

natural life and so thereby shew the same to be paid to him shall yearly by
equal payments on every 24th day of June and every 25th day of December in a
every year and the said payments thereof to commence and be made on the
first 24th day of June which shall next happen after the expiration of the said
lease if my said lease shall be at any time or times or times but if it of them
on any of the said days as shall next happen after the death or marriage
and I give and bequeath unto the said James George special Executor all such
powers & faculties by action suit entry and distress or distress or as are usually
given to lessees and assignees respectively or to whom they are respectively
incurred in cases of the life estate And I do hereby shew in case my said
last named lessee shall die before the expiration of the said lease the a
said annual sum of forty pounds so reserved to be paid shall be and be
be paid part of my ordinary personal estate And I do hereby shew of
the sum of eight hundred pounds to be paid per cent to the said James George
and also of ten shillings in the pound and five pence and six farthings
penny I do give and bequeath the dividends interest and proceeds of or a
any sum the said bank annuities and ten shillings in the pound of my said lease
for and during the natural life in case the said so long continue my a
lease and from and after the death or future marriage then as to and in
returning the said bank annuities I do give and bequeath the dividends or a
interest thereof unto my said James George special Executor for and dur
ing the natural life and from and after the death or future marriage and in de
quency the said bank annuities dividends unto and between the children
of my said wife Elizabeth George equally to be divided if more than
one and if but one then the whole unto and only to the said my said
wife shall die without leaving any such child or children then I do give and
bequeath the same bank annuities unto and between the children of the a
said my said wife Elizabeth George in equal proportions or if there be only one
child of the said Elizabeth George now living then I do give and bequeath the a
whole thereof unto and only to the said my said wife and to and between
mentioned ten shillings in the pound five pence and six farthings I do give and
bequeath the interest dividends or proceeds thereof unto my said wife in
said James George for and during the natural life and from and after the
death or future marriage I do give and bequeath the said ten shillings in the pound
dividends the said wife Elizabeth George for her own use And I do give and a
bequeath all and every the several estates which I now have in the shire
and counties of Devon and Cornwall unto my said wife Elizabeth George
Executor for her own use and to be transferred to her for the whole after my a
death I do give and bequeath unto Mary George special Executor now residing at a
London and the said shire of Devon and Cornwall all those my ten shillings in the pound
rents and several parts of my said shire of Devon and Cornwall to be transferred
to her for the whole after my death And I do give and bequeath unto my said
wife Elizabeth George and my said children the sum of twenty pounds and also my ten a
shillings in the pound in the shire of Devon and Cornwall for her own use and
and to be transferred to her for the whole after my death I do give and bequeath
unto my said wife all my several houses provisions and other reasonable
effects which may be in or about my said dwelling house called Andover a
villa at the time of my death and the house furniture and other contents
I may then have also the plate and pictures which she has before me in a
chamber also the wearing apparel jewels personal or movable and other par
ticulars together with the large oval attached to my coat of arms which she
and are quietted all for her own use absolutely I do give and bequeath to my said
wife my portrait and my three or four family pictures for the life and after wards
unto the same persons or persons to whom and in like manner as I have
before my present in the shire of Devon and Cornwall and so that the same
may be kept permanently in my family I bequeath to my said wife for an
own portrait absolutely I bequeath all my several books and libraries

112

auctoritate in lo the said James Boniton for the same use upon the
 tion that he said exercised and that within the time required the release
 or satisfaction before mentioned but if he shall refuse or neglect so to do then a
 the same Books and Documents shall be sold and the proceeds and interest
 thereon shall be and be deemed part of my ordinary personal estate I give and
 bequeath unto the several persons hereinafter named the following a an
 opifit legacies that is to say unto my said wife Sarah Beaufort my
 portrait of my late sister M^{rs} Elizabeth and the stool covered with my said
 mother's coat in wool or worsted the two old ruffs caps with two my said
 Beaufort's hat of velvet were given me by my said sister M^{rs} Elizabeth and the
 said portrait of my said sister M^{rs} Elizabeth and the hat with two my said
 Elizabeth's shoes of I give the said portrait by my said sister Elizabeth with part
 of a sort of my said sister's hair in it wrapped up in a bit of paper (the other a
 part thereof to be given to the said Sarah Beaufort) also the said ruffing
 part given me by my said sister Elizabeth was a little box and on which there are
 are words to that effect engraved unto my said Elizabeth's William Wood I be-
 queath my gold watch chain and seals given me by the late Lady Catherine
 Howard given me by my said sister Elizabeth and with a Deed on my left a
 little finger The Gold ring now in my possession gave also given me by her in
 memory of my dear father also my great Beaufort's old silver watch and a
 also my little black papp's portrait And I give by bequest my said three last
 named Legacies not to part with the opifit legacies so bequeathed but to at-
 tend and leave them as family ornaments I bequeath to M^{rs} Elizabeth Beaufort
 one of the said Rings of Gold set with a Ruby in remembrance of me my silver watch
 chain and the little pocket compass given me by M^{rs} Elizabeth I bequeath my
 to William Wood eldest son of my said Elizabeth's William Wood of my Deed on a
 gave given me by Lady Catherine and my three said pins unto my said Elizabeth
 Elizabeth's Wood I bequeath my Travelling watch my gold watch chain
 watch and my said Elizabeth's in 84 Dollars and to the said Son of my said
 Elizabeth's William Wood I bequeath my small ring of pearls and also the a
 watch with blank hands given me by my Beaufort's Beaufort's watch a an
 watch I just of gave all the above opifit legacies to be delivered over to the a
 opifit legacies for the said after my decease And I give and bequeath all a
 other my household furniture and also my plate linen ruffs and other my
 household effects unto my said wife for her own use for and during the nar-
 tural life in case she shall so long retain me my goods and from and after
 her decease or future marriage then I direct the same to be forthwith sold
 and so certify that the monies arising from the sale shall be and form a
 part of my ordinary personal estate And I also direct that forthwith after my
 decease my three dear after named Executors shall raise three dials or a an
 Elizabeth's to be made of the said household furniture picture plate linen a
 ruffs and effects and that the same hats or Elizabeth's shall be signed by all a
 three and that said Executors shall keep one And I also direct that my said
 three Executors shall raise the monies of all the said monies with a an
 have in my Beaufort's hands or otherwise at my decease upon Trust in the a
 said plate to pay my just debts funeral and testamentary expenses and in
 support to the plate of my funeral Beaufort my wife to be that I may be bur-
 ed in the said grave with my dear sister Elizabeth in the said Beaufort's and
 after having paid the same then to pay unto my said wife for her own use a
 the sum of Two hundred pounds if said Lady monies will enable them to
 do so but if said Lady monies shall not amount to that sum then said a
 sum as said Lady monies shall amount to but if said Lady monies are
 shall exceed that sum then the excess above the two hundred pounds shall
 be and form part of my ordinary personal estate And as to the Residue
 and Residue of my Estate and Effects whatsoever and howsoever ar-
 arising I direct that my Executors shall raise the sum of upon Trust

4

to invest the same in their names in the purchase of three per cent
consolidated annuities and to permit my said wife to receive the dividends or
proceeds thereof for her life in case she shall so long continue unmarried and
from and after her death or other marriage then upon her to pay the
principal moneys or to transfer the same to it into or into the name of my
afore said wife Sarah Elphinstone Esqrs of Edinburgh daughter of my late brother George
Esqrs of Edinburgh late Sheriff of Scotland of Westonside and now residing at Edinburgh
near St Andrew Westonside and to her executors and assigns to whom I bequeath the
same absolutely and I appoint my said wife my said daughter William Esqrs
and her executors for the purpose of raising into effect the annuities and proceeds
thereof to be paid or to be paid to her and every of them shall have and enjoy
all such proceeds of consolidation and all such annuities and dividends
as are usually given to or enjoyed by Executors and Trustees in case of the life
annuity In witness whereof I have hereunto set my hand and this day of
June one thousand eight hundred and forty eight. *James Holbeck*
Esqrs President and Secretary by the said James Holbeck the Solicitor and
also for this last will and Testament in the presence of no precedent at the same
time and in his presence at his request and in the presence of each other have
subscribed our names as witnesses to the contents and from and after her death
to be paid the two last lines of the 3rd page having been first interlined.

James Holbeck Esqrs Chemist Cheltenham. Nathaniel Palmer Chemist Cheltenham.

This is a Codicil to the last will and Testament of me James
Holbeck of Aberdeen City Esqrs in the County of Aberdeenshire Doctor of
Medicine Licentiate in Physic James George Esqrs of Edinburgh mentioned in my
said will is hereby made and stated that I have hereunto annexed and
attached to my said will I have purchased a part or parts of said annuity
annuity of my said wife Sarah Elphinstone Esqrs and her executors and assigns
as aforesaid I have hereunto give and devise the same part or parts of an
annuity with its appurtenances unto my said wife Sarah Elphinstone and her
executors and assigns to whom I have in and by my said will given and
devise the said annuity or several annuities to be paid by her and her
executors and assigns unto or for the use of my said wife Sarah Elphinstone
and her executors and assigns in like manner in all respects as in the said will
is mentioned touching the same accepting so much thereof or so far as
relates to my said wife Sarah Elphinstone and her executors and assigns in
reference to the said annuity is to have no effect and I bequeath the proceeds
thereof to be made for my said wife Sarah Elphinstone by payment of the yearly sum of
forty pounds for the life as in the said will is contained stated also by my said
wife Sarah Elphinstone Esqrs of making a similar provision for my said
daughter Sarah Elphinstone Esqrs for her life and for George Esqrs and
Margaret Esqrs for the term of their lives and for payment of the same
for payment of the same as hereinafter mentioned and I bequeath William
Esqrs Esqrs of Aberdeen (as in my said will is mentioned) stated in and by
the said will in or with the proviso of my said wife Sarah Elphinstone
Esqrs of Aberdeen to pay to me my Executors and assigns and to
assigns over and above the said proviso the annual sum of forty pounds
half yearly on every seventh day of June and every seventh day of
December in every year until the expiration of the said term of years
1857 I have hereunto give and bequeath the said annual sum of forty pounds
so payable as aforesaid unto my said daughter Sarah Elphinstone Esqrs
in my said will named for and during and until the expiration of the said
said term of years and if she shall die during the said term of years
and after her death I give and bequeath the same annual sum unto the
said George Esqrs and Margaret Esqrs during the said term of years
if both shall so long live and in case one of them shall die then the whole

This is the last Will and Testament of me James Holbrook of Andover Villa Tivoli Circus in the Town of Cheltenham Doctor of Medicine. I give and devise all that my messuage¹ or dwelling house garden and other the hereditaments² situate in Monnow Street in the Town of Monmouth now under lease to William Francis Price Doctor of Medicine and also all those seven several cottages or tenements situate in and near to the said Street called Monnow Street now held by Mr. William Hunsole and also all that my messuage or dwelling house and hereditaments now in my own occupation called Andover Villa so situate in Cheltenham as aforesaid and also all that my copyhold³ messuage or dwelling house garden and hereditaments called Glanwern situate near Pontypool⁴ in the County of Monmouth now held by Mr. Alexander Edwards with the respective appurtenances to the before mentioned premises respectively belonging unto my dear wife Emma Holbrook for and during her natural life in case she shall so continue my widow and from and after her decease or future marriage then I give and devise the said cottages and other hereditaments so situate in the Town of Monmouth and Cheltenham with their respective appurtenances (subject to the payment of the annuity hereinafter mentioned) unto my nephew William Wood of Abersychan⁵ near Pontypool aforesaid cattleman for and during his natural life and from and after his decease then (subject as aforesaid) unto his son and my Godson James Holbrook Wood for and during his natural life and from and after the decease of the survivor of them, my said wife, the said William Wood, and the said James Holbrook Wood then in case my nephew James George Pearl Holbrook shall have any son or sons living at the decease of such survivor I give and devise subject as aforesaid the said several messuages cottages and other hereditaments so situate in the Town of Monmouth and Cheltenham with their respective appurtenances unto such son or the oldest of such sons (if more than one) his heirs and assigns forever and in case there shall not be any such son or sons so living at the decease of such survivor as aforesaid then I give and devise (subject as aforesaid) the same messuages cottages hereditaments and appurtenances unto the heirs and assigns of the said James Holbrook Wood for ever provided always that in case my said wife still continuing my widow shall happen to be such survivor as aforesaid and shall afterwards marry again then I direct that the said two last devises or limitations shall on such marriage be respectively accelerated and shall take effect as and in like manner as if she my said wife were then actually dead and as to my said copyhold messuage garden and other hereditaments called Glanwern so held by the said Alexander Edwards with the appurtenances I give and devise the same from and after the decease or future marriage of my said wife unto James Boulton of Usk in the County of Monmouth surgeon (son of my said wife by her former husband Henry Boulton Esquire) his heirs assigns for ever but only upon the following condition that is to say that the said James Boulton his heirs executors administrators and assigns do and shall within six months after my decease release and discharge my real and personal estate and my real and personal representatives of and from all actions and suits cause and causes of action and suit sum and sums of money debts claims and demands whatsoever both at law and in equity which he hath or he or they shall or may have against me or them by reason or in consequence of my having acted or interfered with the real or personal property or comprized in or arising from the settlement made on the marriage with my said wife of the said Henry Boulton (either as Trustee of such settlement or otherwise) or my having received or given receipts for any part of such property or by reason of any matter or thing relating to such or any other property of the said James Boulton or in which he is or has been or may be in any way interested, and in case the said James Boulton his heirs executors administrators or assigns shall refuse or neglect to execute the necessary release or discharge for the purposes aforesaid within the time aforesaid (the same having been duly rendered to him or them) then I give and devise the said messuage and other hereditaments called Glanwern

¹ Messuage means a dwelling house with its adjacent buildings and the lands appropriated to the use of the household.

² Hereditament means any inheritable estate or interest in property

³ Copyhold was a type of ownership of land in England, evidenced by a copy of the manor roll establishing the title.

⁴ Pontypool is a town in the county borough of Torfaen, within the historic boundaries of Monmouthshire in South Wales, about 20 miles Southwest of Monmouth

⁵ Abersychan is a settlement north of Pontypool in Torfaen, Wales within the historic boundaries of Monmouthshire.

so occupied by the said Alexander Edwards with the appurtenances unto the said William Wood, James Holbrook Wood, the only son or oldest of the sons of the said James George Pearl Holbrook so living as aforesaid his heirs and assigns and in default of such sons the heirs and assigns of the said James Holbrook Wood for such and the same estates and by such and the same manner as are or is hereinbefore successively limited to them in the said messuages and other premises so situate in the said Town of Monmouth and Cheltenham. I give and devise all that my messuage or cottage garden and premises situate near Glanwern called Joy Cottage now in the occupation of my old servants John Riley and Jane his wife with the appurtenances unto them the said John Riley and Jane his wife for and during their natural lives and unto the survivor of them for and during his or her natural life and from and after the decease of such survivor then I give and devise the said messuage garden premises and appurtenances unto my niece Sarah Beauchamp (daughter of my late sister Mrs. Wood) for and during her natural life and from and after her decease then unto her daughter Bessie Beauchamp her heirs and assigns forever and I forgive them the said John Riley and Jane his wife all rent and arrears of rent which may be due from them or either of them to me at my decease and do hereby discharge them him or her therefrom and I direct that my said wife and the other tenants for life of the property hereby devised as aforesaid shall as to the property respectively devised to them as aforesaid keep the same in good tenantable repair and whereas the said William Francis Peice in and by the said lease under which he holds the said premises in Monmouth hath covenanted to pay to me my executors administrators and assigns (over and above the rent thereof) the annual sum of forty pounds payable half yearly on every 24th day of June and every 25th day of December in every year until the expiration of this said lease that is to say until and including the 25th day of December 1857. Now I hereby give and bequeath the said annual sum of forty pounds so payable as aforesaid unto my said nephew James George Pearl Holbrook (son of my late brother George) for and during and until the said expiration of the said lease if he shall so long live and from and after the expiration of the said lease if my said wife shall at that time be dead or married or if not then from and after her death or marriage I hereby charge and make chargeable the said several messuages and other hereditaments in the said Towns of Monmouth and Cheltenham with the payment of one annuity or yearly rent charge of forty pounds unto the said James George Pearl Holbrook for and during the term of his natural life and do hereby direct the same to be paid to him half yearly by equal payments on every 24th day of June and every 25th day of December every year and the first payment thereof to commence and be made on the first 24th day of June which shall next happen after the expiration of the said lease if my said wife shall be at such time dead or married but if not then on such of the said days as shall next happen after her death or marriage and I give unto the said James George Pearl Holbrook all such powers and remedies by action suit entry and distress or otherwise as are usually given to Legatees and annuitants respectively to which they are respectively entitled in cases of the like nature and I do declare that in case my said last named nephew shall die before the expiration of the said lease the said annual sum of forty pounds so covenanted to be paid shall be and be deemed part of my residuary personal estate and whereas I am possessed of the sum of eight hundred pounds three percent consolidated bank annuities and also of ten shares in the Severn and Wye Railway and Canal Company⁶ now I give and bequeath the dividends interest and proceeds of or arising from the said bank annuities and ten shares unto my said wife for and during her natural life in case she shall so long continue my widow and from and after her decease or future marriage then as to and concerning the said bank

⁶ Incorporated as Lydney & Lidbrook Railway Company under Lydney & Lidbrook Railway Act of 10th June 1809, changed its name to Severn & Wye Railway & Canal Company under Severn & Wye Railway Act of 21st June 1810, amalgamated with Severn Bridge Railway Company to form Severn & Wye & Severn Bridge Railway Company under Severn & Wye & Severn Bridge Railways Act of 21st July 1879. This latter Company was vested in Great Western Railway Company and Midland Railway Company jointly as from 1st July 1894 by Great Western and Midland railway companies (Severn & Wye & Severn Bridge Railway) Act of 17th August 1894. Midland Railway Company was amalgamated into London Midland and Scottish Railway Company as from 1st January 1923 under North Western Midland & West Scottish Group Amalgamation Scheme 30th December 1922. London Midland and Scottish Railway and Great Western Railway Joint Committee (Severn & Wye & Severn Bridge Railway) was vested in British Transport Commission under the Transport Act 1947.

annuities I give and bequeath the dividends or interest thereof unto my said niece Sarah Sydney Holbrook spinster for and during her natural life and from and after her decease then I give and bequeath the same bank annuities themselves unto and between the children of my said niece Sarah Sydney Holbrook equally to be divided if more than one and if but one then the whole unto such only child but in case my such niece shall die without leaving any such children or child then I give and bequeath the same bank annuities unto and between the children of her sister my late niece Isabella Lilly in equal proportions or if there be only one child of the said Isabella Lilly now living then I give and bequeath the whole thereof unto such only child and as to and concerning the said before mentioned shares in the said Railway and Canal Company I give and bequeath the interest dividends or proceeds thereof unto my said niece Sarah Beauchamp for and during her natural life and from and after her decease then I give and bequeath the said ten shares themselves unto her daughter the said Bessie Beauchamp for her own use. And I give and bequeath all and every the several shares which I now have in the London and Westminster Banking Company⁷ unto my said niece Sarah Sydney Holbrook for her own use and to be transferred to her forthwith after my decease. I give and bequeath unto Mary Geant spinster now residing at Weston-super-Mare⁸ Somersetshire all those my ten shares in the Wye Navigation and Towing Path Company⁹ for her own use and to be transferred to her forthwith after my decease and I give and bequeath unto my faithful servant Ann Williams the sum of twenty pounds and also my ten shares in the Monmouth Gas and Water Works Company¹⁰ for her own use and to be transferred to her forthwith after my decease. I give and bequeath unto my said wife all my wines liquors provisions and other consumable effects which may be in or about my said dwelling house called Andover Villa at the time of my decease also the horse carriage and harness which I may then have also the plate and pictures which she had before our marriage also her wearing apparel jewels personal ornaments and or paraphernalia together with the large seal attached to my watch on which such arms are quartered all for her own use absolutely. I also bequeath to my said wife my portrait and my three old family Bibles for her life and afterwards unto the same persons successively to whom and in like manner as I have devised my premises in Monmouth and Cheltenham so that the same may be kept permanently in my family. I bequeath to my said wife her own portrait absolutely. I bequeath all my medical books and surgical instruments unto the said James Boulton for his own use upon condition that he duly executes and that within the time required the release or discharge before mentioned but if he shall refuse or neglect so to do then the same books and instruments shall be sold and the proceeds arising therefrom shall be and be deemed part of my residuary personal estate. I give and bequeath unto the several persons hereinafter named the following specific legacies that is to say unto my said niece Sarah Beauchamp the portrait of my late sister Mrs. Sheasby and the stool covered with my grandmothers work in wool or worsted the two old china cups which were my Grandmothers the mother of pearl paper cutter the china vase with broken handle (both of which were given to me by my said sister Mrs. Sheasby) and the locket containing my father and mother's hair. Unto my said niece Sarah Sydney Holbrook I give the purse knit by my said sister Sheasby with part of a lock of my said sister's hair in it wrapped up in a bit of paper (the other part thereof to be given to the said Sarah Beauchamp) also the five-shilling piece given me by my mother when I was a little boy and on which there are words to that effect engraven. Unto my said nephew William Wood I bequeath my gold watch chain and seals given me by the late Lady Cochrane, the ring given me by my said sister Sheasby and which I wear on

⁷ In 1834, the London and Westminster Bank was the first firm founded under the auspices of the Bank Charter Act 1833. It made its first acquisition in 1847, when it bought Young & Son. In about 1870 it acquired Unity Joint-Stock Bank, and mergers with Commercial Bank of London and Middlesex Bank had been arranged in 1861 and 1863 respectively. In 1909, London and Westminster merged with the influential and prestigious London and County Bank, which had seventy offices citywide and almost two hundred in rural counties.

⁸ Weston-super-Mare is a seaside town on the Bristol Channel but a small village until the 19th century when it became a seaside resort connected with local towns and cities by a railway.

⁹ A towpath is a trail on the bank of an inland waterway to allow horses to tow a boat where sailing was impractical later made obsolete when engines were fitted on boats and when railways came along.

¹⁰ The Monmouth Gas and Waterworks Co. Ltd was active in Monmouth during the 19th and 20th centuries.

my left little finger, the gold wig now in my dressing case also given me by her in memory of my dear father also my Great Grandfathers old silver watch also my Uncle Harry Papp's portrait. And I hereby request my said three last named Legatees not to part with the specific legacies so bequeathed but to keep and leave them as family commemoratives. I bequeath to Mr. J. Beauchamp (one of the lay choir of Wells Cathedral) in remembrance of me, my silver guard chain and the little pocket compass given me by Mrs. Thomas. I bequeath unto William Wood (oldest son of my said nephew William Wood) my dressing case given me by Lady Cochrane and my three shirt pins. Unto my nephew Richard Wood I bequeath my traveling writing desk my old mahogany desk and my Rees's Cyclopædia¹¹ in 84 volumes and to the third son of my said nephew William Wood I bequeath my small case of razors and also the razors with black handles given me by my brother Edward and with which I first shaved. All the above specific legacies to be delivered over to the respective legatees forthwith after my decease and I give and bequeath all other my household furniture and also my plate linen china and other household effects unto my said wife for her own use for and during her natural life in case she shall so long continue my widow and from and after her decease or future marriage then I direct the same to be forthwith sold and do declare that the monies arising from such sale shall be and form part of my residuary personal estate and I also direct that forthwith after my decease my three hereinafter named Executors shall cause three lists or schedules to be made of the said household furniture pictures plate linen china and effects and that the same lists or schedules shall be signed by all three and that each Executor shall keep one. And I also direct that my said three executors shall stand possessed of all the ready money which I may have in my banker's hands or elsewhere at my decease upon Trust in the first place to pay my just debts funeral and testamentary expenses (and in respect to the place of my funeral I declare my wish to be that I may be buried in the same grave with my dear sister Sheasby in Lydney churchyard) and after having paid the same then to pay unto my said wife for her own use the sum of two hundred pounds if such ready monies will enable them to do so but if such ready monies shall not amount to that sum then such sum as such ready monies shall amount to but if such ready monies shall exceed that sum then the excess above two hundred pounds shall be and form part of my residuary personal estate. **And as to the Rest and Residue of My Estate and Effects** whatsoever and howsoever arising I declare that my Executors shall stand possessed thereof upon trust to invest the same in their names in the purchase of three percent consolidated annuities and to permit my said wife to receive the dividends or proceeds thereof for her life in case she shall so long continue my widow and from and after her death or second marriage then upon Trust to pay the principal monies or transfer the same stock unto or into the name of my said niece Sarah Sydney Holbrook daughter of my late brother George Papps Holbrook late Surveyor General of Newfoundland now residing at Holbrook near St. John's Newfoundland or her representatives to whom I bequeath the same absolutely and I appoint my said wife my said nephew William Wood and the beforenamed Mr. J. Beauchamp joint **Executors** of this my will and trustees for the purpose of carrying into effect the Trusts and provisions thereof hereby declaring that they and every of them shall have and enjoy all such powers of reimbursement and all such immunities and indemnities as are usually given to or enjoyed by Executors and Trustees in cases of the like nature. In witness whereof I have hereunto set my hand this 3rd day of June 1848. *James Holbrook*

Signed published and declared by the said James Holbrook the Testator as and for his last Will and Testament in the presence of us present at the same time who in his presence at his request and in the presence of each other have subscribed our names as witnesses. (The words "and from and after her decease" between the two last lines of the 3rd page having been first interlined.)

Francis Fletcher, Cheltenham Chemist

Faithful Palmer, Cheltenham Chemist

¹¹ Rees's Cyclopædia was an important 19th-century British encyclopedia edited by Rev. Abraham Rees (1743–1825), a Presbyterian minister and scholar.

This is a codicil to the last Will and Testament of me James Holbrook of Andover Villa Tivoli Circus in the Town of Cheltenham Doctor of Medicine. Whereas my nephew James George Pearl Holbrook mentioned in my said will is lately dead and hath died a Bachelor and whereas since the execution of my said will I have purchased a piece or parcel of land situate opposite the messuage or dwelling house in which I now reside called Andover Villa as aforesaid. Now I hereby give and devise the same piece or parcel of land with its appurtenances unto my dear wife Emma Holbrook and the several other persons to whom I have in and by my said Will given and devised the said messuage or dwelling house to be held by her and them successively and for and under such and the same estates and interests conditions and contingencies and in like manner in all respects as in the said will mentioned concerning the same excepting so much thereof or so far as relates to my said deceased nephew and his issue which in consequence of such his death is become of none effect and whereas the provision intended to be made for my said nephew by payment of the yearly sum of forty pounds for his life as in the said will contained hath also by such death become void and whereas I am desirous of making a similar provision for my niece Sarah Sydney Holbrook for her life and for George Lilly and Isabella Lilly two of the children of her deceased sister Mrs. Lilly for their lives and providing for the payment of the same as hereinafter mentioned and whereas William Francis Price Doctor of Medicine (as in my will mentioned) hath in and by the lease under which he holds of me certain premises in the Town of Monmouth covenanted to pay to me my executors administrators and assigns (over and above the rent thereof) the annual sum of forty pounds half yearly on every twenty fourth day of June and twenty fifth day of December in every year until the expiration of the lease on the 25th day of December 1857 now I hereby give and bequeath the said annual sum of forty pounds so payable as aforesaid unto my niece Sarah Sydney Holbrook (in my said will named) for and during and until the expiration of the said lease if she shall so long live but if she shall die during the said lease then from and after her death I give and bequeath the same annual sum unto the said George Lilly and Isabella Lilly during the said lease in equal shares if both shall so long live and in case one of them should die then the sum to the survivor of them and from and after the expiration of the said lease in case my said wife shall be then dead or married or if not then from and after her death or second marriage I hereby charge and make chargeable all my several messuages and other hereditaments in the said Towns of Monmouth and Cheltenham with the payment of one annuity or yearly rent charge of forty pounds unto the said Sarah Sydney Holbrook for and during her natural life and from and after her decease then I charge and make chargeable the same premises with the payment of a life annuity or yearly rent charge of forty pounds unto the said George Lilly and Isabella Lilly in equal shares during their joint lives and from and after the death of one of them then the whole to the survivor during his or her life the same to be respectively paid half yearly on every twenty fourth day of June and every twenty fifth day of December in every year the first payment thereof to be in made on the first 24th day of June after the expiration of the said lease if my said wife shall be then dead or married or if not then on such of the said days as shall next happen after her said death or marriage and I give to my said several annuitants all such powers and comities as are usually given to annuitants in cases of like nature and do declare that if all of them shall die before the expiration of the said lease the said annual sum thereby payable shall be deemed part of my residuary personal estate. I bequeath all the plate which I had before my marriage unto the said Sarah Sydney Holbrook absolutely and do request my said wife to select the same and to carefully pack up and convey the same to her. In all other respects, I confirm my said will. In witness whereof I have hereto set my hand this twenty fifth day of November 1850.

James Holbrook

Signed published and declared by the said James Holbrook as and for a Codicil to his Will in the presence of us (present at the same time) who in his presence at his request and in the presence of each other have subscribed our names as witnesses.

Francis Fletcher, Cheltenham Chemist

Faithful Palmer, Cheltenham Chemist

This is a codicil to the last Will and Testament of me James Holbrook of Andover Villa Tivoli Circus in the Town of Cheltenham Doctor of Medicine. Whereas under or by virtue of a certain decree lately made by Her Majesty's High Court of Chancery in two several suits in which I the said James Holbrook was plaintiff and William Hole and others were defendants¹² I am entitled to receive a considerable sum of money which I expect will be shortly paid or payable and whereas I am desirous of disposing of the same sum in manner following that is to say I bequeath unto my niece Miss Sarah Sydney Holbrook the sum of six hundred pounds part thereof for her own use and benefit. I bequeath the sum of one hundred pounds other part thereof unto or for the benefit of the institution called The Monmouth Dispensary¹³ long established in the Town of Monmouth and I desire that the said sum of one hundred pounds shall be paid to the treasurers for the time being of the said institution to be added by them to the permanent capital of the same and to be applied from time to time for the benefit of the said institution in such manner as the committee for the time being of the same shall from time to time assert and subject to the payment of the said two several sums so bequeathed as aforesaid. I bequeath the rest and residue of the said sum of money to which under the said decree I am so entitled as aforesaid unto my stepson James Boulton in my said will named to and for his own and benefit provided always nevertheless that the said James Boulton his executors or administrators do and shall within the time limited by my said Will execute the release or discharge therein mentioned in respect to my real and Personal Estate and my real and Personal Representatives and upon condition of his executing which I have devised to him my messuage and premises called Glanwern in Monmouthshire near to Pontypool and in case the said James Boulton his executors or administrators shall neglect or refuse to execute and release or discharge as aforesaid within such time so limited as aforesaid then I direct that such rest or residue of the said sum to which under the said decree I am so entitled as aforesaid shall fall unto and be deemed to be part and parcel of my residuary Personal Estate and I direct that the said sum of six hundred pounds shall be paid to the said Sarah Sydney Holbrook and the said sum of one hundred pounds to the said treasurers of the Monmouth Dispensary respectively and after payment of the same two several sums such residue to the said James Boulton (such condition as aforesaid having been performed) within six months after my decease. In all other respects, I confirm my said will. In witness whereof I have hereto set my hand this 3rd day of March 1851.

James Holbrook

Signed published and declared by the said James Holbrook the Testator as for a codicil to his last Will and Testament in the presence of us (present at the same time) who in his presence and at his request and in the presence of each other have subscribed our names as witnesses. (The word Holbrook in the eighth line above having been previously obliterated.)

Francis Fletcher, of Cheltenham, chemist Faithful Palmer, of Cheltenham, chemist

Proved at London with two codicils 25th July 1851 before the Judge by the oath of Emma Holbrook widow the Relict one of the Executors to whom Admon¹⁴ was granted having been first sworn by Canon duly to administer. William Wood the nephew and John Beauchamp the other executors and two of the Residuary Legatees interest named in the said will having renounced the probate and execution of the said Will and Codicils and also the Letters of Admon (with the said Will and Codicils annexed) of the Goods of the deceased (as by acts of court appears)

¹² The defendants were William Hole, Harriet Hole, Jane Elizabeth Hole, Robert George Salter, William Simes and Smith Henry Bigg; pleadings started in 1844 per the UK National Archives.

¹³ The Monmouth Dispensary originally located in Little Castle House, now a private home on Castle Hill off Monnow Street, was one of Monmouth's early medical facilities.

¹⁴ Admon is court granted Letters of Administration which give permission to dispose of an estate.

Act 2

On the 8th day of January 1866 Admon with the Will and two Codicils annexed of the personal estate and effects of James Holbrook formerly of Monmouth in the County of Monmouth but late of Andover Villa Tivoli Circus Cheltenham in the County of Gloucester, Doctor of Medicine deceased who died 11th June 1851 at Andover Villa aforesaid left unadministered by Emma Holbrook widow deceased whilst living the relict of the said deceased one of the executors and one of the Residuary Legatees in trust and the Residuary Legatee for life or during widowhood named in the said will was granted to Robert Prowse that administration as the attorney of Thomas Holden of the Personal Estate and Effects of Sarah Sydney Holden (wife of the said Thomas Holden) formerly Holbrook spinster deceased whilst living the niece of the said James Holbrook deceased daughter of his late brother George Papps Holbrook and the Residuary Legatee substituted in the said Will for the use and benefit of the said Thomas Holden who now resides at Saint John's in the Island of Newfoundland and until he shall duly apply for and obtain letters of administration of the Personal Estate and Effects of the said Sarah Sydney Holden to be granted to him he the said Robert Prowse having been first sworn. William Wood his nephew of [Abersychan] deceased and John Beauchamp the other and surviving Executors and the other surviving Residuary Legatees in trust named in the said Will having, previously to the granting probate thereof, renounced the probate and execution of the said Will and Codicils and also Letters of Administration with the said Will and Codicils annexed of the Personal Estate and Effects of the said named the said Sarah Sydney Holden, having deceased the said [grant] Testator.

Act 3

On the 6th day of June 1871 Admon (with the Will and 2 Codicils annexed) of the personal estate and effects of James Holbrook formerly of Monmouth in the County of Monmouth but late of Andover Villa Tivoli Circus Cheltenham in the County of Gloucester, Doctor of Medicine deceased who died 11th June 1851 at Andover Villa aforesaid left unadministered by Emma Holbrook widow deceased whilst living the relict of the said deceased and one of the Executors and Residuary Legatees in trust and the Residuary Legatee for life or during widowhood named in the said Will and also by Thomas Holden deceased whilst living the Administrator by his attorney Robert Prowse of the personal estate and effects of Sarah Sydney Holden wife of him the said Thomas Holden (formerly Holbrook spinster) the niece of the said James Holbrook deceased (daughter of his late brother George Papps Holbrook) the Residuary Legatee substituted in the said Will was granted to John Beauchamp the surviving Residual Legatee in trust named in the said Will he having been first sworn. William Wood one other of the Executors and the other Residuary Legatee in trust and the said John Beauchamp the other Executor named in the said Will having heretofore renounced the Probate and execution of the said Will and Codicils and the Letters of Admon (with the said Will and Codicils annexed) of the personal estate and effects of the said James Holbrook deceased and the said John Beauchamp (so far only as necessary to enable him to take Letters of Admon) with the said Will and Codicils annexed of the said unadministered personal estate and effects having retracted his said renunciation of Admon.

Transcribed by Aiden Holden Sept 2017 I can be contacted at lkasn36@yahoo.com

My Analysis:

Dr. James Holbrook who died on June 11, 1851 had several real properties as follows:

1. Residence on Monnow St., Monmouth plus 7 rental tenements nearby
2. Residence at Andover Villa, Cheltenham
3. Home called Glanwern near Pontypool
4. Home near Glanwern used by his servants

The June 1848 Will:

Bequeaths property 1, 2 and 3 to his wife Emma for her life or until remarriage,
then to his nephew William Wood for his life
then to his godson James Holbrook Wood for his life (William Wood's son)
then property 1 and 2 to the eldest son of James George Pearl Holbrook forever but
if he has no son then to the heirs of James Holbrook Wood forever
and property 3 to James Boulton, the Dr.'s stepson forever on specified conditions

Bequeaths property 4 to his servant John Riley and his wife Jane for life
then to his niece Sarah Beauchamp for life (daughter of the Dr.'s late sister married to William Wood)
then to Bessie Beauchamp for ever (Sarah Beauchamp's daughter)

The November 1850 Codicil:

Necessary because James George Pearl Holbrook has recently died a bachelor and because Dr. James Holbrook recently purchased a piece of land opposite his residence at Andover Villa
The newly purchased land is to be treated as dictated for properties 1, 2 and 3

The March 1851 Codicil:

Necessary because Dr. James Holbrook has won a lawsuit and expects to collect over 700£.
He bequeaths 600£ to Sarah Sydney Holbrook, 100£ to the Monmouth Dispensary
and the remainder to James Boulton on specific conditions

The January 1866 Probate addendum:

Necessary because Emma Holbrook (James Holbrook's wife) William Wood and Sarah Sydney Holbrook all died. Admon had been given to Emma while the other two named executors William Wood and John Beauchamp had renounced so the Will was left un-administered when Emma died. Thomas Holden, (husband of Sarah Sydney Holbrook) through his lawyer, Robert Prowse is granted Admon pending Thomas get Admon of Sarah's estate in St. John's.

The June 1871 Probate addendum:

Necessary because Thomas Holden has died. John Beauchamp retracts his renunciation and is now given Admon of the Will.

Cash and Investments:

Among Dr. James Holbrook's assets was 800£ in annuities earning 3% plus 10 shares of Severn and Wye Railway and Canal Company plus ready cash in the bank. He gifted 200£ of the ready cash to his wife at his death and dictated that the income from the 800£ annuities and the stock go to his wife until her death or remarriage and next for such income to go to Sarah Sydney Holbrook for her life and then for the 800£ annuities themselves to be divided among the children of Sarah Sydney Holbrook. The 10 shares of Severn and Wye Railway and Canal Company were to eventually go to Bessie Beauchamp. The residue of the estate was also to go to Sarah Sydney Holbrook. In the March 1851 codicil to the Will he also bequeaths Sarah an additional 600£ as part of an amount he had recently been awarded in a court decree. Sarah also was to receive the 40£ annual rent on the Monmouth house rented to Dr. William Price from James death in 1851 to the expiration of the lease on December 25, 1857. He also directed that a new annual rent of 40£ start after his wife's death as a charge on the Monmouth & Cheltenham homes and be paid to Sarah Sydney Holbrook for her life and after her death to Isabella and George Lilly for life.

Sarah also received specific bequests of his shares in the London and Westminster Banking Company, a purse knit by her Aunt Sheasby with part of a lock of her hair in it wrapped up in a bit of paper, a five-shilling piece given James by his mother when he was a little boy with words engraved on it to that effect and all the plate James had before his marriage to Emma.

Commentary:

Sarah and Eunice Holbrook in their letters from the early 1800's clearly express the kindness of their Uncle Dr. James Holbrook and having spent a lot of time living at his home they would know what he was like. On the other hand, the Will creates a picture of a very controlling man with more concern for his legacy than his wife as can be seen in his request that his wife separate and pack up all the plate he had before his marriage and give it to his niece, his stated desire to be buried in the same grave as his sister, Sarah Sheasby, or how he repeats often that if Emma remarries she is to be considered dead for purposes of the Will. His strong desire for control is demonstrated by the structured bequests of his Cheltenham and Monmouth homes designed to reach far into the future by granting possession for life only to the last survivor of his wife Emma, his nephew William Wood, his Godson James Wood and his nephew James George Pearl Holbrook in that order and finally absolutely unto the oldest son of James George Pearl Holbrook. He gives the bulk of his monetary assets to his niece Sarah Sydney Holbrook. Emma, widow age 72 at the time of the 1861 census was living in the house in Andover Villa, Cheltenham with occupation recorded as "land proprietress".