

Will of William Cavander, died 31 January 1872

Transcribed for Cutlock & Co website, March 2020. Full stops added for clarity, otherwise shown as written excepting any typos. Images of the document sourced from "Jim's family tree" on Ancestry (avpaworth) - "taken from records in Winchester Archives".

Cutlock Summary (with annotations)

£200 annuity to his widow Mary Emma, plus household furniture plate linen and china books pictures and other household goods and effects.

£100 each to Royal Portsmouth Portsea, Gosport Hospital, School for the Blind at Southsea.

£1000 to William Matthews the elder, £500 to Charles Matthews, £500 to Henry Matthews, £500 to John Barnes - all "lately in [his] employ".

£500 to William Cummings, son of housekeeper Jane Cummings (should be Cummins).

£1000 to Horace Loader, £500 to William Cole, £100 to George Prince Bishop (executors of the will).

£100 to Richard Flowers, William Suler (?), and Thomas White, all in employ of Samuel Cavander.

£50 to Thomas Jones, Maria White and Ann Wells.

£5 to all employees at the family factory in Queen Street Portsea.

Income on £6000 investment to daughter Eliza Loe (born about 1811), capital to be distributed to her children on her death.

Income on £5000 investment to Kate Ferguson (born 1858), daughter of his wife (born before their marriage but probably his anyway!), capital to be distributed to her children on her death.

Income on £2000 investment to Kate Yeoman (born about 1830, recorded as Kate Cavander Cummins in places, daughter of housekeeper Jane Cummins), capital to be distributed to her children on her death.

Income on £8000 investment to son James Cavander (born 1870), capital to be distributed to his children on his death.

Income on £8000 investment to son Samuel Cavander (born 1822), capital to be distributed to his children on his death.

Various premises in Portsmouth to grandson William Cavander, son of Samuel.

Residue of his estate to go to his grandchildren related via Samuel and Eliza.

Total £29,000 to be invested, not including what is needed for his wife's annuity.

£5,350 plus £5 x however many employees (say 50 = £250) to be distributed now.

Total bequeathed approx. £35,000 plus premises and household assets, and "residue" of estate.

Value of estate between £50,000 and £60,000 - includes value of premises?

[start of will]

This is the last Will and Testament of me William Cavander of the town of Portsea in the County of Southampton Retired Tobacco Manufacturer. I appoint William Cole of Boro in the County of Middlesex Warehouseman in the employ of my son Samuel Cavander of Kilburn and also of Shoreditch in the County of Middlesex Tobacco Manufacturer George Prince Bishop of Portsmouth in the said County of Southampton Wine Merchant and Horace Loader of Portsea now in the employ of the said Samuel Cavander EXECUTORS in respect of such debt or debts as may be owing to me from my Son Samuel Cavander and I appoint the said Samuel Cavander and the said William Cole George Prince Bishop and Horace Loader to be my EXECUTORS as the residue of my personal estate and to be Trustees of this my Will. And I devise to them and their heirs All mortgage and trust estates to be disposed of so far as I am beneficially interested therein as part of my personal estate for the purposes of this my Will. I give my household furniture plate linen and china books pictures and other my household goods and effects unto my Wife Mary Emma absolutely. I give and bequeath to my said Wife Mary Emma an annuity or yearly sum of Two hundred pounds during her life or so long thereof as she shall continue my Widow but without power of anticipation to be paid to her by equal quarterly payments the first quarterly payment to be made at the end of Three Calendar months next after my decease. I give to the Royal Sailors Home at Portsea aforesaid the sum of One hundred pounds. To the Royal Portsmouth Portsea and Gosport Hospital the sum of One hundred pounds. And to the School for the Blind at Southsea in the Parish of Portsea aforesaid the like sum of One hundred pounds. And I declare that the receipts of the Treasurer for the time being of such respective Institutions shall be sufficient discharges for the same. And I direct that the three several Charitable Legacies hereby bequeathed shall be free of

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legacy duty and be paid exclusively out of such portion of my personal estate as I can legally charge or appropriate for that purpose. I give to William Matthews the elder lately in my employ in my business the sum of One thousand pounds. To Charles Matthews also lately in my employ in the Island of Guernsey the sum of Five hundred pounds. To Henry Matthews also lately in my employ the sum of Five hundred pounds. To John Barnes also lately in my employ the sum of Five hundred pounds. To William Cummings of Her Majestys Customs Son of my late housekeeper Jane Cummings the sum of Five hundred pounds. To the said Horace Loader the sum of One thousand pounds. To the said William Cole the sum of Five hundred pounds. And to the said George Prince Bishop the sum of One hundred pounds. To Richard Flowers William Suler (?) and Thomas White now in the employ of the said Samuel Cavander One hundred pounds each. To Thomas Jones lately in my employ the sum of Fifty pounds to Matilda White of Broad Street Portsmouth at present living with her Father in law and lately in my employ the sum of Fifty for her sole and separate use her receipt alone notwithstanding coverture to be a sufficient discharge for the same. To Ann Wells of Green Road Southsea Spinster the sum of Fifty pounds. And to each of the persons both Male and Female employed by the said Samuel Cavander at his factory in Queen Street Portsea at my decease the sum of Five pounds the same to be paid to them within one week after my decease. I give to my said Trustees the sum of Six thousand pounds upon trust to invest the same and to pay the dividends interest and annual proceeds thereof to my daughter Eliza Loe the Wife of George Loe of Saint Thomas Street Portsmouth Coach Builder during her life for her separate use free from the control debts or engagement of her present or any future husband but without power of anticipation her receipts alone from time to time to be a sufficient discharge for the same. And from and immediately after her decease Upon trust to pay and divide the said sum of six thousand pounds between William Loe Eliza Loe and George Loe the three children of my daughter the said Eliza Loe

or such as them as shall be living at her decease and the lawful issue of such of them as shall be then dead per stirpes. I give to my said Granddaughter Eliza Loe the daughter of said daughter Eliza Loe the sum of One thousand pounds sterling to and for her sole and separate use and benefit. I give to my said trustees the sum of Five thousand pounds sterling upon trust to invest the same and to pay the dividends interest or annual income thereof to Kate Ferguson the daughter of my said Wife during her life for her sole and separate use free from the control debts or engagements of any husband she may marry. And I direct that my said Trustees shall pay and apply the dividends interest and annual income of the said sum of Five thousand pounds or such thereof as they shall deem sufficient for and towards the maintenance and education of the said Kate Ferguson during her minority and to invest and accumulate any unapplied income and to pay such accumulation to the said Kate Ferguson on her attaining the age of twenty one

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years. And from and after the decease of the said Kate Ferguson upon trust to pay and divide the said sum of Five thousand pounds sterling equally between the children then living of the said Kate Ferguson and the lawful issue of such of them as shall be then dead per stirpes. But in the event of the death of the said Kate Ferguson without leaving any child or issue of any child living at the time of her decease then I direct that the said sum of Five thousand pounds sterling shall sink into and form part of the residue of my personal estate. I give to my said Trustees the sum of Two thousand pounds upon trust to invest the same and to pay the dividends interest or annual income thereof to Kate Yeoman the Widow of Henry Yeoman of Southsea late an Officer in Her Majestys Customs during her life for her sole and separate use. And from and after the decease of the said Kate Yeoman upon trust to pay and divide the said sum of Two thousand pounds equally between the children of the said Kate Yeoman who being Sons or a Son shall live to attain the age of twenty one years or being daughters or a daughter shall live to attain that age or be married if more than one equally as tenants in common. I give to my said Trustees the sum of Eight thousand pounds sterling upon trust to pay the same with the accumulation of any unapplied income thereof to my son James Cavander on his attaining the age of twenty one years and I direct that any said Trustees shall in the meantime invest the said sum of Eight thousand pounds and pay and apply such part of the dividends interest or annual income thereof as they shall deem sufficient for and towards the maintenance and education of my said Son James Cavander during his minority and to invest and accumulate any unapplied income during his minority and add the same to the Capital and in case my said Son James Cavander shall die under the age of twenty one years without leaving issue then I direct that the said sum of eight thousand pounds and the accumulations of any unapplied income thereof shall sink into and form part of the residue of my said estate. I give to my said Trustees the sum of Eight thousand pounds upon trust to pay to or permit my son the said Samuel Cavander to receive the dividends interest or annual income thereof for and during his natural life. And from and after the decease of the said Samuel Cavander upon trust to pay and divide the said sum of Eight thousand pounds equally between the children of the said Samuel Cavander who being Sons or a son shall live to attain the age of twenty one years or being daughters or a daughter shall live to attain that age or be married if more than one equally as tenants in common. I give and devise all that and those of my building and premises situate and being in Broad Street in the Town of Portsmouth and now in the occupation of Mr Vosper And also all that messuage or dwellinghouse and premises situate and being in Saint Marys Street in the Town of Portsmouth aforesaid and occupied by Henry Gardener to my Grandson William Cavander (son of the said Samuel Cavander) his heirs and assigns for ever. I give and devise all the residue of my Real Estate and also all the residue of my personal estate (subject to the payment

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of my just debts and funeral and testamentary expenses) unto my said trustees upon trust to convert the same into money and divide the proceeds between my Grandchildren the children of my said son Samuel Cavander and my said daughter Eliza Loe living at my decease who being sons or a son shall live to attain the age of twenty one years or being daughters or a daughter shall live to attain that age or be married if more than one equally as tenants in common. I hereby direct that all interest and monies payable under this my Will to any Females shall be paid to them alone and that alone receipts alone shall from time to time (notwithstanding coverture) be sufficient discharges for the same. And that the same shall not be liable to the control debts or engagements of their husbands. I direct that all Investments of trust monies to be made by my said Trustees shall be made upon Government or Real Securities in England or Wales (but not in Ireland) or in or upon the stocks funds debentures mortgages or securities (but not shares) of any Corporation Company or Public Body Municipal or otherwise in the United Kingdom or in India or any Colony or Dependency of the United Kingdom. I declare that the receipts alone of my said Trustees for any monies paid to them by virtue of my said Will shall discharge the person or persons paying the same from all responsibility with regard to the application of the same. I empower my said Trustees to compound or allow time for the payment of any debt or debts due to my estate and to settle all demands against my estate and all accounts between me and any person or persons on such terms as they shall in their discretion think expedient and to refer any matter in difference relating to my affairs to arbitration. In case either of my Trustees now appointed or any trustees to be hereafter appointed shall die or refuse or neglect to act or to continue to act or become incapable of acting in the execution of the trust of my Will I authorise the surviving or willing Trustees or Trustee or the Representative of the surviving Trustee as the case may require to appoint a new trustee or trustees in his or their stead and to do all acts necessary for vesting (?) my Trust Estate in such new Trustees or Trustee jointly with the continuing Trustees or Trustee or solely (?) in case new Trustees or Trustee as the case may require. And I declare that such new Trustees or Trustee shall have the same power in all aspects as those now appointed by me, I declare that each Trustee under my Will shall be liable for his own wilful acts and defaults only and may receive or retain his Trust expenses. I revoke all former Wills and declare this to be my Will. In witness whereof I have to this my Will contained in five sheets of paper set my hand to each of the said sheets this twenty eighth day of November One thousand eight hundred and seventy one

{William Cavander}

Signed by the said William Cavander on the day of the date in the joint presence of us who in his premises on the presence of each other and at his request have hereunto set our hands as Witnesses {.....} of Messrs Edgcombe & Cole Solicitors Portsea. Proved at Winchester the sixth day of March 1872 by the Oaths of [next page] William Cole George Prince Bishop Horace Loader and Samuel Cavander the son the Executors to whom administration was granted but as to the said Samuel Cavander save and except as to such debt or debts as might be owing from him to the Testator. The testator Will Cavander was late of Portsea in the County of Southampton and died on the thirty first day of January 1872 at Portsea aforesaid.

Under £50,000

Revision October 1873 Under £60,000