

Will of Enoch VICKERMAN - b C1797, d 1861

written 26 September 1861, proved 20 November 1861

Line

No Text

1 **Page 1** - This is the last Will and Testament of me,
2 **Enoch VICKERMAN of Steps Mill** in South Crosland in the
3 Parish of Almondbury in the County of York, Woollen
4 Cloth Manufacturer and merchant made this twenty sixth day
5 of September in the year of our Lord one thousand eight
6 hundred and sixty one. First I direct payment of all my
7 just debts, funeral testamentary expenses. I give and
8 bequeath all my household furniture plate linen china books
9 prints pictures paintings and portraits my wines and other
10 consumable household stores, my horses and carriages and
11 appendages and my own hay corn utensils and implements (if
12 any) in and about my stable and outbuildings unto **my dear**
13 **wife Elizabeth VICKERMAN** absolutely. I also give to my dear wife for her
14 life an annuity or annual sum of four hundred pounds to be
15 paid to her in four equal quarterly payments computing one
16 quarter of a year backwards from my decease so that one
17 quarterly payment shall be due at my decease with a proportionate
18 payment for the time between that last previous quarterly day and
19 her decease. I declare that the provision above made for my wife
20 shall be taken and accepted in lieu and in full [xxx] and
21 satisfaction of all her right or title to dower or other estate or
22 interest in my real and personal estates respectively. After payment
23 of my debts funeral and testamentary expenses and excepting the
24 specific bequests above given to my wife, I give and devise all
25 my remaining personal estate and all my real estate whatsoever
26 and wheresoever to my trustees **my son Albert VICKERMAN, my son**
27 **in law Thomas BROOKE jnr** of Northgate Mount in Honley
28 in the Parish of Almondbury aforesaid Woollen Cloth Manufacturer
29 and Merchant; and my friends **Joseph SYKES** of Marsh House,
30 in Lindley, in the Parish of Huddersfield in the said County
31 of York Card Maker and **George JESSOP junior**, of Honley afore-
32 -said Oil Merchant, their heirs executors administrators and

33 assigns respectively according to the respective natures and tenures
34 thereof upon trust to call in and convert into money all such
35 parts of my remaining or residuary estate (including any bank
36 [Page 2](#) - shares) as at my decease shall not consist of money or
37 satisfactory investments or securities and to sell convey and
38 convert into money all my real estate but with power to
39 postpone as they may think fit any such sale and conversion
40 and the investments securities and monies of and to arise from
41 conversion of my remaining personal estate and from sale and
42 conversion of my real estate, except and after setting apart therefrom
43 the sum of seven thousand pounds for [my grandson Francis](#)
44 [Thomas BROOKE](#) shall be considered as one general fund and
45 When hereinafter mentioned or referred to under the term 'trust
46 fund' where not otherwise expressed shall include all the monies
47 securities investments and properties of which the same shall
48 consist or xxx or upon which they shall be laid out and the
49 'income' thereof shall include all rents profits dividends and
50 Interest from such monies properties investments and securities
51 And upon trust to hold the said sum of seven thousand pounds
52 Sterling so to be set apart as aforesaid and invest the same in
53 Like manner as hereinafter directed for investment of my 'trust fund'
54 And to apply so much of the income thereof as they my trustees
55 may think proper towards the education or otherwise for the
56 advantage of [my grandson Francis Thomas BROOKE](#) during his
57 minority and any unapplied income shall be assessed to
58 and form and addition to the said principal sum and go and
59 devolve as part of it. And upon trust to pay the said principal
60 sum and all additions thereto to the said [Francis Thomas](#)
61 [BROOKE](#) absolutely on his attaining the age of twenty two years
62 to whom I give the same accordingly. But if he shall die under
63 the said age then the said principal sum and all additions
64 thereto shall fall into? And form part of my said 'trust fund'
65 and be subject to the trusts thereof as hereinafter declared and
66 to hold my said 'trust fund' to be managed and invested as
67 hereinafter directed in the first place to pay from the income

68 thereof my wife's annuity. And subject to my wife's annuity, to pay
69 the yearly income thereof to [my son Albert VICKERMAN](#) for his life.
70 And I empower my son by any deed or deed with or without
71 **Page 3** - power of revocation and new appointment or by any Testamentary
72 writing to give direct or appoint that there shall be paid to an
73 widow of his surviving him for or during her life or an less
74 period or time any sum or annuity not exceeding one hundred
75 and fifty pounds a year and any annuity so given shall be
76 a charge upon my said 'trust fund' and the trusts hereinafter
77 declared shall be subject thereto if made And I empower my
78 trustees at any one time or at several times to lend to my said
79 son on his own personal security or otherwise as they may
80 think proper or if they think fit to give to him absolutely
81 any sum or sums or part or parts of my said 'trust fund' not
82 altogether exceeding the aggregate sum of five thousand pounds
83 and my trustees shall in no case be bound or liable to one
84 for or recover any money which shall be so lent as aforesaid and
85 every trust and declaration of my Will as to the said trust fund
86 shall be understood subject to the above power and to any
87 diminution? thereof thereunder?? And as to my said trust fund upon
88 and from the decease of [my son Albert](#) leaving any issue heir?
89 surviving upon trust for such one or more exclusively of the others
90 or other of his child children or issue (so as to vest absolutely within
91 twenty one years from his decease) and in such parts shares and
92 manner? As my son by any deed or deeds with or without power
93 of revocation and new appointment or by any Testamentary writing
94 shall give direct or appoint And in default of any such gift
95 direction or appointment or so far as any shall be inoperative in
96 trust for such child or children of my son living at his decease
97 and such issue then living of any child or children previously
98 deceased as being male shall attain the age of twenty one
99 years or being female shall attain that age or previously marry
100 and to vest on their respectively attaining the said age or marriage
101 and such issue to take equally among themselves respectively the
102 share which their deceased parent respectively would have been

103 entitled to if living with benefit of survivorship and accrued?
104 to and amongst the others and other of his issue respectively as
105 aforesaid of the shares of such of them respectley as shall die
106 Page 4 - under the age of twenty one years and being female unmarried
107 my trustees having power to apply all or any part of the income
108 of the presumptive? share of any minor in or for his or her
109 maintenance education and benefit during minority and xxx
110 accumulate the unapplied part which shall become, go and
111 devolve as part of the principal of the share producing it.
112 And in case my son shall die without leaving any child or
113 issue surviving him or none who shall live to attain a vested
114 interest under the above trusts. Then from and after the
115 decease of my son or of his last surviving child or issue who
116 shall survive him but not live to attain a vested interest as
117 aforesaid. As to the rents and income of my said 'trust fund'
118 during the life of my grandson Francis Thomas BROOKE and
119 after his decease as to the principal of the said 'trust fund'
120 upon the like or similar trusts in favour of my said grandson
121 Francis Thomas BROOKE for his life with like power of
122 giving or appointing an annuity or provision for a widow
123 and proved to appoint to his children and issue and in default
124 of appointment like trusts in favour of his child children and issue
125 and like power to my trustees to apply income for minors as
126 are above declared in favour of my son his children and issue.
127 But if both my son and said grandson shall die without
128 leaving any child or issue surviving him respectively or none
129 who shall live to attain a vested interest in my said trust
130 fund then from and after the decease of the longer liver of
131 them my said son and grandson or of the child or issue who
132 shall longest survive them but shall not live to attain a
133 vested interest as aforesaid. Upon trust to hold or to divide my
134 said 'trust fund' as one or into as many more than one equal
135 parts or shares as shall be the number of the three children
136 of my late nephew Walter VICKERMAN deceased who shall be
137 then living or if then dead shall then be represented by their

138 respective child children or issue then living. And to pay the
139 xxx or one such several respective divided part or share as
140 the case may be, to the only and or to each and of [my said](#)
141 [Page 5 - nephew's three children](#) who shall be then living and to
142 the children or more remote issue of each of them who shall
143 be then dead having left a child children or issue then
144 living such child children and issue respectively to take per
145 xxx and equally among themselves respectively the share or
146 shares which their deceased parents respectively would have
147 taken if then living. I direct that my trustees shall hold my
148 said 'trust fund' upon trust to continue to lay out and invest
149 the same in or upon Government stocks funds or securities
150 or real securities by way of mortgage Railway Bonds or
151 Debentures. Railway paid-up and dividend paying ordinary
152 or preferential stocks or shares or in the purchase of any lands
153 or buildings of freehold or copyhold tenure or by retaining
154 any such lands or buildings of my estate and in any permanent
155 improvements of any such lands or buildings with power from
156 time to time to call in vary alter and transpose any such
157 investments or securities (including lands or buildings of my estate
158 or which from time to time shall be purchased as aforesaid
159 and the proceeds from time to time from sale of any such
160 lands or buildings) into or for any others or other of the kinds
161 prescribed. And further to enable my trustees to effect such
162 variation or transposition, they shall have power to see and
163 dispose of by public auction or private contract and to convey
164 all or any part or parts of my lands and buildings to be
165 retained out of my estate and to be purchased as aforesaid and
166 to give good and effectual receipts for the purchase monies
167 therefore which shall exonerate the purchasers and others from
168 all liability or concern as to the propriety or regularity of any
169 such sale or the disposal or application of the monies thereby
170 acknowledged to be received and from time to time in like
171 manner to purchase and improve and to sell and convey any
172 other such lands and buildings as aforesaid when and as in

173 their discretion it shall appear xxx. I devise all real
174 estates vested in and as mortgagee unto my said trustees and
175 their heirs subject to the equities affecting the same. I direct
176 Page 6 - and empowered that if my said trustees (including my son)
177 herein named or any to be appointed under this clause shall
178 die in my lifetime or shall decline to act at all, or, after
179 acting shall die or become incompetent or unwilling to continue
180 to act then and in every such case it shall be lawful for my
181 wife so long as she continues my widow and after her second
182 marriage or death for my son during the minority of my
183 said grandson and after my grandson shall have attained
184 the age of twenty one for my son and grandson and
185 after the death of either of them for the survivor, or if they
186 or the survivor of them be dead or incapable then for the
187 acting trustees or trustee for the time being of my Will from
188 time to time by deed to appoint any other person or persons to
189 be a trustee or trustees in the place of the trustee or trustees
190 so dying or declining or becoming incompetent or unwilling to
191 act or to continue to act as aforesaid. And every such appointment
192 shall be valid although the original number of trustees to
193 varied by increase or decrease. And that upon every such
194 appointment all the said trust fund trust monies investments
195 and properties shall by proper assurances be vested in the
196 surviving or continuing trustees or trustee and such new
197 trustee or trustees, or if there be no continuing trustees or
198 trustee then in such new trustees only – that the receipts
199 of the trustees or trustee for the time being of or under my
200 Will for any monies or effects paid or delivered to them or
201 him under or for the purposes of my Will shall exonerate
202 the persons taking the same from all responsibility as to
203 the application thereof. And the trustees and trustee for the
204 time being hereunder shall and may have and exercise the
205 same powers and discretions in all respects as are given to
206 or reposed in the trustees herein named. And shall not be
207 answerable the and for the other of them nor for the acts of

208 each other nor for losses or misfortune occurring to my estate
209 without their respective wilful default. And may retain and
210 allow to each other out of my estate all costs and expenses
211 Page 7 - incurred by them in the Trusteeship or in reference thereto
212 I authorise and empower my personal representatives or
213 representative for the time being to compromise any debt
214 claimed from or as being due to my estate and to adjust and
215 settle by reference to arbitration or otherwise upon such terms
216 as may be thought reasonable all accounts transactions matters
217 and things relating to my estate. I appoint my said son
218 Albert VICKERMAN and the said Thomas BROOKE junior
219 (Executors) Joseph SYKES and George JESSOP junior joint Executors of
220 this my Will and lastly I revoke all former wills by me
221 heretofore made and declare this and the five preceding sheets
222 of paper to be and contain my last Will and Testament In
223 witness whereof I have hereunto and to the said five preceding
224 sheets of paper set my hand this twenty sixth day of September
225 in the year of our Lord one thousand eight hundred and
226 sixty one.

227 In the one joint and simultaneous presence
228 of the said Enoch VICKERMAN, the testator, and Enoch VICKERMAN
229 of us the undersigned witness signed by him
230 as his Will and by us as witnesses, the words
231 'seven thousand pounds' and 'seven thousand
232 pounds sterling' being first written in blanks
233 in the second sheet
234 J H BATTYE solicitor Huddersfield
235 Joseph HARPER Royal Hotel Harrogate, Hotel Keeper
236

237 In Her Majesty's Court of Probate
238 Wakefield District Registry
239

240 On the 20th day of November 1861 the will of Enoch
241 VICKERMAN late of Steps Mill in South Crosland in
242 the Parish of Almondbury in the County

243 or York, Woollen Clothe Manufacturer and
244 Merchant deceased was proved by the oaths of
245 [Albert VICKERMAN the son of the said deceased](#)
246 [Thomas BROOKE the younger Joseph SYKES and](#)
247 [Page 8 - George JESSOP the younger](#) the Executors named
248 in the said Will they having been first sworn
249 duly to administer
250
251 [Effects under£43,000 \[£2m in 2009 values\]](#)