

Chest 16<sup>th</sup> April

1846  
Tet. C.

Reuben Spencer  
de Bonsall

2 Ex. C. Inf 450£

In the Name of God, Amen, I Reuben Spencer of Bensall

Esq, in the Parish of Bensall, in the County of Derby, Farmer, do make this my last Will and Testament in manner following (that is to say) I give and devise All those my two Acres or Parcel of Land situate in Site in the Parish of Wicksarth and now in my own occupation and which I purchased of James Banks - And all that my Dwellinghouse at Widdleton by Wicksarth in the said County of Derby with the Gardens and hereditaments belonging thereto and comprised therewith by William Belfeld, Miner, with the appurtenances to the same does, Dwellinghouse and premises belonging unto my son Benjamin Spencer his heirs and assigns for ever - I also give and

Reuben Spencer

devise All that my Allotment in Widdleton Ward adjoining each other and in the respective occupations of George Spencer and Richard Spencer with their appurtenances unto the children of my late Daughter Mary Moore deceased in equal shares and proportions (as Tenants in Common) their several and respective heirs and assigns for ever - I also give and devise All those my two Acres of Land in Widdleton aforesaid called Strickhouse Crofts and in the occupation of Richard Spencer and All those my two Dwellinghouses in Widdleton aforesaid with the Gardens, Barns and premises thereto belonging and comprised therewith by James Spencer, Miner, and Anthony Braden with the appurtenances thereto belonging unto George Spencer the husband of my Daughter Anne Spencer his heirs and assigns for ever - I also give and devise All those my three Acres of Land called the Dam Road, the

J J  
H J { Reuben Spencer

upper Close in the Dam Gang and the Lady Mary situate at Widdleton aforesaid with the Gardens and premises thereto belonging and comprised therewith by Peter Spencer the husband of my late Daughter Elizabeth with their respective appurtenances unto my said son Benjamin Spencer and my son in Law Thomas Buxton their heirs and assigns Upon the

Trust nevertheless and to and for the ends intents and purposes following (that is to say) Upon Trust to pay and apply the rents issues and profits thereof as and when the same shall be received unto and for the benefit of the children of my said late Daughter Elizabeth in such way and manner and in such proportions as they my said Trustees shall in law and their discretion think proper until the youngest of such

Witness  
J Travis  
H Travis

Reuben Spencer



- children shall attain the age of twenty one years. And when and  
5 as soon as such youngest child shall have attained the said age of  
twenty one years then upon Trust that they my said Trustees or the  
Survivor of them or his heirs do and shall sell and absolutely dispose  
of the said last mentioned Lands dwellinghouses and premises together  
or in parcels and either by Public Auction or Private Contract as to  
them or him shall seem expedient for the best price or prices in money  
that can be reasonably obtained for the same and convey and assure  
the same accordingly. And I direct that my said Trustees or Trustee  
6 for the time being do and shall stand possessed of and indebted in the  
sums to arise from such sale or sales as aforesaid and of the Rents and  
profits of the said hereditaments in the meantime until the same shall be paid  
upon Trust to pay and divide the same unto between and amongst All and  
every the said Children of my said late Daughter Elizabeth in equal shares and  
proportions as Tenants in Common. And I direct that such children shall take  
7 vested interests in the said Trust Rents and premises as they shall  
respectively attain the age of twenty one years. Provided and I do hereby  
declare my will to be that if any such children shall depart this life before  
he she or they shall attain his her or their respective ages of twenty one years  
then the share or shares of him her or them so dying shall go and come  
to the Survivors or Survivor or others or other of such children and be equally  
8 divided between them if more than one share and share alike and the same shall  
become vested and payable at such ages and times as his her and their original  
portion and portions are hereby directed to become vested and payable as aforesaid.  
I also give and devise All those my three Pieces of Land at Widdelton aforesaid  
being the remainder of my property called the Ward Gang and lying below the said  
upper Close in the Ward Gang customary and occupied by the said Isaac Spencer  
with their appurtenances unto my said son Benjamin Spencer and my said Son in  
9 Law Thomas Buxton their heirs and assigns upon the Trust nevertheless and to and for  
the uses intents and purposes following (that is to say) Upon Trust to pay unto or permit  
and suffer my Daughter Hannah the Wife of Samuel Spring to receive and take the  
rents issues and profits of the said last mentioned Lands and premises for and  
during the term of her natural life independent of any future husband who shall  
not intermeddle therewith nor shall the same be subject or liable to his debts  
10 contract or engagements. And for that purpose I direct my

Witness

J Travis.  
H Travis

Hebert Spencer

that the receipts of her my said Daughter Hannah shall notwithstanding  
her Coverture be good and effectual discharges for the same And from and  
after the decease of my said daughter Hannah Young Upon Trust that they  
my said Trustees or the survivor of them or his heirs do and shall sell and  
absolutely dispose of the said last mentioned Lands and premises together  
or in parcels and either by public Auction or by private Contract as to them  
or him shall seem expedient for the best price or prices in money that can  
be reasonably obtained for the same and convey and assure the same  
accordingly And I direct that my said Trustees or Trustee for the time  
being do and shall stand possessed of and interested in the moneys so arising  
from such last mentioned Sale or Sales and of the rents and profits of the  
same hereditaments in the mean time until the same shall be sold Upon  
Trust to pay and divide the same unto between and amongst all and  
every the Child and Children of her my said daughter Hannah lawfully  
begotten or to be begotten if more than one in equal shares and  
proportions as Tenants in common as and when they shall severally  
attain the age of Twenty one years And I direct that such Children  
shall take vested Interests in the said last mentioned Trust premises  
and moneys as they shall respectively attain the said age of Twenty  
one years Provided and I do hereby declare my Will to be that if  
any such Children of my said daughter Hannah shall depart this life  
before he she or they shall attain his her or their respective ages of  
Twenty one years then the share or shares of him her or them or any  
shall go and remain to the survivors or survivor or others or other  
of such Children and be equally divided between them if more than  
one share and share alike and the same shall become vested Interests  
and payable at such ages and times as his her and their original  
portion and portions so hereby directed to become vested and payable  
as aforesaid And I direct that my said Trustees or Trustee for the  
time being do and shall after the decease of my said daughter  
Hannah pay and apply the Interest and Annual Income of the share  
or shares of such of her said Children as shall not have acquired a  
vested Interest in the portion or portions hereintofore provided or  
intended for him her or them respectively for and towards his her  
or their maintenance and education respectively or shall permit the

Witness

J Travis  
H Travis

Leuben Spencer



same to accumulate as they my said Trustees or Trustee shall in their  
or his discretion think proper. And I will and declare that the  
receipt or receipts of my said Trustees or the survivor of them or  
his heirs for the monies for which the hereditaments by this my Will  
directed to be sold shall be so respectively sold and disposed of as  
aforesaid shall from time to time be a sufficient discharge or sufficient  
16 Discharges to the purchaser or purchasers of the said several  
hereditaments and premises or any part or parts thereof for his her  
or their purchase money or for so much thereof as shall be therein  
acknowledged or expressed to have been received and that such  
purchaser or purchasers his her or their heirs executors administrators  
or assigns or any of them shall not afterwards be answerable or  
accountable for any loss misapplication or non application of such  
purchase money so received or any part or parts thereof I also give  
17 and devise All those my three closes or parcels of Land with the Ban  
standing thereon adjoining to each other situate in Middleton aforesaid  
and called the Goodman brookes or Leeman Closes and which were  
purchased from Benjamin Spencer and are now in the occupation of  
Francis Spencer unto my son in Law Thom as Bunton (the Husband  
of my daughter Sarah) his heirs and assigns for ever I give and  
bequeath all my live and dead Farming Stock and Implements of  
Agriculture, Stacks and crops of Corn, Grain and Hay, Household  
18 Goods and Furniture (except such Household Goods and Furniture  
which belonged to my second Wife or came to me at the time of my  
marriage with her) unto my said son Benjamin Spencer to and  
for his own absolute use and benefit. And I give and bequeath the  
said Household Goods and Furniture which belonged to my said  
second Wife or came to me at the time of my marriage with her as  
aforesaid unto my said daughter Sarah Bunton to and for her  
own use and benefit And as to all the rest residue and  
remainder of my personal Estate and Effects not hereinbefore  
specifically disposed of I give and bequeath the same unto and  
equally between my son Benjamin Spencer and my said daughter Sarah  
Bunton in equal shares as Tenants in Common to and for their own  
use and benefit respectively Subject nevertheless to the payment of all

Witness  
J Travis  
H Travis

Reuben Spencer



my just debts funeral and Testamentary Expenses And I declare that  
my said Trustees for the time being shall be answerable for their own  
20 respective acts receipts and defaults only and shall be at liberty to  
retain and to allow to each other out of monies coming to their  
hands by virtue of this my Will all expenses incurred in executing  
the trusts thereof And lastly I appoint my said son Benjamin  
Spencer and my said son in Law Thomas Buxton joint executors  
of this my will hereby revoking all former Wills by me made.  
In witness whereof I the said Reuben Spencer the Testator to this  
my will contained or written on five sheets of paper have to each  
sheet of paper set my hand this Twentieth day of September in  
the year of our Lord one thousand eight hundred and forty four.

Signed by the said Reuben Spencer the Testator  
in the presence of us, present at the same time,  
who in his presence and at his request have  
herewith subscribed our names as witnesses

Reuben Spencer

Thomas Travis Farmer Jble  
Hugh Travis Farmer Jble

Whereas I the above named Reuben Spencer of Bristol in  
the County of Derby Farmer, having made my last Will and Testament dated  
22 the Twentieth day of September one thousand eight hundred and forty four and  
devised my real and personal estates as therein mentioned And whereas I  
have now reason to believe that at the time of my decease there will be due and  
owing by me several small sums of money on simple contract or otherwise  
and also find that there is not in my said Will any adequate provision made for  
payment of my said debts funeral and Testamentary expenses Now I do hereby  
23 declare my Will and mind to be that my said Trustees Benjamin Spencer and  
Thomas Buxton shall receive the Rents issues and profits of my said Real  
Estate, and that my said son Benjamin Spencer shall contribute after the  
rate of four pounds per centum per annum on the value of the bequest  
to him in and by my said Will made of the Farming Stock and other Goods  
 Chattels and effects therein mentioned And I do hereby declare that they  
the said Trustees shall stand possessed of the said Rents issues and profits of  
my said Real estate, and of the sum or sums of money to be distributed by  
24 my said son Benjamin in Trust to pay off and discharge all my said debts  
funeral and Testamentary Expenses, and the legacy by me hereinafter bequeathed  
and so soon as that shall be fully accomplished I do hereby declare my Will and  
mind to be that the several debts and bequests to or in Trust for my said children  
or their issue shall stand and take effect as if this codicil to my said Will had  
25 never been made - I hereby give and bequeath to Mary the wife of Matthew Wright the  
younger of Bristol in the County of Derby Cordwainer, the sum of five pounds to  
be paid to her within one year after my decease And lastly I do hereby declare this

At Chesterfield 16<sup>th</sup> April 1866  
Let a Probate of the Will and Codicil  
annexed be granted to Benjamin Spencer  
and Thomas Burton the Executors  
therein named —

They being duly sworn as also that  
the deceased's personal Estate is worth  
after the Value of £450 —

Before me

F. I. Blackburne  
Surrogate

Scopes & Spencer

to be a bequest to my said last Will and Testament - In Witness whereof  
I the said Reuben Spencer the Testator have hereunto set my hand this  
Twentieth day of September one thousand eight hundred and forty four.

Signed by the said Reuben Spencer the Testator in the presence  
of us, present at the same time, who in his presence, and at  
his request have hereunto subscribed our names as witnesses

Reuben Spencer

Thomas Travis Farmer Iba  
Hugh Travis Farmer Iba

Dated September 20. 1844

Mr Reuben Spencer

Will

Chest 16<sup>th</sup> April

1846

Set C.

Reuben Spencer

de Bonsall

2 Ex. C. Inf 450f



WILL

In the *Bishops* Court of *Lichfield*

In the Goods of *Reuben Spencer*  
Deceased.

Insert the Name,  
Residences, and  
Professions of the  
Persons making  
the Affidavit.

Appeared Personally *Benjamin Spencer of Able in  
the Parish of Warkworth in the County of Derby  
Farmer and Thomas Buxton of the Parish of  
Bradborne in the County of Derby Labourer*  
the *and Codicil Reuben*

Executors named in the last Will and Testament of the said  
*Spencer*

late of *Bonsall*  
in the County of *Derby*

Insert date of  
death.

*Farmer*  
*Seventh* day of *January* One Thousand  
Eight Hundred and Forty *six* - and made Oath, that the Estate and Effects of the

If One or more  
Codicils, state so

said Deceased, for, or in respect of which, a Probat of the said Will *with one*  
*codicil* - is to be granted exclusive of what the said Deceased may have  
been possessed of, or entitled to, as a Trustee for any other person or persons, and not  
beneficially but including the Leasehold Estate or Estates for Years of the Deceased  
if any, whether absolute or determinable on Lives, and without deducting any thing on  
account of the Debts, due and owing from the said Deceased, are under the value of  
*four hundred fifth*  
Pounds, to the best of the Deponent's knowledge, information and belief

Sworn on the *16<sup>th</sup>*  
day of *April* - 184*6* } *Benjamin Spencer*  
before me, *Thomas Buxton*  
*J. J. Blackburne*  
*Surrogate*