

Thomas Oxley of Warbleton, Farmer

PBT/1/4/1830

Will made 20th July 1830, probate 4th November 1830

This is the last Will and Testament of me Thomas Oxley of Warbleton in the County of Sussex Farmer made this twentieth day of July in the year of our Lord one thousand eight hundred and thirty I direct that all my just Debts Funeral Testamentary and other incidental expenses be in the first place fully paid And whereas by **Son David Oxley** has greatly assisted me in my farming business for several years I do hereby in consideration thereof bequeath unto him the sum of sixty pounds Sterling to be retained by him for his own use as soon as conveniently may be after my decease Also I give and bequeath unto my **Sons Nicholas Oxley and David Oxley** their Executors Administrators and Assigns all and every of my Household Goods Implements of Household Plate Linen China and Furniture And also all the Rest Remainder and Residue of my ready money and securities for money monies in the Public Stocks or Funds Leasehold Estates Goods Chattels Cattle Husbandry Tackle Debts Effects and Personal Estate whatsoever and wheresoever and of what nature kind or quality soever the same be (not hereinbefore otherwise disposed of) To hold the same and every part thereof unto them my said **Sons Nicholas Oxley and David Oxley** their Executors Administrators and Assigns Upon Trust that they or the Survivor of them his Executors or Administrators shall and do as soon as conveniently may be after my decease call in collect and receive such parts of my Personal Estate as shall consist of Monies Debts and Securities for money and sell and dispose of the Residue thereof for the best price that can be reasonably got for the same And it is my will that my said **Sons Nicholas Oxley and David Oxley** their Executors Administrators and Assigns or the Survivor of them his Executors or Administrators shall stand and be possessed of all the clear monies to arise and be received from and by the sale and disposal of my said Personal Estate and Premises Upon Trust in the first place (after payment of my said my just Debts Funeral Testamentary and other incidental expenses and the said Legacy of sixty pounds to my said Son David Oxley as aforesaid) to put and place or lay out the sum of nine hundred pounds Sterling in their or his names or name on Real or Government Securities at Interest and from time to time call in the same or any part thereof and put and place or lay out and invest the same again upon Securities of the like nature or otherwise retain the same in their own hands and allow Interest thereon at five pounds per centum per annum and from time to time pay the Dividends Interest and clear Yearly Proceeds thereof as the same shall be received (first deducting all incidental expenses) unto my dear **Wife Ann Oxley** and her Assigns for and during the term of her natural life for her and their own proper use and benefit and to whom I bequeath the same accordingly And immediately after the decease of my said **Wife Ann Oxley** Upon further Trust to pay or retain the said Principal sum of nine hundred pounds and all Interest and Dividends then due for the same Upon the same Trusts and to and for the same ends Intents and Purposes as are hereinafter declared concerning the Residue of the clear Monies arising from my said Personal Estate And upon further Trust

that they my said **Sons Nicholas Oxley and David Oxley** or the Survivor of them his Executors or Administrators shall and do divide all the Residue and Remainder of the clear Monies so to arise from my said Personal Estate as aforesaid into three equal parts or shares and pay or retain one equal third part or share thereof unto my said **Son Nicholas Oxley** (first deducting therefrom the sum of four hundred and fifty pounds due upon a certain Marriage Bond made and given by me on my marriage with my late **Wife Elizabeth Oxley** deceased and said sum of four hundred and fifty pounds will become payable to my said son **Nicholas Oxley** at my decease) And I direct that the same said sum of four hundred and fifty pounds shall be considered as part of my said **Son Nicholas Oxley's** one third part or share of the Residue and Remainder of the said clear Monies so to arise from my said Personal Estate and subject thereto I bequeath the same third part or share unto my said **Son Nicholas Oxley** accordingly And upon further Trust to pay or retain one other equal third part or share thereof unto my said **Son David Oxley** (first deducting therefrom the sum of five hundred pounds due from him to me on Book Debt or otherwise) And I direct that the same said sum of five hundred pounds shall be considered as part of my said **Son David Oxley's** one third part or share of the Residue and Remainder of the said clear Monies so to arise from my said Personal Estate and subject thereto I bequeath the same third part or share unto my said **Son David Oxley** accordingly And upon further Trust to divide and pay the remaining one third part or share of the Residue and Remainder of the said clear Monies so to arise from my said Personal Estate unto and equally between the four children of my late **Son William Oxley** deceased share and share alike to be paid to them respectively when and as they shall severally attain the age of twenty one years (first deducting therefrom all sum and sums of money which my said Trustees and Executors shall lawfully pay on or towards certain Promissary Notes or Notes of Hand in which I am jointly bound with my said **Son William Oxley** deceased The Principal of which said sums was received by said **Son William Oxley** deceased in his lifetime and subject thereto I bequeath the remaining one equal third part or share of the Residue and Remainder of the said clear Monies so to arise from my said Personal Estate unto the said four children of my said late **Son William Oxley** deceased in manner aforesaid accordingly And I direct that the Dividends and Interest arising from each of the shares of the said four children of my said late **Son William Oxley** deceased of and in the said remaining third part or share aforesaid shall go for and towards their maintenance education and support during their respective Minorities And that it shall be lawful for my said Trustees to advance such part of the Principal thereof as they shall think proper for the purpose of putting any or either of the four children out at apprentices or other their advancement in the World during their Minority Provided always and my Will further is that in case my said Trustees shall think it most advantageous to the Trusts of this my Will to carry on the Farming Business on the Farm which I now occupy and on which I reside for any period of years not exceeding three years after my decease then and in such case I do hereby authorize and empower them to postpone the sale of the Husbandry Stock on the same Farm and Lands and carry on the business thereof Upon the Trust account And to stand possessed of and pay and apply the Profits thereof and to

deduct all Losses that may be occasioned thereby Upon the same Trusts and for the same ends Interests and Purposes as are hereinbefore directed concerning the clear Monies to arise from the sale thereof And my Will and mind is that my said Trustees and Executor shall not be chargeable for any more of the said Trust Monies or Premises than they shall respectively actually receive nor for any losses thereof or of any part thereof so as such loss happens without their wilful default nor the one for the other of them or for the Acts Deeds Receipts Defaults or Disbursements of the other of them And also that it shall be lawful for them to retain and allow to each other all such Losses Costs Charges Damages Expenses as they shall respectively bear pay or sustain together with a reasonable allowance for their Journies Troubles and Loss of time in and about the execution of the Trusts of this my Will And I do hereby constitute and appoint my said **Sons Nicholas Oxley and David Oxley** joint executors of this my Will and do hereby revoke all former Wills and Codicils by me made In Witness whereof I the said Thomas Oxley the Testator have to this my last Will and Testament contained in this and the two preceding sheets of paper set my hand and seal (to wit) my hand to the two preceding sheets and my hand and seal to this last sheet the day and year first above written

Thos Oxley

The writing contained in this and the two preceding sheets paper was signed and sealed by the above named Thomas Oxley the Testator and by him published and declared as and for his last Will and Testament in the presence of us who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses

Elizabeth Oxley

William Oxley

Robert Tournay Junior

On the fourth day of November 1830 were sworn Nicholas Oxley and David Oxley the Executors in this Will named to whom were committed the execution thereof and the said Nicholas Oxley and David Oxley were also sworn that the goods chattels and credits of the said Testator were under the value of three thousand pounds

Under caution by us

John Scobell

Surrogate